

# MAINE STATE LEGISLATURE

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# EIGHTY-FOURTH LEGISLATURE

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**House Document**

**No. 346**

H. P. 1083 House of Representatives, Feb. 13, 1929.

Referred to Committee on Public Buildings and Grounds and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Williamson of Augusta.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE

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AN ACT Amendatory of, and Additional to Existing Legislation Relating to the State Park, and to the Superintendent of Public Buildings.

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

Section 1. Section twenty-two of chapter two of the 2 revised statutes is hereby amended by inserting after the 3 word "supervision" in the fourth line thereof the word 4 'direction'; by changing the word "three" in said line to 5 'four'; and by inserting after the word "persons" in the 6 fifth line the words 'one of whom shall be the superintendent 7 of public buildings, ex-officio, the other three to be'; also, 8 by adding at the end of said section the following: 'The

9 expenditure of all moneys so received, and of all legislative  
10 appropriations, or funds from any other source, for the  
11 maintenance or improvement of said part, or for the erection  
12 or preservation of any monuments or structures of any  
13 description thereon, shall be under the direction of said  
14 commission which, at the end of each fiscal year, shall  
15 make a report thereof to the state auditor, who shall audit  
16 the same. If, at any time, in the course of their duties,  
17 said commission shall be equally divided, for and against  
18 any proposition, and unable to agree, the matter shall be  
19 referred to the governor and council, whose decision there-  
20 on, after hearing, shall be final'; so that said section, as  
21 amended, shall read as follows:

'Sect. 22. All that portion of the state lands situate in the  
2 city of Augusta and lying between State street on the west  
3 and the location of the Maine Central Railroad Company  
4 on the east, shall be maintained as a public park under the  
5 supervision, direction and control of a commission of four  
6 persons, one of whom shall be the superintendent of public  
7 buildings, ex-officio, the other three to be appointed by the  
8 governor for terms of four years. They shall serve with-  
9 out compensation. One of said commissioners shall be a  
10 resident of the city of Augusta, recommended to the gov-  
11 ernor for appointment by the city council of said city. They  
12 may receive moneys by gift or legacy and shall hold the  
13 same as trustees for the purposes stated in this section.  
14 The expenditure of all moneys so received, and of all legis-

15 lative appropriations, or funds from any other source, for  
16 the maintenance or improvement of said park, or for the  
17 erection or preservation of any monuments or structures of  
18 any description thereon, shall be under the direction of said  
19 commission which, at the end of each fiscal year, shall  
20 make a report thereof to the state auditor, who shall audit  
21 the same. If, at any time, in the course of their duties,  
22 said commission shall be equally divided, for and against  
23 any proposition, and unable to agree, the matter shall be  
24 referred to the governor and council, whose decision there-  
25 on, after hearing, shall be final.'

Sect. 2. Section twenty-three of chapter two of the re-  
2 vised statutes is hereby amended by adding at the end  
3 thereof the following: 'The provisions of this section shall  
4 not apply to the state park east of the capitol, which is  
5 under the exclusive supervision, direction and control of  
6 the state park commission, as provided in section twenty-  
7 two of this chapter'; so that said section, as amended, shall  
8 read as follows:

'Sect. 23. The governor, with the advice and consent of  
2 the council, shall appoint a superintendent of public build-  
3 ings, who shall take charge of the same and all the furniture  
4 and other property connected therewith; preserve the same  
5 from injury, at all proper times open and ventilate the  
6 several apartments, and constantly keep every part thereof  
7 properly swept and cleansed, and at all suitable hours per-  
8 sonally attend visitors, free of expense, take care of the

9 public grounds, fences, forest trees, and all other property  
10 not before enumerated, pertaining to the public buildings;  
11 and under the direction of the governor and council, super-  
12 intend and cause all necessary repairs to be made upon the  
13 public buildings and furniture thereof, upon the fences and  
14 walks of the public grounds, set out suitable ornamental  
15 and forest trees, and protect the same from injury or de-  
16 cay; and make all purchases of furniture, lights, wood, and  
17 everything necessary for the use and convenience of all the  
18 apartments of the state house, strict economy being required  
19 in all contracts for repairs and purchases; and no contract  
20 shall be made upon the credit of himself or the state. He  
21 shall give bond to the state in the sum of two thousand  
22 dollars, for the preservation of said property and the faith-  
23 ful discharge of his trust. The governor and council may  
24 also require him to perform any other duties that the public  
25 interest may require, without extra compensation. The  
26 provisions of this section shall not apply to the state park  
27 east of the capitol, which is under the exclusive supervision,  
28 direction and control of the state park commission, as pro-  
29 vided in section twenty-two of this chapter.'

Sect. 3. Chapter one hundred seventeen of the public laws  
2 of nineteen hundred and twenty-three is hereby amended  
3 by striking out the words "the state park" in the fifth line  
4 thereof, and by inserting after the words "except" in the  
5 sixth line the words 'the state park,' so that said act, as  
6 amended, shall read as follows:

'In addition to the duties now imposed upon the superintendent of public buildings by section twenty-three of chapter two of the revised statutes, he shall take charge of the adjutant general's office buildings, the Blaine mansion and its grounds, the Blaine memorial, and all other property of the state within the limits of the city of Augusta, except the state park, the Augusta state hospital, the garage connected with the highway department and the property of the military department. The governor and council shall have authority to fix his compensation for the additional duties herewith imposed.'

Sect. 4. Said commission may, from time to time, establish such rules and regulations as they deem necessary for the protection and preservation of said park, and of the monuments or structures erected thereon. Before promulgating the same, they shall be submitted to the governor and council for approval, and if so approved shall then be submitted to the attorney general, and if he shall certify that in his opinion they are in conformity with law, they shall thereupon, together with sections five and six of this act, be published once a week for two successive weeks in the state paper, and posted in at least four places on said park, whereupon they shall take effect. A certificate of such publication and posting shall be executed by one of the members of said commission, and filed with the secretary of state, who shall record the same.

Sect. 5. Whoever violates any of the rules and regula-

2 tions of said commission, promulgated in conformity with  
3 the provisions of section four of this act, shall be fined not  
4 exceeding one hundred dollars and costs, or imprisoned not  
5 exceeding sixty days, or both.

Sect. 6. Whoever wilfully mutilates, defaces or destroys  
2 any notice, rule or regulation of said commission, posted in  
3 conformity with the provisions of section four of this act,  
4 shall be fined not exceeding fifty dollars, or imprisoned not  
5 exceeding thirty days, or both.

Sect. 7. The municipal court of the city of Augusta shall  
2 have, upon complaint, original and concurrent jurisdiction  
3 with all higher courts within the county of Kennebec in all  
4 prosecutions arising under this act.

Sect. 8. All acts or parts of acts inconsistent with this act  
2 are hereby repealed.