

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 179

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVEN.

AN ACT to amend section twenty-four of chapter two of the
Revised Statutes, establishing the seat of government.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. Section twenty-four of chapter two of the
2 Revised Statutes is hereby amended by striking out the
3 word "Augusta" in the first line thereof and inserting the
4 word 'Portland,' so that said section as amended shall read
5 as follows:

'Sect. 24. The city of Portland shall be the seat of gov-
7 ernment, until otherwise provided by the legislature.'

Sect. 2. Within thirty days after the approval of this act
2 by the Governor, the Governor, the President of the Senate
3 and the Speaker of the House of Representatives, shall

4 jointly appoint, and the Governor shall commission not less
5 than three nor more than seven citizens of the State, who,
6 when so appointed and commissioned, shall constitute a
7 commission with full power and authority to determine
8 upon the suitability of, and, if found suitable, to accept a
9 lot as a site for a capitol in said city of Portland, to be con-
10 veyed to the State by said city of Portland as hereinafter
11 provided, and further with full power and authority to
12 consider and adopt plans for the construction of a capitol
13 upon said lot, including the excavation and grading of said
14 lot and the equipment and furnishing of said capitol, and
15 to make all contracts on behalf of the State and to do all
16 other things necessary or essential to a full and complete
17 construction, equipment and furnishing of said capitol in
18 accordance with said plans and modifications thereof to be
19 adopted by said commission. Said commission may act by
20 a majority of its members and, upon the approval and
21 acceptance of this act by the legal voters of the State as
22 hereinafter provided and upon the tender of a conveyance
23 to the State by said city of Portland of a lot, or one of
24 several lots, for a site for a capitol, as hereinafter provided,
25 shall at once proceed to determine the suitability of said
26 lot or the suitability and superiority of one of said several
27 lots, and having so determined the suitability and superiority
28 of one such lot to accept the same and thereafter, upon pay-
29 ment by said city of Portland into the State treasury, for
30 the use of the State, of the sum of seven hundred and fifty

31 thousand dollars, as hereinafter provided, shall at once pro-
32 ceed with the construction, equipment and furnishing of a
33 capitol upon said lot in accordance with the power and
34 authority hereinbefore in this section conferred upon them.
35 *Provided, however,* that said commissioners shall, in no
36 event, have power to expend or incur indebtedness on behalf
37 of the State under this act in excess of the amount to be
38 paid by the said city of Portland into the State treasury for
39 the purposes specified in section five of this act and the addi-
40 tional amount appropriated under section three of this act.

Sect. 3. In addition to any sums to be paid by the city
2 of Portland to the State treasurer, as hereinafter provided,
3 the sum of one hundred and twenty-five thousand dollars is
4 hereby appropriated from any moneys in the State treasury
5 not otherwise appropriated for each of the years nineteen
6 hundred seven, nineteen hundred eight, nineteen hundred
7 nine and nineteen hundred ten, for the excavation and grad-
8 ing of the lot selected by said commissioners in said city
9 of Portland and for the building, furnishing and equipment
10 of said capitol thereon. In the event that said commis-
11 sioners, in the due prosecution of the work authorized here-
12 under, shall find necessity therefor, the State Treasurer is
13 hereby authorized to make a temporary loan or temporary
14 loans, in no event, however, to exceed in the aggregate the
15 sum appropriated by the State under this section, and to
16 devote the proceeds thereof to the uses and purposes for
17 which said appropriations are made. Said loans shall be

18 paid from said appropriations as the same shall become
19 available.

Sect. 4. Except as to the appointment and commissioning
2 of commissioners as hereinbefore in section two provided,
3 this act shall not take effect unless accepted and approved
4 by a majority vote of the legal voters of the State, voting
5 at an election to be specially called and held for the purpose
6 on the first Monday of June, nineteen hundred seven. Due
7 proclamation for such special election shall be made by the
8 Governor and said election shall be called, notified and con-
9 ducted in the several cities and towns in said State pursuant
10 to the provisions of the statutes relating to elections for the
11 determination of questions submitted to the people by the
12 legislature. The Secretary of State shall reduce the subject
13 matter of this act to the following question: "Shall the act
14 to change the seat of government from Augusta to Portland
15 be accepted?" and the voters shall indicate by a cross placed
16 over the words "yes" or "no" their opinion of the same.
17 The ballots shall be prepared and distributed and the votes
18 cast shall be counted, declared and record thereof made by
19 the several cities and towns as in an election for governor;
20 provided, however, that the clerks of the several cities and
21 towns shall make return of the votes cast to the Secretary
22 of State and such returns shall be opened and canvassed and
23 the result declared by the Governor and Council as in the
24 case of a special election to fill a vacancy in the representa-
25 tion of the State in the National House of Representatives.

Sect. 5. This act shall in no event be of force or effect,
2 except to authorize the appointment and commissioning of
3 commissioners as provided in section two and the ordering
4 and holding of a special election of the legal voters of the
5 State with reference to the adoption and acceptance of the
6 act, as provided in Section 4, unless the said city of Port-
7 land shall, on or before the first day of November, 1907,
8 convey or cause to be conveyed to said State, free of
9 expense to said State, a lot suitable in the judgment of said
10 commissioners, for a site for said capitol in said city of
11 Portland, and in addition thereto shall pay into the State
12 treasury the sum of seven hundred and fifty thousand dol-
13 lars for the use of said State in the excavation and grading
14 of said lot and the construction, equipment and furnishing
15 of a capitol thereon.

