

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

VF

MAINE ARCHIVES COMMITTEE

FIRST REPORT

to

GOVERNOR JOHN H. REED

March 23, 1965

MAINE ARCHIVES COMMITTEE

FIRST REPORT

to

GOVERNOR JOHN H. REED

March 23, 1965

LETTER OF TRANSMITTAL

March 23, 1965

To His Excellency John H. Reed

Governor of Maine:

I have the honor to submit herewith the first progress report of the Maine Archives Committee which was established by Executive Order to develop plans and recommendations for an archives program for the State of Maine.

Respectfully submitted,

Dean Ernest C. Marriner,

Chairman

FIRST REPORT OF THE MAINE ARCHIVES COMMITTEE

The Maine Archives Committee was created by Governor John H. Reed, prior to the convening of the 102nd Legislature, "to review the need for a program to assemble in one location the documents, records and other papers of the State in order that they may be preserved permanently and made available for viewing as a matter of interest and scholarly research."

The Committee composed of

Dean Ernest C. Murriner, Chairman

Dr. Robert G. Albion, Vice-Chairman

Samuel S. Silsby, Jr., Assistant Director

of Legislative Research, Secretary

Neal A. Donahue, Esq.

Lawrence Stuart, Director of State Parks

Dean Robert M. York, State Historian

Miss Edith L. Lary, State Law Librarian

Dean Harry W. Rowe

Edward Penley, Editorial writer, Portland

Press Herald

Niran C. Bates, Director of Public

Improvements

Ambrose C. Cramer, President, Maine League

of Historical Societies and Museums

Wendell S. Hadlock, Director, Farnsworth
Art Museum

Reginald B. Bowden, Executive Department

John E. Pancoast, Director, Portland
Museum of Art

Mrs. E. Reeves Hitchner, Member, Maine
Historical Society

Mrs. Dwight P. Beedy, Legislative Chairman,
The Garden Club Federation of Maine

Professor L. Kinvin Wroth, University of
Maine, School of Law

was appointed, during November, 1964, to conduct the study and report its findings and recommendations to the Governor. Through action of the Governor and Council, the sum of \$1,000 was made available, on December 16, 1964, for the expenses of the Committee.

The study was commenced before the Committee at its first meeting held on December 30, 1964; at which time, it was concluded that, because an archives program was of such fundamental importance to the State, legislation to establish a State archival agency was vital. A Special Subcommittee was appointed to prepare appropriate legislation for presentation at the incoming session of the 102nd Legislature.

Several preliminary drafts of the Subcommittee were reviewed by each member of the Committee, amended, and placed in final draft at a meeting of the full Committee on January 22, 1965. The final draft was subsequently introduced, under joint sponsorship, by Representatives Walter A. Birt and James A. Bishop, on February 9, 1965, as Bill: AN ACT Creating the Office of State Archivist (H.P. 768, L.D. 1012).

A third meeting of the Maine Archives Committee was held on March 15, 1965 for the purpose of determining the form of the Committee's presentation of the bill at its hearing before the Committee on Appropriations and Financial Affairs on March 18, 1965.

The question of an archives program for Maine has been considered during past sessions of the Maine Legislature resulting in a basic agreement that such a program was necessary, but that funds for establishing and maintaining such a program were not available.

In essence, legislation which would have meant greater care and preservation of State documents and records has been frequently introduced before the Maine Legislature, since the organization of

the State 145 years ago.

Since the enactment of

An Act for the safe keeping of the Records of the several Courts of Justice, Approved March 19, 1821 (Laws of 1821, c. 108), and An Act to provide for the safe keeping of Public Records, and for regulating the quality of paper for Books of Public Records, Approved January 27, 1821 (Laws of 1821, c. 109)

there has been a succession of reports dealing with the condition of State records and various proposals for their safekeeping and preservation. Reference here is made to the more important reports:

Report of the Committee on Library, 1883, H.D. #105.

Johnson, Allen. Report on the Archives of the State of Maine. Annual Report of the American Historical Association for the year 1908, Volume 1.

Reports of Henry S. Burrage, State Historian for 1907-1908, 1909-1910, 1913-1914.

Posner, Ernst. American State Archives. University of Chicago Press, 1964.

