

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 title and inserting the following:

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** honoring veterans buried in the Maine Veterans' Memorial Cemetery System by placing the United States flag on their graves is our duty as citizens; and

**Whereas,** the somber occasion of Memorial Day 2007, the day that we honor the sacrifices of those that served their country, will come to pass prior to the adjournment of the First Regular Session of the 123rd Legislature; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 37-B MRSA §504, sub-§5,** as amended by PL 1999, c. 401, Pt. II, §1, is further amended to read:

**5. Weekend visitation.** The superintendentdirector of the cemetery system shall arrange visiting hours to provide public access to the cemeteries at least one Saturday or Sunday each month. Regularly scheduled weekly visiting hours may be adjusted to provide for the weekend hours.

**Sec. 2. 37-B MRSA §504, sub-§7** is enacted to read:

**7. Flag placement program.** The director of the cemetery system shall establish a program to facilitate the placement of 12-inch by 18-inch American flags at the graves of veterans buried in the Maine Veterans' Memorial Cemetery System. This program must allow for volunteer organizations to place flags on graves beginning 2 days prior to the day Memorial Day is observed and for removal by volunteer organizations 3 days after the day Memorial Day is observed. The director of the cemetery system shall permit a limited extension beyond the 3 days, so that the flags do not have to be removed in inclement weather. The director of the cemetery system is authorized to use funds as provided in subsection 8 and to accept private donations of flags, tools or other equipment necessary to implement the program.

**Sec. 3. 37-B MRSA §504, sub-§8** is enacted to read:

**8. Flag placement fund.** There is established the Maine Veterans' Memorial Cemetery Flag Placement Fund, an interest-bearing account, referred to in this subsection as "the fund." The fund receives money appropriated from the General Fund and any other money contributed voluntarily to the fund. All money deposited in the fund and the earnings on that money remain in the fund to be used to implement the flag placement program as described in subsection 7, specifically for the purchase of new

flags as needed to ensure each veteran's grave is decorated as required by subsection 7 and as replacements for damaged flags. Money in the fund may not be deposited in the General Fund or any other fund except as specifically provided by law.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'

## SUMMARY

This amendment replaces the bill, which was a concept draft. This amendment establishes a flag placement program that requires the director of the Maine Veterans' Memorial Cemetery System to permit volunteers to place flags on veterans' graves from 2 days before to 3 days after Memorial Day. Under this program the director of the cemetery system may accept private donations of flags, tools and other equipment necessary to provide for the placement of flags. The amendment establishes a fund to carry out the purposes of the program. The fund may accept appropriations from the General Fund as well as private donations. The amendment also makes a minor technical change to the Maine Revised Statutes, Title 37-B, section 504, subsection 5.