

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

**Legislative Document**

**No. 777**

H. P. 613 House of Representatives, February 23, 1979  
Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Nelson of Portland.

Cosponsors: Mrs. Kany of Waterville, Mr. Jackson of Yarmouth and Mr. Morton of Farmington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT Creating a Statehouse and Blaine House Commission.**

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**

**STATEHOUSE AND BLAINE HOUSE COMMISSION**

**§ 601. Declaration of policy**

The Legislature, in view of the continuing importance which the Statehouse and the Blaine House have 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 Statehouse and the Blaine House.

**§ 602. Statehouse and Blaine House Commission**

There is established the Statehouse and Blaine House Commission, in this chapter called the "commission," which shall approve any and all architectural, aesthetic and decorative alterations to the Statehouse and the Blaine House and which shall develop plans to preserve and develop the aesthetic and historical

integrity of the Statehouse and the Blaine House.

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

**1. Membership.** The commission shall consist of 14 members who shall be appointed as follows:

**A. The Maine Historic Preservation Commission Director, who shall be permanent chairman of the Statehouse and Blaine House Commission;**

**B. Three members of the public, who shall be appointed by the Governor;**

**C. Three members of the public, who shall be appointed by the President of the Senate;**

**D. Three members of the public, who shall be appointed by the Speaker of the House;**

**E. The Director of the State Museum Bureau;**

**F. The Director of the Maine State Commission on the Arts and the Humanities;**

**G. The Director of the Bureau of Public Improvements; and**

**H. The Chairman of the Capitol Planning Commission.**

**2. Terms.** Each public member shall be appointed to serve a term of 2 years, except that, of those public members initially appointed, 3 public members shall be appointed to serve terms of one year and 3 public members shall be 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 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 adopt a plan by June 30, 1981. The object of the plan shall be the preservation and development of the aesthetic and historical

integrity of the Statehouse and the Blaine House. The commission shall submit the plan to the Governor and the Legislative Council for adoption as the official state plan for the preservation and development of the aesthetic and historical integrity of the Statehouse and the Blaine House.

2. **Jurisdiction.** The commission shall have jurisdiction over the entire exterior and interior of the Statehouse and the Blaine House and their immediate grounds.

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 Statehouse, the Blaine House or their immediate grounds under the jurisdiction of the commission unless the commission has, in writing, approved the change, with the exception of routine maintenance and repair.

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

5. **Immediate grounds.** "Immediate grounds" shall mean for the Statehouse those grounds bounded by State Street, Capitol Street and the parking areas south and immediately west of the Statehouse. "Immediate grounds" shall mean for the Blaine House those grounds bounded by State Street, Capitol Street, Grove Street and the northern property line of the Blaine House.

#### § 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 Statehouse and the Blaine House. A copy of the biennial report shall also be sent to the Governor.

#### § 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 and shall be excepted from any state cost allocation program.

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

and the following enacted in its place:

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, including the Statehouse and the Blaine House. These historical materials shall include, but shall not be restricted to, paintings, sculptures and other works of art dealing with historic subjects or executed by historically significant artists; 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, basrelief, 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 Statehouse and the Blaine House, including their 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.

	1979-80	1980-81
STATEHOUSE AND BLAINE HOUSE COMMISSION		
All Other	\$15,000	\$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.