

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 159

H.P. 130 House of Representatives, February 3, 1987  
Reported by Representative Carter from The Supreme  
Judicial Court Relocation Commission pursuant to Private &  
Special Law 1985, Chapter 60 and printed pursuant to Joint  
Rule 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

Resolve, Concerning a Proposed Supreme  
Judicial Court Facility.

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

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Whereas, it is desired to have the Supreme Judi-  
cial Court located in its own building in the state  
capital in Augusta; and

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Whereas, it is desired to begin to receive the  
benefits of such a move at the earliest possible  
time; and

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1           Whereas, it is desired that an expense of this  
2 magnitude be presented to the voters of the State;  
3 and

4           Whereas, a court planner is necessary to develop  
5 a building program from which a definitive cost esti-  
6 mate and architectural design can be developed; and

7           Whereas, it is desired to select the design of  
8 the building through a major design competition; and

9           Whereas, a commission is necessary to oversee  
10 planning and design of the new Supreme Judicial Court  
11 facility; and

12           Whereas, in the judgment of the Legislature,  
13 these facts create an emergency within the meaning of  
14 the Constitution of Maine and require the following  
15 legislation as immediately necessary for the preser-  
16 vation of the public peace, health and safety; now,  
17 therefore, be it

18           Supreme Judicial Court to be located in Augusta.  
19 Resolved: That at the earliest possible time a  
20 building of prestige and dignity which is compatible  
21 with the Capitol and Capitol Park shall be con-  
22 structed at the far eastern end of Capitol Park, gen-  
23 erally in line with the path of trees which extends  
24 toward the Capitol. This building shall house the  
25 courtroom for the Supreme Judicial Court; chambers  
26 for all justices of the Supreme Judicial Court, the  
27 Chief Justice of the Superior Court and the Chief  
28 Judge of the District Court; space for the Adminis-  
29 trative Office of the Courts; and a working law li-  
30 brary. In determining the library needs, considera-  
31 tion shall be given to the existence of the Law and  
32 Legislative Reference Library in the capitol build-  
33 ing. The building shall be the last structure to be  
34 built or placed in the park; and be it further

35           Project program; planning. Resolved: That work  
36 on a project program for the construction of a Su-  
37 preme Judicial Court in Augusta shall be initiated in  
38 January 1987, by a nationally recognized court plan-  
39 ner. This planner shall be required to have availa-  
40 ble in sufficient time to be included in legislation  
41 presented to the first session of the 113th Legisla-

1 ture, a cost estimate of sufficient accuracy as to be  
2 suitable for a request for funding to completely cover  
3 all aspects of the construction of this court facility;  
4 and be it further

5 Design competition. Resolved: That selection of  
6 the design for the construction of this court facility  
7 shall be by means of a 2-stage design competition  
8 with no geographic limitation as to entrants. There  
9 shall be affiliated with this design competition in  
10 some manner an architect of national stature, as determined  
11 by the Supreme Judicial Court Plan and Design Commission.  
12 The design competition shall be judged by a subcommittee  
13 of 3, 5 or 7 members under the auspices of the commission.  
14 The competition shall be planned, organized and run by the  
15 court planner for the project or by some other knowledgeable  
16 expert from outside State Government.  
17

18 All preparation for the design competition that  
19 does not require funding shall be completed by November  
20 1987. No funding may be expended for the design  
21 competition until the bond issue approving funds for  
22 the construction of the court facility is ratified by  
23 the voters; and be it further

24 Commission established. Resolved: That there is  
25 established the Supreme Judicial Court Plan and Design  
26 Commission.

27 1. Membership. The commission shall consist of  
28 15 members to be appointed as follows: One member  
29 of the Senate appointed by the President of the Senate;  
30 one member of the House of Representatives to be  
31 appointed by the Speaker of the House of Representatives;  
32 one member appointed by the Chief Justice of the  
33 Supreme Judicial Court; 6 members to be appointed  
34 by the Governor as follows: One of whom shall be a  
35 representative of the Garden Club Federation of Maine  
36 or the Kennebec Valley Garden Club selected with the  
37 advice of those organizations, one of whom shall be a  
38 licensed architect selected with the advice of the  
39 Maine Chapter of the American Institute of Architects,  
40 one of whom shall be a building contractor selected  
41 with the advice of Associated General Contractors,  
42 one of whom shall be a landscape architect selected  
43 with the advice of the Maine Chapter of the

