

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FOURTH LEGISLATURE

House Document

No. 824

H. P. 1750 House of Representatives, April 8, 1929.

Reported by Mr. St. Clair from Committee on Public Buildings and Grounds and laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

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

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

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

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

8 adding at the end of said section the following: 'The ex-
9 penditure 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 park, or for the erec-
12 tion or preservation of any monuments or structures of
13 any description thereon, shall be under the direction of said
14 commission, whose income and expenditures shall be au-
15 dited in the manner now provided by law. If at any time,
16 in the course of their duties, said commission shall be equal-
17 ly divided, for and against any proposition, and unable to
18 agree, the matter shall be referred to the governor and
19 council, whose decision thereon, after hearing, shall be final.
20 All equipment of the state in charge of the superintendent
21 of public buildings which is adapted for use on said park
22 shall be available, free of charge, to said commission;' so
23 that said section, as amended, shall read as follows:

'Sect. 22. All that portion of the state lands situate in
2 the city of Augusta and lying between State street on the
3 west and the location of the Maine Central Railroad Com-
4 pany on the east, shall be maintained as a public park un-
5 der the supervision, direction and control of a commission
6 of four persons, one of whom shall be the superintendent
7 of public buildings, ex-officio, the other three to be ap-
8 pointed by the governor for terms of four years. They
9 shall serve without compensation. One of said commission-
10 ers shall be a resident of the city of Augusta, recommended
11 to the governor for appointment by the city council of said

12 city. They may receive moneys by gift or legacy and shall
13 hold the same as trustees for the purposes stated in this
14 section. The expenditure of all moneys so received and of
15 all legislative appropriations, or funds from any other
16 source, for the maintenance or improvement of said park,
17 or for the erection or preservation of any monuments or
18 structures of any description thereon, shall be under the
19 direction of said commission, whose income and expendi-
20 tures shall be audited in the manner now provided by law.
21 If, at any time, in the course of their duties, said commis-
22 sion shall be equally divided, for and against any proposi-
23 tion, and unable to agree, the matter shall be referred to
24 the governor and council, whose decision thereon, after
25 hearing, shall be final. All equipment of the State in charge
26 of the superintendent of public buildings which is adapted
27 for use on said park shall be available, free of charge, to
28 said commission.'

Sect. 2. Section twenty-three of chapter two of the re-
2 vised statutes is hereby amended by adding after the word
3 "personally," in the sixth line thereof, the words 'or by
4 substitute,' and by adding at the end thereof the following:
5 'The provisions of this section shall not apply to the state
6 park east of the capitol, which is under the exclusive super-
7 vision, direction and control of the state park commission,
8 as provided in section twenty-two of this chapter'; so that
9 said section, as amended, shall 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 furni-
4 ture and other property connected therewith; preserve the
5 same from injury, at all proper times open and ventilate
6 the several apartments, and constantly keep every part
7 thereof properly swept and cleansed, and at all suitable
8 hours personally, or by substitute, attend visitors, free of
9 expense, take care of the public grounds, fences, forest
10 trees, and all other property not before enumerated, per-
11 taining to the public buildings; and under the direction of
12 the governor and council, superintend and cause all neces-
13 sary repairs to be made upon the public buildings and fur-
14 niture thereof, upon the fences and walks of the public
15 grounds, set out suitable ornamental and forest trees, and
16 protect the same from injury or decay; and make all pur-
17 chases of furniture, lights, wood, and everything necessary
18 for the use and convenience of all the apartments of the
19 state house, strict economy being required in all contracts
20 for repairs and purchases; and no contract shall be made
21 upon the credit of himself or the state. He shall give bond
22 to the state in the sum of two thousand dollars, for the
23 preservation of said property and the faithful discharge of
24 his trust. The governor and council may also require him
25 to perform any other duties that the public interest may
26 require, without extra compensation. The provisions of
27 this section shall not apply to the state park east of the
28 capitol, which is under the exclusive supervision, direction

29 and control of the state park commission, as provided in
30 section twenty-two of this chapter.'

Sect. 3. Chapter one hundred seventeen of the public
2 laws of nineteen hundred and twenty-three is hereby amend-
3 ed by inserting before the word "adjutant" in the fourth
4 line thereof the words 'John Paul Jones Memorial Park at
5 Kittery, the,' by striking out the words "the state park" in
6 the fifth line thereof, and by inserting after the word "ex-
7 cept" in the sixth line the words 'the state park,' so that said
8 act, as amended, shall read as follows:

'In addition to the duties now imposed upon the super-
2 intendent of public buildings by section twenty-three of
3 chapter two of the revised statutes, he shall take charge of
4 the John Paul Jones Memorial park at Kittery, the adju-
5 tant general's office buildings, the Blaine mansion and its
6 grounds, the Blaine memorial, and all other property of
7 the state within the limits of the city of Augusta, except the
8 State park, the Augusta state hospital, the garage connected
9 with the highway department and the property of the mili-
10 tary department. The governor and council shall have au-
11 thority to fix his compensation for the additional duties
12 herewith imposed.'

Sect. 4. Said commission may, from time to time, estab-
2 lish such rules and regulations as they deem necessary for
3 the protection and preservation of said park, and of the
4 monuments or structures erected thereon. Before promul-
5 gating the same, they shall be submitted to the governor

6 and council for approval, and if so approved shall then
7 be submitted to the attorney general, and if he shall certify
8 that in his opinion they are in conformity with law, they
9 shall thereupon, together with sections five and six of this
10 act, be published once a week for two successive weeks
11 in the state paper, and posted in at least four places on said
12 park, whereupon they shall take effect. A certificate of
13 such publication and posting shall be executed by one of
14 the members of said commission, and filed with the secre-
15 tary of state, who shall record the same.

Sect. 5. Whoever violates any of the rules and regulations
2 of said commission, promulgated in conformity with the
3 provisions of section four of this act, shall be fined not ex-
4 ceeding 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
3 in conformity with the provisions of section four of this
4 act, shall be fined not exceeding fifty dollars, or imprisoned
5 not 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
2 act are hereby **repealed.**