

# MAINE STATE LEGISLATURE

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(After Deadline)  
SECOND REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 2172**

S. P. 722

In Senate, March 1, 1978

The Committee on State Government suggested. Approved by a Majority of the Legislative Council pursuant to Joint Rule 25. Referred to Committee on State Government.

MAY M. ROSS, Secretary

Presented by Mr. Sewall of Penobscot.

Cosponsors: Mr. Huber of Cumberland, Mr. Conley of Cumberland, Mr. Danton of York

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-EIGHT

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**An Act Creating a State Capitol Commission.**

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

Sec. 1. 3 MRSA c. 27 is enacted to read:

**CHAPTER 27  
STATE CAPITOL COMMISSION**

**§ 601. Declaration of policy**

The Legislature, in view of the continuing importance which the State Capitol Building has for the people of Maine, declares that it is the policy of the State of Maine to preserve and develop the aesthetic and historical integrity of the State Capitol Building.

**§ 602. State Capitol Commission**

There is established the State Capitol Commission, in this chapter called the "commission," which shall approve any and all architectural, aesthetic and

decorative alterations to the State Capitol Building and which shall develop plans to preserve and develop the aesthetic and historical integrity of the State Capitol Building.

**§ 603. Membership; terms; reimbursement; meetings; rules**

**1. Membership.** The commission shall consist of 9 members who shall be appointed as follows:

**A.** The Maine Historic Preservation Director, who shall be a member and who shall be permanent chairman of the commission;

**B.** Four members of the public, who shall be appointed by a majority vote of the Legislative Council;

**C.** The Director of the State Museum, who shall be a member ex officio, and who shall have no vote;

**D.** The Director of the Arts and Humanities Bureau, who shall be a member ex officio and who shall have no vote;

**E.** The Director of the Bureau of Public Improvements, who shall be a member ex officio and who shall have no vote; and

**F.** The Chairman of the Capitol Planning Commission, who shall be a member ex officio and who shall have no vote.

**2. Terms.** Each public member shall be appointed to serve a term of 2 years, except that, of those public members initially appointed, 2 public members shall be appointed to serve terms of one year and 2 public members shall appointed to serve terms of 2 years. A member shall serve until his successor is appointed and qualified. A vacancy occurring in a membership shall be filled as soon as practicable by appointment for the unexpired term in the manner of the original appointment.

**3. Reimbursements.** Members shall serve on the commission without pay, but shall be reimbursed for their expenses and travel in the same manner and at the same rate as other state employees.

**4. Meetings; decisions; quorum.** The commission shall meet at least quarterly on the call of its chairman. Decisions shall be made by a majority of those present and voting. A quorum shall be a majority of the voting members of the commission.

**5. Rules.** The commission shall, in accordance with the Maine Administrative Procedure Act, Title 5, Part 18, adopt all rules necessary or desirable for it to carry out the functions assigned it by sections 602, 604, 606 and

**607. The Maine Historic Preservation Commission shall serve as the secretariat of the commission in exercising its administration.**

**§ 604. Duties of the commission**

**1. Plan.** The commission shall, with the assistance of the Legislative Administrative Director, adopt a plan by June 30, 1980. The objective of the plan shall be the preservation and development of the aesthetic and historical integrity of the State Capitol Building. The commission shall submit the plan to the Legislative Council for adoption as the official state plan for the preservation and development of the aesthetic and historical integrity of the State Capitol Building. From time to time, the commission may submit any additions and amendments as it deems necessary to the Legislative Council for adoption and inclusion in the official state plan for the preservation and development of the aesthetic and historical integrity of the State Capitol Building.

**2. Jurisdiction.** The commission shall have jurisdiction over the entire exterior and interior of the State Capitol Building, also known as the Statehouse, and its immediate grounds, except that the private office of the Governor shall, at his discretion, be exempt from this chapter.

**3. Alterations.** The Bureau of Public Improvements shall make no architectural, aesthetic or decorative addition, deletion or change to any external or internal part of the State Capitol Building or its immediate grounds under the jurisdiction of the commission unless the commission has, in writing, approved the change.

**4. Research; publication.** The commission shall conduct research into the history of the State Capitol Building. The results of this research will guide the commission in the preservation and development of the aesthetic and historical integrity of the State Capitol Building. The commission shall publish and distribute this research to enhance public understanding and appreciation of the State Capitol Building.

**§ 605. Advice and assistance to commission**

The commission may request the assistance and advice of any state agency in the administration of its duties. Any state agency receiving a request shall render any assistance and advice to the commission.

**§ 606. Report to the Legislature**

**The commission shall report biennially to the Legislature facts and recommendations relating to the work and needs of the commission. The commission shall list all activities and projects initiated, completed and proposed**

during the next biennium which concern the preservation and development of the aesthetic and historical integrity of the State Capitol Building.

§ 607. Contributions

The commission may accept gifts, bequests and federal funds for purposes consistent with the objectives of this chapter. These gifts and bequests shall be used solely to carry out the purposes for which they were made.

Sec. 2. 27 MRSA § 86-A, first ¶, as enacted by PL 1971, c. 401, § 1, is amended to read:

The State Museum shall hold title, as trustee for the State, to all historical materials, other than documents or other library or archival items under the administrative jurisdiction of the State Library or State Archives, which are or may become the property of the State and are or may be housed in the public buildings of the State , **excluding the State Capitol Building**. Such historical materials shall ~~include the banners and flags presently housed in the State House Hall of Flags and may~~ include, but shall not be restricted to, paintings, sculptures and other works of art dealing with historic subjects or executed by historically significant artist; flags, banners, insignia, medals, firearms, edged weapons, uniforms and other accoutrements relating to Maine military personnel or units; furnishings, utensils, implements, tools, machinery and other devices having particular historical significance to the State.

Sec. 3. 27 MRSA § 404, sub-§ 4, last sentence, as enacted by PL 1971, c. 485, § 2, is amended to read:

The term "work of art" as used in this subsection shall include any painting, portrait, mural, decoration, stained glass, statute, tablet, bas-relief, ornament, fountain or other article or structure of a permanent character intended for decoration or commemoration, but shall not include "historical materials" administered by the Maine State Museum Commission **and shall not include the State Capitol Building, including its exterior, interior, fixtures or decorations.**

Sec. 4. **Appropriation.** The following funds shall be appropriated from the General Fund to carry out the purposes of this Act:

	<b>1978-79</b>
STATE CAPITOL COMMISSION	
All Other	\$15,000

STATEMENT OF FACT

The purpose of this bill is reflected in that part of section 1 of the bill relating to Title 3, chapter 27, section 601.