1 American Society of Landscape Architects, one of whom  
2 shall be a scholar in an architecturally related dis-  
3 cipline selected with the advice of Maine's colleges  
4 and universities and one of whom shall be a member of  
5 the public; one member of the Capitol Planning Com-  
6 mission appointed by the chairman of that commission;  
7 one member of the Maine Arts Commission appointed by  
8 the chairman of that commission; one representative  
9 of the City of Augusta to be appointed by that city's  
10 mayor; one member of the Maine Trial Lawyers Associa-  
11 tion to be appointed by that group; one member of the  
12 Maine Bar Association to be appointed by that group;  
13 and one architectural critic from a state newspaper  
14 or magazine selected by the Maine Arts Commission.  
15 All appointments shall be made no later than 30 days  
16 following the effective date of this resolve. The  
17 Executive Director of the Legislative Council shall  
18 be notified by all appointing authorities once their  
19 selections have been finalized.

20 The committee shall select a chairman from among  
21 its members.

22 2. Duties of the commission. The duties of the  
23 commission shall be as follows:

24 A. Oversee the work of the court planner;

25 B. Present to the First Regular Session of the  
26 113th Legislature a report containing the con-  
27 struction cost estimate of the court planner to-  
28 gether with legislation to fund construction of  
29 the court facility through a bond issue approved  
30 by the voter referendum; and

31 C. Set up a jury to oversee and evaluate the de-  
32 sign competition. This jury may be completely  
33 composed of members of the commission and only  
34 one member shall not be a member of the commis-  
35 sion. The majority of the members of the jury  
36 shall be from an architecturally related profes-  
37 sion.

38 3. Report. In addition to other reports re-  
39 quired in this section, the commission shall report  
40 to the Legislature at the completion of each stage of  
41 the design competition and before the initiation of  
42 construction.



1 the purposes of this resolve.

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1986-87

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JUDICIAL DEPARTMENT

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Courts - Supreme, Superior, District and Administrative

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All Other

\$130,000

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Provides funds to contract with a Court Planner to provide assistance to the Supreme Judicial Court Plan and Design Commission. Specific responsibilities shall include the development of a "program" for the proposed court facility and a final cost estimate. These funds shall not lapse, but shall remain in this account until expended for the purposes described above.

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Total

\$130,000

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LEGISLATURE

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Supreme Judicial Court Plan and Design Commission

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All Other

\$ 10,000

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Provides funds for the meeting, advertising and report printing costs of

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1 the commission.  
2 These funds shall  
3 not lapse, but re-  
4 main in this account  
5 until expended for  
6 the purposes de-  
7 scribed.

8  
9 Total \$ 10,000

10 TOTAL APPROPRIATIONS \$140,000

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

14 STATEMENT OF FACT

15 This resolve calls for the construction of a Su-  
16 preme Judicial Court facility at the eastern end of  
17 Capitol Park in Augusta at the earliest feasible  
18 date. The Legislature is to fund in January 1987,  
19 the preparation of a project program by a profession-  
20 al court planner, and that planner is to have a cost  
21 estimate available so that bond legislation can be  
22 submitted to the First Regular Session of the 113th  
23 Legislature. The design of the facility is to be de-  
24 veloped by a design competition, not by the regular  
25 Bureau of Public Improvements procedure. No expense  
26 may be incurred on the design competition until the  
27 passage of the referendum for the construction of the  
28 facility. A Supreme Judicial Court Plan and Design  
29 Commission is to be established to oversee the work  
30 of the court planner, submit bond legislation to the  
31 First Regular Session of the 113th Legislature, and  
32 provide for a subcommittee to supervise and act as a  
33 jury for the design competition.

34 The new court facility is to be a design and con-  
35 struction consistent with the dignity and prestige of  
36 the court and compatible with the capitol building  
37 and the park. It is to be as far east in the park as  
38 feasible and as much in line with the trees leading  
39 to the capitol as feasible. It is the intent of the  
40 commission that this building be the last building



1 constructed or placed in the park.

2 This resolve requires an appropriation of  
3 \$130,000 for the the court planner in 1986-87,  
4 \$200,000 for the design competition in 1987-88 and  
5 \$10,000 for the commission.

6 This resolve appropriates \$140,000 from the Gen-  
7 eral Fund in fiscal year 1986-87 in order to fund the  
8 Supreme Judicial Court Plan and Design Commission and  
9 a court planner. Also, \$200,000 is appropriated in  
10 fiscal year 1987-88 to fund a design competition only  
11 if the bond issue financing the proposed facility is  
12 ratified by the voters.

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