

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. 1149

S. P. 553

In Senate, April 11, 1941.

Reported by Senator Farris of Kennebec from Committee on Judiciary and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

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 or addition to the state house as will provide ample, convenient and fireproof apartments for the various departments of the state government and the records and documents thereof, make such alterations in the state house and construct such passageways between the state house and proposed office building as may be advisable, 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 for the term of 1 year, one for the term of 2 years, one for the term of 3 years, one for the term of

4 years and one for the term of 5 years, and thereafter one each year for the term of 5 years. 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. There shall be a building commission of 5 members, one of which shall be the governor who shall be chairman. The others shall be appointed by the governor with the advice and consent of the council and may be removed at the pleasure of the governor and council. Vacancies shall be filled in the same manner as original appointments. Each of the members so appointed shall receive as compensation \$10 and actual and necessary expenses for each day during which he is actually engaged in the performance of his duties, to be paid out of any funds herein provided for, and upon vouchers approved by the governor and council.

Sec. 5. Reimbursement for expenses. Directors of the Building Authority shall serve without pay but they shall be reimbursed for actual and necessary expenses incurred in the discharge of their respective duties, to be paid out of any funds herein provided for, and upon vouchers approved by the governor and council.

Sec. 6. Commission to provide plans and specifications for building. The commission shall forthwith employ an architect and cause to be prepared subject to its approval suitable plans and specifications for the erection of a building of fireproof construction which will completely relieve the existing congestion in the state house, provide suitable accommodations for such executive and administrative departments of the state as seem necessary or advisable, the state library and the state museum, such passageways between the state house and the proposed building or addition as may be proper, and any alterations in the state house made necessary by such new construction.

Sec. 7. Location of building. The commission shall determine the location of such building, addition, alterations and passageways. If the commission selects land owned by the state immediately in the rear of the state house or elsewhere, it is hereby expressly authorized on behalf of and in the name of the state to execute and deliver to the Building Authority for the

expressed consideration of \$1 a good and sufficient deed of so much of any such land as may be suitable for such proposed building, addition and passageways, it being the purpose of this act that the original title and ownership of such building and land and passageways shall be in the Building Authority.

Sec. 8. Alternative method of location. Should the commission determine upon some location upon land not owned by the state, the Building Authority shall purchase or acquire by the exercise of the right of eminent domain the land necessary for carrying out the purposes of this act. Should such land be acquired by the exercise of the right of eminent domain, all proceedings therefor shall be in accordance with the provisions of the revised statutes, chapter 69, sections 11 to 22, both inclusive, as amended by chapter 103 of the public laws of 1933.

Sec. 9. Building Authority may issue bonds. In order to procure funds necessary for the construction of the building, addition, alterations and passageways, cost of land acquired, architect's fees, and compensation and expenses as herein provided, the Building Authority is hereby authorized and empowered to borrow money, and to issue therefor notes, bonds or other evidences of indebtedness, and to secure the payment thereof by a mortgage of the proposed building, addition, passageways, and land to which the Building Authority shall be given title, including any revenue derived therefrom, or by assignment of any leasehold contract it may have with the state of Maine, or both such mortgage and assignment. The terms of such notes or bonds or other evidences of indebtedness shall be for not more than 30 years.

Sec. 10. Letting of contracts. Contract or contracts for the proposed building, addition, passageways and alterations shall be made by the Building Authority based on and in accordance with the plans and specifications approved by the commission, and only after requests for bids have been reasonably advertised. The Building Authority shall have the right to accept or reject bids, having in mind the ultimate advantage to the state. No alterations in the state house as herein provided shall be made or contracted for without the consent of the governor and council. Upon execution of such contract or contracts, the commission shall proceed to the construction of the building, addition, and such alterations and passageways as may have been provided for, in conformity with said plans and specifications.

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. Upon completion of the construction of the building, addition, passageways, and alterations as herein provided, the Building Authority shall, 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 and notes or other evidences of indebtedness heretofore provided for and for their ultimate retirement; such lease to contain a provision that upon the retirement of all such bonds, notes and other evidences of indebtedness, 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 performed all its duties prescribed by this act, the powers and duties of the commission shall terminate; and when the Building Authority shall have executed and delivered to the state of Maine the deed provided for in section 12 hereof, said Building Authority shall be dissolved and cease to exist.