

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

S.P. 167 - L.D. 379

An Act To Establish the Maine State Cemetery Preservation Commission

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §12004-I, sub-§2-H is enacted to read:

2-H.

<u>Cemeteries</u>	<u>Maine State Cemetery Preservation Commission</u>	<u>Not Authorized</u>	<u>13 MRSA §1374</u>
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Sec. 2. 13 MRSA §1374 is enacted to read:

§1374. Maine State Cemetery Preservation Commission

The Maine State Cemetery Preservation Commission, referred to in this section as "the cemetery preservation commission," is established by Title 5, section 12004-I, subsection 2-H to provide advice and education regarding matters related to preserving cemeteries.

1. Members. The cemetery preservation commission has the following 10 members:

A. Two members representing a statewide association dedicated to the preservation of neglected cemeteries, appointed by its board of directors;

B. Two members representing a statewide association of cemetery directors and supervisors, appointed by its board of directors;

C. One member representing a statewide association representing municipalities, appointed by its board of directors;

D. One member representing a statewide association of town clerks, appointed by its board of directors;

E. One member representing a statewide association of funeral directors, appointed by its board of directors;

F. The Director of the Maine Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, or the director's designee;

G. One member representing a statewide association of real estate brokers, appointed by its board of directors; and

H. One member representing a statewide historical society, appointed by its board of directors.

2. Optional member. The tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation may jointly appoint as a member of the cemetery preservation commission an individual who is a member of a federally recognized Indian nation, tribe or band in the State.

3. Duties. The cemetery preservation commission may:

A. Advise and educate municipalities and property owners about the existence of burying grounds and cemeteries and the laws applicable to burying grounds and cemeteries;

B. Advise and educate municipalities, property owners and owners of burying grounds and cemeteries on the proper care and preservation of graves, gravestones, walls and fences in and around burying grounds and cemeteries; and

C. Review statutes applicable to burying grounds and cemeteries and provide information to the Legislature on recommended changes.

4. Bureau's duties. Notwithstanding subsection 3, the duties of the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services are limited to arranging for and attending cemetery preservation commission meetings and must be accomplished within existing resources.

5. Bylaws. The members shall adopt bylaws within one year of the effective date of this section. The bylaws must provide for the regulation and management of the affairs of the cemetery preservation commission and must establish the terms of office, including staggering the initial terms, the method for selecting a chair and the method for filling a vacancy on the cemetery preservation commission. The bylaws may be amended at any time by the affirmative vote of a majority of members.