

MAINE STATE LEGISLATURE

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Date: 3/27/24 Majority

L.D. 471
(Filing No. H-872)

STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 288, L.D. 471, "An Act to Make Necessary Changes to State Law"

Amend the bill by striking out the title and substituting the following:

'An Act to Establish the Maine State Flag Commission'

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

'Sec. 1. PL 2023, c. 487, §3 is amended to read:

Sec. 3. Statutory referendum procedure; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in ~~the month of November following passage of this Act 2026.~~ The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor making the former state flag, replaced as the official flag of the State in 1909 and commonly known as the Pine Tree Flag, the official flag of the State?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

COMMITTEE AMENDMENT

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The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

Sec. 2. Commission established. The Maine State Flag Commission, referred to in this Act as "the commission," is established to assist the Secretary of State in approving the design of the former state flag, replaced as the official state flag in 1909, to be subject to the referendum question pursuant to Public Law 2023, chapter 487, section 3, as amended by this Act.

1. Commission membership. The commission consists of 5 members as follows:

- A. The Secretary of State or the Secretary of State's designee;
- B. The State Archivist or the State Archivist's designee;
- C. A representative with expertise in vexillology appointed by the Secretary of State;
- D. A representative with expertise in graphic design appointed by the Secretary of State; and
- E. A representative of a statewide organization that promotes arts and culture in the State appointed by the President of the Senate.

2. Appointment terms; vacancies; chair; convening of commission. The appointed members under subsection 1 serve until June 30, 2026. A vacancy must be filled in the same manner as the original appointment. The Secretary of State, or the secretary's designee, shall serve as the chair and convene meetings of the commission.

3. Duties. The commission shall assist the Secretary of State in developing and coordinating the design of the official state flag subject to referendum in 2026.

4. Staff. The Secretary of State may employ administrative staff to serve the commission.

5. Meetings. The commission shall determine the frequency of meetings, which may include a public hearing.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill, which is a concept draft, and changes the title. It establishes the 5-member Maine State Flag Commission to assist the Secretary of State in approving the design of the former state flag subject to the referendum question pursuant to Public Law 2023, chapter 487, section 3. It changes the date of the referendum question from November 2024 to November 2026.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 471

LR 2089(02)

An Act to Make Necessary Changes to State Law

Fiscal Note for Bill as Amended by Committee Amendment *A (H-872)*

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Referendum Costs

Month/Year	Election Type	Question	Length
Nov-26	General	Referendum	Standard

The Secretary of State's budget includes sufficient funds to accommodate one ballot of average length for the general election in November. If the number or size of the referendum questions requires production and delivery of a second ballot, an additional appropriation of \$266,000 may be required.

Fiscal Detail and Notes

Additional costs to state agencies to replace the current flag can be absorbed within existing budgeted resources. This assumes that the changeover will occur gradually as the old ones become worn and frayed. Any costs to the Department of Secretary of State to serve on the commission, provide administrative duties for the commission and to approve the flag design are expected to be minor and can be absorbed within existing budgeted resources.