

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

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.

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

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

**5. Duties and powers of the commission.** By March 15, 2020, the commission shall 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 commission

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. The commission may coordinate its efforts with any public or private groups carrying out plans to celebrate or promote the State's bicentennial in 2020.

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

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

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

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

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

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

- A. By January 15, 2018, a report regarding the commission's progress toward completing its duties;
- B. By January 15, 2020, a report regarding the commission's progress toward completing its duties;  
and
- C. By January 15, 2021, a report regarding the completion of the commission's duties and any unfinished business.

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

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

## **ARTS COMMISSION, MAINE**

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

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

<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$0	\$65,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$65,000</b>

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

Initiative: Provides funds for travel expenses.

<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$0	\$10,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$10,000</b>

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

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

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$0	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$500</b>

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

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

<b>FEDERAL EXPENDITURES FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$0	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$500</b>

<b>ARTS COMMISSION, MAINE</b>		
<b>DEPARTMENT TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$75,000</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$500</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$500</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$76,000</b>

### **SUMMARY**

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

### **FISCAL NOTE REQUIRED** **(See attached)**