

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 401

S. P. 250

In Senate, February 4, 1941.

Referred to Committee on Judiciary and sent down for concurrence.
500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Sanborn of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

**AN ACT Creating and Establishing a Body Corporate and Politic to be
Designated and Known as the Maine State Office Building Authority.**

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

Sec. 1. Building Authority created and its purpose stated. There is hereby created and established a body corporate and politic to be designated and known as the Maine State Office Building Authority and which may be referred to as the Building Authority, the purpose of which shall be, as an agency of the state of Maine, to acquire land and thereon to erect such an office building as will provide ample, convenient and fire-proof apartments for the various departments of the state government and the records and documents thereof and under suitable contractual arrangement to make the same available for use and occupancy by the said departments.

Sec. 2. Board of directors authorized. Its fiscal and prudential affairs shall be managed and controlled, but subject to the provisions of this act, by a board of 5 directors to be appointed by the governor with the advice and consent of the council, in the first instance, one each for the term of 1, 2, 3, 4, and 5 years and thereafter one each year for the term of 5 years; and not more than 3 of whom shall be of the same political party.

Vacancies occurring in the board shall be filled for the unexpired term as original appointments are made.

Sec. 3. Organization of board. The directors shall organize by the choice of one of their number to be their chairman, one to be their secretary, and one to be their treasurer and may make such rules for the orderly governing of their conduct, not inconsistent with law and with this act, as they may deem proper.

Sec. 4. Building commission authorized. The governor, with the advice and consent of the council shall appoint 4 persons to serve as a building commission of which commission he shall be a fifth member and its chairman and of which commission 2 members shall be of the minority political party.

Sec. 5. Reimbursement for expenses. Directors of the Building Authority and members of the commission shall serve without pay but they shall be reimbursed for actual and necessary expenses incurred in the discharge of their respective duties.

Sec. 6. Commission to provide plans and specifications for building. The commission shall forthwith employ an architect and cause to be prepared suitable plans and specifications for the erection of a building of fire-proof construction which shall completely relieve the existing congestion in the state house and shall provide office accommodations for such of the executive and administrative departments of state as may properly be assembled in and about the state house, having due regard to their present and future requirements as well as those of the state library and the state museum.

Sec. 7. Location and erection of building. The commission shall determine the location of such building, but unless some clear preponderance of advantage to the state shall point elsewhere, the location shall be within the area in the immediate rear of the state house, in which case the Building Authority under the direction and supervision of the commission and in conformity with the plans and specifications by the commission prescribed is hereby authorized and directed to proceed to the erection of the building indicated, it being the purpose and intent of this act that title in and original ownership of the building shall be in the Building Authority and to that end the commission is hereby expressly authorized to execute and deliver to the Building Authority on behalf of the State of Maine for the expressed consideration of \$1 a good and sufficient deed of so much land as shall be suitable for the location of the contemplated building.

Sec. 8. Alternative method of location. Should the commission fix upon some other location, the Building Authority shall purchase the land necessary for carrying out the purposes of this act and if in the judgment of the board of directors the same should appear to be of ultimate advantage to the state, they are hereby authorized to acquire such land by the exercise of the right of eminent domain; whereupon they shall proceed to the erection of the building indicated but under the direction and supervision of the commission and in conformity with the plans and specifications by the commission prescribed.

Sec. 9. Building Authority may issue bonds. In order to procure funds necessary for the construction of the building of the cost of which the architects fees shall be a part as well as the cost of such land as may be acquired, the Building Authority is hereby authorized and empowered to issue its bonds to be secured by mortgage of the building and the land upon which it stands or by assignment of any leasehold contract it may have with the state of Maine or both, such bonds to be written upon terms as advantageous to the state as may be, but to be for a term not longer than 30 years.

Sec. 10. Letting of contracts. Contracts for the building, whether in whole or in parts, shall be upon bids and the Building Authority is hereby clothed with discretion in the matter of advertising for, accepting and rejecting bids, such discretion to be exercised with view to the ultimate advantage to the state.

Sec. 11. Commission to determine occupancy. Upon completion of the building, the commission shall determine what departments and offices shall be housed therein and shall assign to each their appropriate quarters.

Sec. 12. Lease to the state of Maine with clause for conveyance. The Building Authority shall thereupon by the chairman of its board of directors execute a lease to the state of Maine of the entire property for a rental so computed as shall provide for the payment of interest upon the bonds hereinbefore provided for and for their ultimate retirement; such lease to contain a provision that upon the retirement of all such bonds, the entire property shall by the Building Authority be conveyed to the state of Maine and for that purpose the chairman of its board of directors for the time being is hereby authorized to execute and deliver the appropriate deed of conveyance; such lease shall be executed on behalf of the state of Maine by the governor.

Sec. 13. Termination of functions. When the commission shall have fully performed the duty prescribed in section 11 hereof and the lease pro-

vided for in section 12 hereof shall have been executed, the duties of the commission shall terminate; and when the deed provided for in the same section shall have been executed and delivered, the Building Authority shall cease to exist.