

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

Sec. 1. 27 MRSA §304 is enacted to read:

§ 304. Statues in National Statuary Hall

This section governs the placement and replacement of statues provided by the State to the National Statuary Hall Collection in the United States Capitol in Washington, D.C.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Cultural agencies" means the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission.

2. Oversight. The cultural agencies, in collaboration, shall carry out the provisions of this section.

3. Statues. The cultural agencies shall ensure that statues provided by the State to represent Maine in the National Statuary Hall Collection comply with any applicable federal laws.

A. A statue placed in the National Statuary Hall Collection by the cultural agencies must represent Maine as demonstrated by the results of a survey of public opinion in the State.

B. A statue in the National Statuary Hall Collection that is replaced must be returned to the State and placed within public view. A statue returned to the State from the National Statuary Hall Collection is property of the Maine State Museum.

4. Funding for replacement. The costs of replacing a statue provided by the State to the National Statuary Hall Collection, including, but not limited to, the costs of commissioning an artist, materials, transport, fees, engineering studies and insurance and other costs related to creating or acquiring a replacement statue and costs related to the replaced statue and its relocation to the State, must be funded entirely by private donations.

Sec. 2. Replacement of statue of Hannibal Hamlin. By March 15, 2020, the Maine Arts Commission, the Maine State Museum Commission and the Maine Historic Preservation Commission, as established by the Maine Revised Statutes, Title 5, section 12004-G, subsections 7-B, 7-C and 7-D, respectively, shall in accordance with Title 27, section 304 replace the statue of Hannibal Hamlin that is currently located in the National Statuary Hall Collection with a statue of Margaret Chase Smith that meets all applicable federal requirements. The commissions shall relocate the statue of Hannibal Hamlin to the State and place it within public view within the Maine State House, if feasible, or on the grounds of the Maine State House.

SUMMARY

This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2015, chapter 51, section 2. As required by the resolve, the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission submitted to the committee their study and recommendations regarding the replacement of statues provided by the State to the National Statuary Hall Collection in the United States Capitol. This bill reflects the recommendations of the study.

The committee has not taken a position on the substance of the study plan or this bill, and by reporting this bill out the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the study plan or this bill. The committee is reporting the bill out for the sole purpose of turning the study plan into a printed bill that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course. The committee is taking this action to ensure clarity and transparency in the legislative review of the commissions' proposal.

This bill provides that the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission are responsible for the placement and replacement of statues representing Maine in the National Statuary Hall Collection in the United States Capitol. A statue must meet all applicable federal requirements; replacement of a statue must be funded from private sources; and a replaced statue must be returned to Maine, where it must be displayed in public view. The bill requires a statue placed in the National Statuary Hall Collection to represent Maine as demonstrated by the results of a survey of public opinion. This bill also directs the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission to replace the statue of Hannibal Hamlin currently in the National Statuary Hall Collection with a statue of Margaret Chase Smith by March 15, 2020.