

# MAINE STATE LEGISLATURE

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MAINE, ARCHIVES COMMITTEE

SECOND REPORT

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to

GOVERNOR JOHN H. REED

September 24, 1965

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LETTER OF TRANSMITTAL

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To His Excellency John H. Reed

Governor of Maine:

I have the honor to submit herewith the second report of the Maine Archives Committee which was established by Executive Order to develop plans and recommendations for an archives program for the State of Maine.

Respectfully submitted,

Dean Ernest C. Marriner

Chairman

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Edward Penley, Editorial writer, Portland

Press Herald

Niran C. Bates, Director of Public

Improvements

Ambrose C. Cramer, President, Maine League

of Historical Societies and Museums

Wendell S. Hadlock, Director, Farnsworth

Art Museum

Reginald B. Bowden, Executive Department

John E. Pancoast, Director, Portland

Museum of Art

Mrs. E. Reeves Hitchner, Member, Maine

Historical Society

Mrs. Dwight P. Beedy, Legislative Chairman,

The Garden Club Federation of Maine

Professor L. Kinvin Wroth, University of Maine,

School of Law

was appointed during November, 1964, to conduct a study and report its findings and recommendations to the Governor.

Through action of the Governor and Council, the sum of \$1,000 was made available on December 16, 1964, for the expenses of the Committee.

At its first meeting on December 30, 1964, the Committee concluded that, because an archives program was of such fundamental importance to the State, legislation to establish a State archival agency was vital. A special Subcommittee was appointed to prepare appropriate legislation for presentation at the incoming session of the 102nd Legislature.

Several preliminary drafts of the Subcommittee were reviewed by each member of the Committee, amended, and placed in final draft at a meeting of the full Committee on January 22, 1965. The final draft was subsequently introduced, under joint sponsorship, by Representatives Walter A. Birt and James A. Bishop on February 9, 1965, as Bill: AN ACT Creating the Office of State Archivist (H.P. 758, L.D. 1012).

At a public hearing before the Joint Standing Committee on Appropriations and Financial Affairs held on March 18, 1965, the Archives Committee through Chairman Marriner introduced various proponents of the bill, including members of the Committee, state officials, and representatives from leading member societies of the Maine League of Historical Societies and Museums.

On March 23, 1965, the Committee submitted its First Report to the Governor, reporting its findings that "the State of Maine has acquired a vast quantity of valuable material of public interest and importance to the citizens of the State," and that, "for the people of the State of Maine to derive the fullest use and enjoyment from such documents and materials, they should and must be made accessible for State and public use." To implement its findings, the Committee urged enactment of its proposed Bill during the legislative session then pending.

To promote interest in the Bill, the Committee, with the cooperation of the Governor and the Secretary of State,

sponsored an exhibition in the State House of significant documents drawn from the Archives.

The Bill was reported out of Committee with a unanimous Ought To Pass Report on April 15, 1965, and was enacted by the Legislature, as amended, on June 4, 1965. Governor Reed approved the Bill on June 8, 1965. The Bill as enacted became "An Act Creating the Office of State Archivist," Public Laws, 1965, c. 441 (Maine Revised Statutes Annotated, Title 27, -c. 10).

The Act creates the office of State Archivist and gives him duties under two general headings:

1. Records Management, and
2. Archives.

Under the Records Management provisions the Archivist is to establish procedures within the executive branch (which other branches may adopt) for current records management, for the transfer of noncurrent records of archival value to the Archives, and for destruction of non-current records lacking archival value.

Under the Archives provisions, the Archivist is to receive archival material both through the Records Management program and by negotiation with other public officers and private donors, to make such material (or copies thereof) available to the public, and to protect such material from loss or deterioration.

The Archivist is to be appointed by the Secretary of State for a term of six years. An Archives Advisory Board, consisting of 5 State officers acting ex officio and 6 interested persons appointed by the Governor, is also established. This body is to advise the Archivist in the performance of his duties.