Sect. 6. This act shall take effect (1) to authorize the
2 appointment and commissioning of commissioners under
3 section two, when approved by the Governor; (2) to author-
4 ize the said commission to proceed with the acceptance of a
5 lot and the construction, equipment and furnishing of a
6 capitol thereon, when this act shall be approved and accepted
7 by a majority of the legal voters of the State voting thereon
8 as provided in section four and when the city of Portland
9 shall have complied with all the conditions imposed upon it
10 by section five; (3) to change the seat of government from
11 Augusta to Portland on January 1st, 1910.

REPORT A.

The Committee on Public Buildings and Grounds, to which was referred an order to inquire into the expediency of a change in the location of the seat of government of this State and the erection of a new State House such as will afford convenient and sufficient accommodation to the Legislature and to the officials, and report by bill or otherwise, have had the same under consideration, and ask leave to report the attached bill, and that the same ought to pass.

Per Order, OAKLEY C. CURTIS,
WALTER B. CLARKE,
ELISHA W. PIKE,
ALVAH SNOW,
EDWIN L. HASKELL,
For the Committee.

MEMORANDUM.

I.

The evidence laid before the committee proved conclusively to be true:

(a) The statement contained in the message of the Governor that "The business of the departments having offices at the State House has expanded very materially in recent years, and it is apparent that very many of the rooms in this building are no longer commensurate with the demands made upon them. In these particular cases they have been put to uses other than those for which they were originally designated, are overcrowded and inconveniently arranged, and lack even the ordinary requisites of good light and air"; that the assembly rooms of the Senate and House of Representatives are inadequate and improperly arranged both with reference to business and sanitation.

(b) That the official records and the historic collections of the State whose value is not to be estimated in money and whose destruction would be a public calamity, are constantly exposed to the risk of destruction by fire, the fire hazard of the present capitol being so large in the opinion of the executive

department as to warrant the maintenance of insurance thereon to the extent of \$500,000, at an annual expenditure of \$1,500 in premiums.

(c) That the accommodations in Augusta for legislators and citizens having occasion to attend sessions of the Legislature, are wholly inadequate and the price of living for that reason exorbitant and burdensome.

That the population and business of Augusta do not permit of a different condition; that, there being no commercial requirements for larger or better hotels, they can be enlarged only at the further expense of patrons during legislative sessions.

II.

These facts existing, there are but two alternatives:

(a) To expend sufficient money to remodel and enlarge the present capitol and build a separate office building for State officials, or,

(b) To erect a new, modern, fireproof capitol of adequate dimensions in a city of such size that its normal hotel capacity will easily take care of legislators and others having occasion to be present during legislative sessions, without strain and so without possibility of unusual or exorbitant prices.

III.

The members of this committee signing this report therefore conclude:

(a) That it is impossible to enlarge the present capitol and to build a new office building without a larger expense to the State than would be required to erect a new capitol in Portland, and that even by such an expenditure the old capitol cannot be made fireproof or adaptable or sufficient for the modern business requirements of the State.

(b) That, in their opinion, a new and thoroughly modern fireproof capitol can be built in the city of Portland upon more advantageous terms. The city of Portland has already made a cash offer of \$500,000. It is understood it will be willing to do more. If it pays \$750,000 cash and furnishes a suitable lot, a building costing, without the lot, \$1,250,000, can be built at a total expense to the State of \$500,000, payable over a period of four years at the rate of \$125,000 a year.

(c) That such an arrangement would be for the best interests of the State and would give it the superior advantages of an adequate new fireproof capitol arranged with reference to present and future business requirements and situated in a city equal to all demands upon it by legislators and others and more easily accessible by rail and steamboat lines than any other city in the State.

(d) That a matter of this importance, affecting the interests of all the people of the State, should be submitted to their determination at a special election held therefor.

(e) That, embodying the above conclusions, the accompanying bill be reported.

REPORT B.

The Committee on Public Buildings and Grounds, which was instructed by an Order of the Legislature to inquire into the expediency of a change in the location of the seat of government of this State, and the erection of a new State House, such as will afford convenient and sufficient accommodation to the Legislature and to the State officials, and report by bill or otherwise, have had the same under consideration, and the undersigned members ask leave to report that legislation thereon is inexpedient.

Per Order,

GEO. M. BARROWS,
S. REED ALLEN,
E. F. DANFORTH,
JOSIAH FARRAR,
CHARLES A. LYNCH,

For the Committee.

STATE OF MAINE.

IN SENATE, March 5, 1907.

Report "A" from Committee on Public Buildings and Grounds on order relating to advisability of a change in the seat of government, submitting bill "An Act to amend section 24 of chapter 2 of the Revised Statutes establishing the Seat of Government." Report "B" from same committee on same order, that legislation is inexpedient; tabled for printing, with bill, pending acceptance of either report, on motion of Mr. CLARKE of Lincoln, and assigned for consideration on March 13, 1907.

F. G. FARRINGTON, *Secretary.*