

MAINE STATE LEGISLATURE

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L.D. 1604

Date: 3-21-16

(Filing No. S-413)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

127TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 645, L.D. 1604, Bill, "An Act To Replace a Statue in the National Statuary Hall Collection"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 5 MRSA §12004-I, sub-§5-D is enacted to read:

5-D.

<u>Culture</u>	<u>Commission on</u>	<u>Expenses Only</u>	<u>27 MRSA §304</u>
	<u>Statuary in National</u>		
	<u>Statuary Hall</u>		

Sec. 2. 27 MRSA §304 is enacted to read:

§304. Commission on Statuary in National Statuary Hall

1. Commission on Statuary in National Statuary Hall. The Commission on Statuary in National Statuary Hall, established by Title 5, section 12004-I, subsection 5-D and referred to in this section as "the commission," shall administer this section and perform such other duties as may be prescribed by law.

2. Membership. The commission consists of 9 members as follows:

A. The Director of the Maine Arts Commission or the director's designee;

B. The Director of the Maine State Museum or the director's designee;

C. Four members of the public, appointed by the President of the Senate after consultation with the directors of the Maine Arts Commission and the Maine State Museum; and

D. Three members of the public, appointed by the Speaker of the House of Representatives after consultation with the directors of the Maine Arts Commission and the Maine State Museum.

COMMITTEE AMENDMENT

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1 **3. Duration of appointment; vacancies.** Members are appointed for the duration of
2 the commission. Upon the occurrence of a vacancy in a position held by a member of the
3 public, a person must be appointed to the commission in the same manner as the vacating
4 member was appointed.

5 **4. First meeting; chair.** The nonappointed members of the commission shall jointly
6 call the first meeting of the commission. At the first meeting the commission shall select
7 a chair from among its members and may select a new chair annually.

8 **5. Duties and powers of the commission.** By March 15, 2020, the commission
9 shall replace the statue of Hannibal Hamlin that is currently located in the National
10 Statuary Hall Collection with a statue of Margaret Chase Smith that meets all applicable
11 federal requirements. The commission shall relocate the statue of Hannibal Hamlin to the
12 State and place it within public view within the Maine State House, if feasible, or on the
13 grounds of the Maine State House. The commission may coordinate its efforts with any
14 public or private groups carrying out plans to celebrate or promote the State's bicentennial
15 in 2020.

16 **6. Cooperation and information exchange.** The commission, the Maine Arts
17 Commission and the Maine State Museum Commission shall consult and exchange
18 information, at least 2 times each year, concerning the plans, proposals and activities of
19 the commission in carrying out the directives of this section.

20 **7. Funding.** The commission may solicit and accept gifts, bequests and federal
21 funds for purposes consistent with the objectives of this section. Notwithstanding
22 subsection 5, the commission may not incur any liabilities, including but not limited to
23 the costs of commissioning an artist, materials, transport, fees, engineering studies and
24 insurance and other costs related to the commission's duties, unless sufficient funds are
25 available to the commission.

26 **8. Staffing.** The commission may contract for administrative, professional and
27 clerical services if funding permits.

28 **9. Interest in contracts prohibited.** An employee of the Maine Arts Commission
29 or the Maine State Museum or a member of the commission may not be interested
30 directly or indirectly in any contract or contracts entered into to accomplish the objectives
31 of this section.

32 **10. Final authorization.** Final authorization for the placement of the statue of
33 Hannibal Hamlin within the Maine State House or on the grounds of the Maine State
34 House pursuant to subsection 5 must be made by the Legislative Council.

35 **11. Report.** The commission shall submit the following reports to the joint standing
36 committee of the Legislature having jurisdiction over education and cultural affairs and
37 the Legislative Council:

38 A. By January 15, 2018, a report regarding the commission's progress toward
39 completing its duties;

40 B. By January 15, 2020, a report regarding the commission's progress toward
41 completing its duties; and

COMMITTEE AMENDMENT

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1 C. By January 15, 2021, a report regarding the completion of the commission's duties
2 and any unfinished business.

