

COMMITTEE AMENDMENT “ . “ to LD 379, An Act To Establish the Maine State Cemetery Commission

Amend the title of the bill as highlighted below:

An Act to Establish the Maine State Cemetery Preservation Commission

Amend Sec. 1 of the bill as highlighted below:

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

2-H.

<u>Cemeteries</u>	<u>Maine State Preservation Cemetery Commission</u>	<u>Not authorized</u>	<u>13 MRSA §1374</u>
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Amend Sec. 2 of the bill as highlighted below

Sec. 2. 13 MRSA §1374 is enacted to read:

§1374. Maine State Cemetery Preservation Commission

The Maine State Cemetery Commission, referred to in this section as "the cemetery preservation commission," is established by Title 5, section 12004-I, subsection 2-H as provided in this section.

1. Permanent members. The cemetery commission has the following ~~8 permanent~~ 11 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; ~~and~~

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

G. One member representing a statewide association of realtors, appointed by its board of directors;

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

J. One member who is a member of a federally recognized Indian nation, tribe or band in Maine if 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 jointly appoint an individual.

~~**2. Optional members.** The permanent members of the cemetery commission may invite, upon majority agreement, one member each from a state organization representing female descendants of~~

~~veterans of the American Revolution, a state organization representing male descendants of veterans of the American Revolution and the American Legion or similar military veterans' group.~~

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. Staffing. ~~The Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management, or the Director's designee, shall, within the limits of existing resources, provide staff support for the operation of the commission.~~

4. Director's duties. ~~Notwithstanding subsection 3, the director's duties are limited to arranging for and attending commission meetings, and must be accomplished within existing resources.~~

5. Remote participation. By majority vote of members, a meeting may be held entirely through means of remote communication without a specific site for the meeting or partially through means of remote communication with those members attending in person at the location provided in the meeting notice. The commission may, in its discretion, adopt guidelines and procedures authorizing members who are not physically present at a meeting of members to, by means of remote communication.

6. By-laws. The members shall adopt bylaws within 1 year of the effective date of this section. The bylaws must provide for the regulation and management of the affairs of the commission and must establish the terms of office, the method for selecting a chair and the method for filling a vacancy on the commission. The bylaws may be amended at any time by the affirmative vote of a majority of members.

SUMMARY

The amendment adds the word “preservation” into the title of the commission to better reflect the focus and work of the commission. The amendment adds 3 additional members to the commission, representatives of a statewide realtors’ association, a historical society and a member of a federally recognized Indian nation, tribe or band in Maine if jointly recommended by these nations, tribes or bands. The amendment requires the Bureau of Maine Veterans’ Services to set up and attend commission meetings, within existing resources. The amendment removes the optional members to the commission and requires the members establish bylaws within 1 year of the effective date of the law. The amendment allows to commission to meet remotely.