It has long been a policy of the Legislature to assist in the publication of local history, provide financial assistance to historical societies and make substantial appropriations for the purchase of documents and materials of significance to the history of the State. By virtue of this interest, as well as through the year to year accumulation of official records from its activities, the State of Maine has acquired a vast quantity of valuable material of public interest and importance to the citizens of the State. The Committee firmly believes that, for the people of the State of Maine to derive the fullest use and enjoyment from such documents and materials, they should and must be made accessible for State and public use.

The Legislature is bound to consider Article V, Part Third, Sections 2 and 4 of the Constitution of Maine which provide:

Section 2. The records of the State shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable.

Section 4. He shall carefully keep and preserve the records of all the

official acts and proceedings of the Governor and Council, Senate and House of Representatives, and, when required, lay the same before either branch of the Legislature, and perform such other duties as are enjoined by this Constitution, or shall be required by law.

It is the consensus of the Maine Archives Committee that legislation on the subject should recognize this continuing responsibility of the Secretary of State. The Committee feels that the legislation which it proposes can be implemented to provide a simple, yet modern, efficient program of records management and archival control which will eliminate most, if not all, the difficulties in the present records system. That there can be no chance for misunderstanding, the Committee reiterates its position that there is an absolute and unqualified need for such legislation.

The Committee believes that this legislation, in substance, should create and define the office of State Archivist and provide an appropriation sufficient for him to embark upon his duties. The basic features of the Committee proposal are described under 2 headings:

1. Records Management, and
2. Archives.

Under the Records Management provisions the Archivist is to establish procedures within the executive branch (which other branches may adopt) for current records management, for the transfer of non-current records of archival value to the Archives, and for destruction of non-current records lacking archival value.

Under the Archives provisions, he is to receive archival material both through the Records Management program and by negotiation with other public officers and private donors, to make such material (or copies thereof) available to the public, and to protect it from loss or deterioration.

The Archivist is to be appointed by the Secretary of State, subject to the Personnel Law, in consultation with the Archives Advisory Board. This body, consisting of 5 State officers acting ex officio and 6 interested persons appointed by the Governor, is also to advise the Archivist in the performance of his duties.

The Archives Bill provides appropriations of \$15,470 for the 10 months of 1965-1966 and \$15,300 for the full year 1966-1967. The sum allotted to

"Personal Services" will cover the salaries of a qualified professional archivist and a top-level clerical assistant. "All Other" expenditures include utilities and supplies, as well as travel both within the State and to out-of-State professional meetings. "Capital Expenditures" cover the cost of office furniture for the Archivist and his assistant, including filing equipment.

It should be noted that the bill does not provide for the construction of an archives building or other facility. It is the intent of the Committee that the Archivist consider it his first duty to survey completely the archival resources of the State. On the basis of this survey he should establish requirements for an archives facility that will not only house existing material but provide adequate room for the future. He should then prepare and submit detailed recommendations for the construction of an appropriate facility, as well as for any increase in staff or other needed modification of the presently proposed bill, to succeeding Legislatures.

It should be pointed out that the bill described meets existing criteria and standards for State archives and has the approval of such authorities

as Dr. Ernst Posner and Dr. Richard W. Hale, Jr., Archivist of the Commonwealth of Massachusetts. The Committee is firmly convinced that the bill embodies the best features of the programs of other States, insofar as they may be applicable to Maine, and is compatible with the Constitution and present law.

The Committee believes that it would be in the best interest of the people of the State to urge the enactment of the bill during the present session of the Legislature. There is wide-spread public opinion in favor of such legislation at the present time; editorials have appeared in favor of it and many responsible citizens and organizations throughout the State have advocated that something be done that such a program at long last be made a reality.

The interest shown by Governor John H. Reed and Ex-Governors Edmund S. Muskie and Frederick G. Payne in the creation of such a program, besides indicating their sincere concern that the need should be recognized by the Legislature, may well mean the reversal of a long established practice of Maine Governors concerning the final disposition of their papers during office; and, consistent with the philosophy of archives, signify that the time has

come when the history of the State will be perpetuated in its entirety, through its public records, for future generations of Maine citizens.