



# 127th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2016

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Legislative Document

No. 1604

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S.P. 645

In Senate, February 23, 2016

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

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Reported by Senator LANGLEY of Hancock for the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2015, chapter 51, section 2.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

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

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

3 **§304. Statues in National Statuary Hall**

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

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

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

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

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

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

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

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

27 **Sec. 2. Replacement of statue of Hannibal Hamlin.** By March 15, 2020, the  
28 Maine Arts Commission, the Maine State Museum Commission and the Maine Historic  
29 Preservation Commission, as established by the Maine Revised Statutes, Title 5, section  
30 12004-G, subsections 7-B, 7-C and 7-D, respectively, shall in accordance with Title 27,  
31 section 304 replace the statue of Hannibal Hamlin that is currently located in the National  
32 Statuary Hall Collection with a statue of Margaret Chase Smith that meets all applicable  
33 federal requirements. The commissions shall relocate the statue of Hannibal Hamlin to  
34 the State and place it within public view within the Maine State House, if feasible, or on  
35 the grounds of the Maine State House.

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## SUMMARY

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

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

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