3 **Sec. 3. Appointments; meeting.** Members of the Commission on Statuary in
4 National Statuary Hall, established pursuant to the Maine Revised Statutes, Title 27,
5 section 304, must be appointed prior to January 1, 2017. The nonappointed members of
6 the commission shall call the first meeting of the commission within 90 days of the
7 appointment of at least 3 members.

8 **Sec. 4. Appropriations and allocations.** The following appropriations and
9 allocations are made.

10 **ARTS COMMISSION, MAINE**

11 **Commission on Statuary in National Statuary Hall N225**

12 Initiative: Provides funds for contracted staff support for fund-raising.

13	GENERAL FUND	2015-16	2016-17
14	All Other	\$0	\$65,000
15			
16	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$65,000</u>

17 **Commission on Statuary in National Statuary Hall N225**

18 Initiative: Provides funds for travel expenses.

19	GENERAL FUND	2015-16	2016-17
20	All Other	\$0	\$10,000
21			
22	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$10,000</u>

23 **Commission on Statuary in National Statuary Hall N225**

24 Initiative: Provides a base allocation in the event that private funds are received.

25	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
26	All Other	\$0	\$500
27			
28	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$500</u>

29 **Commission on Statuary in National Statuary Hall N225**

30 Initiative: Provides a base allocation in the event that federal funds are received.

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COMMITTEE AMENDMENT "A" to S.P. 645, L.D. 1604

1	FEDERAL EXPENDITURES FUND	2015-16	2016-17
2	All Other	\$0	\$500
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<hr/> \$0	<hr/> \$500
5	ARTS COMMISSION, MAINE		
6	DEPARTMENT TOTALS	2015-16	2016-17
7			
8	GENERAL FUND	\$0	\$75,000
9	FEDERAL EXPENDITURES FUND	\$0	\$500
10	OTHER SPECIAL REVENUE FUNDS	\$0	\$500
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<hr/> \$0	<hr/> \$76,000
13			

14

SUMMARY

15 This amendment replaces the bill. This amendment creates the Commission on
16 Statuary in National Statuary Hall to replace the statue of Hannibal Hamlin in National
17 Statuary Hall in the United States Capitol with a statue of Margaret Chase Smith by
18 March 15, 2020 and to return the statue of Hannibal Hamlin to the Maine State House.
19 The commission has 9 members, including the directors of the Maine Arts Commission
20 and the Maine State Museum and 7 members of the public. The commission must
21 regularly consult with the Maine Arts Commission and the Maine State Museum
22 Commission and must fund the statue replacement project with available funds. Final
23 authorization to place the statue of Hannibal Hamlin within the Maine State House or on
24 the grounds of the Maine State House must be made by the Legislative Council. The
25 commission must submit 2 progress reports and a final report of its work to the joint
26 standing committee of the Legislature having jurisdiction over education and cultural
27 affairs and the Legislative Council. The amendment adds an appropriations and
28 allocations section.

29

FISCAL NOTE REQUIRED

30

(See attached)

COMMITTEE AMENDMENT



127th MAINE LEGISLATURE

LD 1604

LR 2696(02)

An Act To Replace a Statue in the National Statuary Hall Collection

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-413)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$0	\$75,000	\$75,000	\$75,000
Appropriations/Allocations				
General Fund	\$0	\$75,000	\$75,000	\$75,000
Federal Expenditures Fund	\$0	\$500	\$500	\$500
Other Special Revenue Funds	\$0	\$500	\$500	\$500

Fiscal Detail and Notes

This bill establishes the Commission on Statuary in National Statuary Hall to replace the current statue of Hannibal Hamlin in National Statuary Hall in the United States Capitol with a statue of Margaret Chase Smith and to return the statue of Hannibal Hamlin to the Maine State House before March 15, 2020. This bill includes General Fund appropriations totaling \$75,000 in fiscal year 2016-17 to the Commission to comply with the requirements of this legislation, of which \$65,000 is for contracted staff support for fundraising and \$10,000 is for travel expenses. This bill also includes Other Special Revenue Funds and Federal Expenditures Fund base allocations of \$500 in fiscal year 2016-17 in the event private and/or federal funds are received.