MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2661

H.P. 1916

House of Representatives, March 31, 2000

An Act to Implement Recommendations of the Joint Standing Committee on Education and Cultural Affairs Relating to the Review of the State Cultural and Other Agencies under the State Government Evaluation Act.

Reported by Representative BRENNAN for the Joint Standing Committee on Education and Cultural Affairs pursuant to Maine Revised Statutes, Title 3, section 955, subsection 4.

OSEPH W. MAYO, Clerk

	Be it enacted by the People of the State of Maine as follows:								
2	Sec. 1. 3 MRSA §959, sub-§1, ¶E, as amended by PL 1999, c. 127, Pt. C, §9, is further amended to read:								
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6	E. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs shall use								
8	the following list as a guideline for scheduling reviews:								
10	(1) Telecommunications Relay Services Advisory Council in 1997;								
12	(2) Department of Education in 1997;								
14 16	(2-A) State Board of Education in 1997;								
18	(3) Maine Arts Commission in 1999;								
20	(4)Maine-Conservation-School-in-1999;								
22	(5) Maine Historic Preservation Commission in 1999;								
24	(5-A) Notwithstanding section 952, Maine Historical Society in 1999;								
26	(6) Maine Library Commission in 1999;								
28	(6-A) Maine State Cultural Affairs Council in 1999;								
30	(6-B) Maine State Library in 1999;								
32	(6-C) Maine State Museum in 1999;								
34	(7) Maine State Museum Commission in 1999;								
36	(8) Office of State Historian in 1999;								
38	(9) Board of Trustees of the Maine Maritime Academy in 2001;								
40	(10) Board of Trustees of the University of Maine								
42	System in 2001;								
44	(11) Educational Leave Advisory Board in 2001;								
46	(12) Maine Technical College System in 2001;								
48	(13) Maine Health and Higher Educational Facilities Authority in 2003; and								

2	(14) Maine Educational Loan Authority in 2003.
4	Sec. 2. 5 MRSA §1581, as amended by PL 1999, c. 420, §1, is further amended by adding at the end a new paragraph to read:
6	rurence amended by addring de one ond a new paragraph to read.
	The Maine Humanities Council must be a separate
8	appropriation not included under any other department or agency
10	in the General Fund appropriation bill.
	Sec. 3. 20-A MRSA c. 325, as amended, is repealed.
12	Sec. 4. 27 MRSA §82, as amended by PL 1989, c. 700, Pt. B,
14	§18, is further amended to read:
16	§82. Maine State Museum Commission
18	The Governor shall appoint the Maine State Museum Commission, as established by Title 5, section 12004-G,
20	subsection 7-C, consisting of 15 members especially qualified and
	interested in the several fields of museum activity. Of those
22	members first appointed, 5 shall-be are appointed for terms of 2
2.4	years, 5 for 4 years and 5 for 6 years. Their successors shall be are appointed for 6 4 years. Members are limited to 2
24	consecutive 4-year terms. Each member shall serve for the term
26	of the appointment and thereafter until a successor is appointed and qualified. The commission shall elect a chair and vice-chair
28	from its members. In case of the termination of a member's
	service during the term, the Governor shall appoint a successor
30	for the unexpired term. Members shall-be-compensated-according-to
32	are entitled to compensation in accordance with the provisions of Title 5, chapter 379.
34	Sec. 5. 27 MRSA §261, as amended by PL 1975, c. 771, §292, is
3-1	repealed and the following enacted in its place:
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	§261. Appointment
38	The Governor shall appoint the State Historian. The State
40	Historian must be a resident of the State, a member of an
	historical society in the State and distinguished as a
42	researcher, writer, lecturer or teacher of Maine history. In
4.4	making the appointment, the Governor shall consider any
44	recommendation for the position by the Maine State Cultural

Sec. 6. 27 MRSA \S 262 to 266 are repealed.

Reappointment is permitted.

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Affairs Council. The term of appointment for the State Historian is 4 years or until a successor is appointed and qualified.

Sec.	7.	27	MRSA	§268	is	enacted	to	read:	
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Sec. 7. 27 MRSA §268 is enacted to read:
§268. Duties
The duties of the State Historian are:
 History and heritage. To enhance the knowledge of Maine citizens of the State's history and heritage;
2. Teaching of history. To encourage the teaching of Maine history in the public schools;
3. Consult. To serve as consultant to the Governor and Legislature on matters pertaining to Maine history:
4. Lecture. To lecture on topics of Maine history within the historian's area of expertise as determined appropriate by the State Historian;
5. Respond to inquiries. To respond to inquiries about the existence and location of documents, artifacts and other materials of Maine history; and
6. Report. To report to the joint standing committee of the Legislature having jurisdiction over cultural affairs during the first regular session of each legislative biennium.
Sec. 8. 27 MRSA $\S453$, sub- $\S1$, as amended by PL 1989, c. 912, $\S4$, is further amended to read:
1. Amount; gifts and donations. Any \underline{A} contracting agency, except a school administrative unit, shall expend out of any money appropriated or allocated by the Legislature for the
construction of any a public building or facility, except for a correctional facilities facility, a minimum amount of 1% of the
construction portion of the appropriation or allocation, for the purpose of acquiring, transporting and installing works of art.
School units which that have decided to participate in the Percent for Art Program shall expend a minimum amount of 1% of
the cost of the eligible school construction project or of any building or facility that is part of an eligible project or
\$49,000 \$50,000, whichever is less.
Donations and gifts to the contracting agency may be used to offset the minimum amount identified in this subsection. The
value of works of art received as a donation or a gift shall must be determined by the commission.

Sec. 9. Transition to 4-year terms for Maine State Museum Commission members. The limit of 2 consecutive terms for members

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of the Maine State Museum Commission applies to full terms beginning after the effective date of this Act. Members holding 2 office on the Maine State Museum Commission on the effective date of this Act or successors appointed to serve the remainder of those terms remain in office until expiration of the terms. After the effective date of this Act, the first 8 terms that 6 expire must be filled by appointments, including reappointment of the incumbent, that expire on the anniversary date of that 8 position in the year 2006. When the remaining 7 positions 10 they must be filled by appointments, reappointment of the incumbent, that expire on the anniversary 12 date of that position in the year 2008.

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16 SUMMARY

This bill implements the recommendations made by the Joint Standing Committee on Education and Cultural Affairs as a result of the committee's review of state cultural agencies and other agencies under the State Government Evaluation Act. The bill:

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1. Repeals the law establishing the Maine Conservation School; the school will continue as a nonprofit corporation operating under Maine law;

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- 2. Reduces the term of members of the Maine State Museum Commission from 6 years to 4 years, establishes a 2-term limit for members and provides for the transition from the old law to the new;
- 32 3. Repeals obsolete provisions and enacts an updated law governing the qualifications, appointment and duties of the State Historian;
- 36 4. Increases from \$40,000 to \$50,000 the cap on Percent for Art Program projects for public schools that elect to participate in the program; and
- 5. Provides for a separate annual budget line for the Maine Humanities Council.

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