

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1117

H. P. 785

House of Representatives, March 5, 1959

Referred to the Committee on State Government, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Plante of Old Orchard Beach.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT to Create the Bureau of Maine Archives.

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

Sec. 1. R. S., c. 21-A, additional. The Revised Statutes are amended by adding a new chapter 21-A, to read as follows:

'Chapter 21-A.

Bureau of Maine Archives.

Sec. 1. Name. The Bureau of Maine Archives is hereby created as the official archival agency of the State of Maine under the supervision of the Secretary of State.

Sec. 2. Duties and objectives. The duties and objectives of the Bureau of Maine Archives shall be the collection, preservation and administration of public archives; the editing and publication of such public archives; the improvement of standards for the making, care and administration of public archives in Maine; and the stimulation of research, study and activity in the field of Maine history.

Sec. 3. Board of advisors. The Bureau of Maine Archives shall be under the control of a board of advisors consisting of 5 persons especially interested in the history of the State, 3 of whom shall constitute a quorum, appointed by the Governor of the State for overlapping terms of 6 years. Two trustees of the first board shall be appointed for terms of 2 years, 2 for 4 years and one for 6 years. Their successors shall be appointed for terms of 6 years. Each advisor

shall serve for the term of his appointment and thereafter until his successor is appointed. In case of the premature termination of an advisor's service during his term, the Governor shall appoint a successor for the unexpired term. Advisors shall serve without financial remuneration.

Sec. 4. Powers of the board of advisors. The board of advisors is empowered to elect its chairman; to make rules and regulations for its own government and the administration of the bureau; to adopt a seal for use in official bureau business; to control the expenditure in accordance with law of such public funds as may be appropriated for the equipment and maintenance of the bureau; to accept gifts, bequests and endowments for purposes consistent with the objectives of the bureau, such funds if given as an endowment, shall be invested in securities approved by the Governor and all gifts and bequests and proceeds of invested endowment funds shall be used solely to carry out the purposes for which they were made; to make biennial reports of the receipts, disbursements, work and needs of the bureau to the Governor; and to adopt policies and projects designed to fulfill the duties and attain the objectives of the bureau as established by law.

Sec. 5. Director. The Bureau of Maine Archives shall be under the direction and management of a director who shall be appointed by the Secretary of State, under the Personnel Law. The director shall have the qualification of special training or experience in archival or historical work. The Secretary of State may appoint, under the Personnel Law, employees to carry out the purposes of this chapter.

Sec. 6. Duties of the director. Subject to law, the Secretary of State and the board of advisors, the director shall perform all assigned duties and administer and develop the bureau so as to achieve the purposes of its creation, and, in particular, shall exercise the following powers and perform the following duties.

On behalf of the bureau, the director is authorized to negotiate for the transfer of and to receive public archives from the custody of any public officer of the State or its counties, municipalities and other political subdivisions. Any public officer in Maine is authorized and empowered to turn over to the Bureau of Maine Archives for preservation and administration such public archives legally in his custody as are not needed for the transaction of the current business of his office, whenever the bureau is willing and able to receive and care for them. Whenever such transfer is made, the director shall transmit to the office from which the archives are transferred a list in which such archives are described in terms sufficient to identify them, which list shall be filed and preserved in said office. Unless otherwise directed by law, all public archives of any public office or committee in the State shall, upon the termination of the existence and functions of that office or committee, be transferred to the custody of the bureau.

The director shall collect, arrange and make available to the public at reasonable times in the office of the bureau, in original form or copies, all obtainable archival materials, manuscript or printed, of Maine history wherever found,

including official public archives of the State and its political subdivisions, of the United States and of foreign nations. He shall carefully protect and preserve them from deterioration, mutilation, loss or destruction. He shall be the legal custodian of all records in the custody of the bureau.

He shall, upon the demand of any person, furnish certified copies thereof on payment in advance of fees as prescribed by law. Copies of public archives transferred in pursuance of law from the office of their origin to the custody of the bureau, when certified by the director under the seal of the bureau, shall have the same legal force and effect as if certified by their original custodian.

The director, or his duly authorized agent, shall have the right of reasonable access to and examination of all public archives in Maine. He shall examine into and report to the board of advisors on their condition. He shall cause such action to be taken by their custodians as may be necessary to put them in the custody and condition prescribed by the laws of the State and to secure their safety and preservation. He shall promote better archival legislation and shall advise with public officers regarding the disposal of useless archives in their custody, the recovery of archives belonging to their offices, the delivery of archives to their successors in office and the adoption of sound practices relative to the use of durable paper and ink, fireproof filing facilities and photographic processes for recording or copying.

Under the direction of the board of advisors, the director shall arrange for the publication and distribution of documentary volumes of public archives and also of bureau reports, bulletins and other publications directly promotive of the objectives of the bureau.'

Sec. 2. Appropriation. There is appropriated from the General Fund of the State the sum of \$7,000 for the fiscal year ending June 30, 1960 and \$13,000 for the fiscal year ending June 30, 1961 to carry out the purposes of this act.