The Act has the unanimous approval of the members of the Committee. It will raise Maine from its present low place in the field of archives and records management to a position of leadership among the states. At the same time, the Act will fill a major need in making available to scholars and citizens at large Maine's vast documentary



heritage. Dr. Ernst Posner, leading authority in the field, called the measure "a truly modern act that embodies our best thinking in the matter of records and archives management. It is also a strong act giving to the archivist the necessary authority."

The Committee particularly wishes to express its appreciation and thanks to Governor Reed and Members of the 102nd Legislature for their interest in and support of this progressive measure.

While the passage of the Act represents a most significant achievement, the fact that the appropriations necessary to fund the program do not become available until the second year of the biennium, 1966-67, makes it imperative for the Committee to suggest that further consideration be given to full implementation of the program. Measures which should be considered by the Governor and the Legislature are:

- (1) The appointment of the Archives Advisory Board as soon as conveniently possible;

(2) The enactment of legislation at the forthcoming special session of the Legislature that would provide the funds necessary to permit the Archivist to be employed and to enter upon his duties earlier than otherwise would be possible.

The principal reasons for these suggestions are as follows:

(1) When the Archives Advisory Board has been appointed, it will be able at once to begin to seek out qualified candidates for the position of State Archivist and make recommendations concerning them to the Secretary of State.

(2) The conditions which prompted passage of the Act will not be improved by delay. As Dr. Posner points out in his American State Archives (1964), many of the State's records "are either inaccessible or kept under conditions that are haphazard and unsafe. Great losses undoubtedly have occurred." Obviously, as more records accumulate without

the supervision of a trained archivist, the dangers of loss and destruction will greatly increase.

(3) Unless noncurrent records having no legal or historical value are destroyed, valuable time and space essential to the State's normal activities will be lost.

This function, which was formerly handled by the Committee on Destruction of Old Records, is now to be exercised by the Archives Advisory Board and the Archivist. Appointment of these officials is obviously necessary to the efficient administration of State affairs.

(4) In order for the Archivist to perform his functions, a suitable physical plant for the Archives must be provided as soon as possible. This facility must be designed with the professional advice of the Archivist and the Archives Advisory Board. The facility must provide adequate storage space and be equipped with proper heat and humidity controls for the preservation of documents, as well as with modern microfilm and other reproduction equipment.

There must be sufficient work space for both staff and outside users, as well as a display area for educational exhibits about Maine's past. Presently there is much impetus in the State for the construction of an archives-museum complex. To insure that plans for the complex do incorporate the features essential to an archives facility, the Archives Advisory Board and the Archivist should be appointed so that they may maintain needed liaison with all other interested parties working toward development of the complex.

#### SPECIFIC RECOMMENDATIONS

(1) Appointment of Archives Advisory Board. That the Archives Advisory Board be appointed by the Governor as soon as possible.

(2) Supplemental Appropriation. That the following legislation be introduced at the forthcoming special session of the Legislature to provide for funding the archives program until June 30, 1966:

Resolve, Providing Funds for State Archives Program.

Emergency preamble. Whereas, the 102nd Legislature

enacted legislation providing for the creation of the

office of State Archivist; and

Whereas, funds for the program were authorized by

the 102nd Legislature for the fiscal year ending June 30,  
1967; and

Whereas, it is vitally essential that funds be made  
available earlier in order that an Archivist be employed  
and enter upon his duties of preserving and safekeeping  
the records of the State; 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

Maine State Archives: additional appropriation.  
Resolved: That there is appropriated from the General

Fund to the Maine State Archives the sum of \$7,650 for the fiscal year ending June 30, 1966, the breakdown of which shall be as follows:

		<u>1965-66</u>
MAINE STATE ARCHIVES		
Personal Services	(2)	\$6,850
All Other		750
Capital Expenditures		<u>50</u>
		\$7,650

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.