

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

**ADMINISTRATIVE AND  
FINANCIAL SERVICES,  
DEPARTMENT OF**

**Bureau of Revenue Services**

All Other \$25,000

Provides funds for the computer programming and other costs associated with gathering information necessary to provide biannual reports to the Legislature related to economic development incentives.

**DEPARTMENT OF  
ADMINISTRATIVE AND  
FINANCIAL  
SERVICES  
TOTAL**

\$25,000

**LEGISLATURE**

**Economic Development  
Incentive Commission**

Personal Services \$2,420  
All Other 3,200

Provides funds for the per diem and expenses of legislative members and miscellaneous costs, including printing, of the Economic Development Incentive Commission.

**LEGISLATURE  
TOTAL**

\$5,620

**APPROPRIATION  
TOTAL**

\$30,620

See title page for effective date.

**CHAPTER 762**

**H.P. 1518 - L.D. 2140**

**An Act to Implement the Maine Arts  
Commission's Arts in Education  
Program**

**1998-99 Be it enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 27 MRSA c. 15, sub-c. I-A** is enacted to read:

**SUBCHAPTER I-A**

**ARTS IN EDUCATION PROGRAM**

**§411. Arts in Education Program**

The Maine Arts Commission shall establish the Arts in Education Program, referred to in this subchapter as the "program," to provide support for planning and implementing artist residencies and related school and community arts programs to increase arts education opportunities in the State. The program is designed on a 3-year rotating basis. The program allows a public school system to participate by developing a comprehensive arts education plan, activities to implement the plan and an evaluation of the plan.

**§412. Duties of the Maine Arts Commission**

To accomplish the goals of the program, the Maine Arts Commission shall:

**1. Funding.** Provide funding to 1/3 of the schools in the State each year on a 3-year rotating basis;

**2. Professional artists.** Use professional artists in developing a process for achieving learning results;

**3. School systems.** Invite school systems, through their superintendents, to participate in the program;

**4. Goals.** Work with school systems to identify common education goals;

**5. Training; information; seed money.** Provide training, information and seed money to each local arts education committee composed of school personnel and residents of the school district to develop a 3-year plan to increase arts education opportunities; and

**6. Curriculum; projects.** Promote artist residencies, professional development for teachers, curriculum development and advocacy and information projects.

**§413. Duties of the school district**

Under the program, each participating school district shall:

**1. Committee.** Establish a local arts education committee to develop a 3-year plan to increase arts

opportunities in the school district. Members of the committee may include teachers, art teachers, parents, art administrators, school administrators, business people, artists, school board members and students;

**2. Orientation and training.** Provide for the local arts education committee to participate in orientation and training sessions;

**3. Plan.** Implement, evaluate and report to the Maine Arts Commission on the plan; and

**4. Resources.** Allocate Maine Arts Commission resources according to a per-pupil cost formula in the first year of the plan.

**Sec. 2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1998-99

## MAINE ARTS COMMISSION

### Arts - Sponsored Program

All Other \$150,000

Provides funds to implement the Arts in Education Program.

See title page for effective date.

## CHAPTER 763

H.P. 1395 - L.D. 1949

### An Act to Allow Maine Technical College System Employees Represented by the Maine Education Association Faculty and Administrative Units to Participate in a Defined Contribution Retirement Plan

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

**Sec. 1. 5 MRSA §285, sub-§7**, as amended by PL 1997, c. 24, Pt. C, §1 and c. 80, §4, is repealed and the following enacted in its place:

**7. Payment by State.** Except as otherwise provided in this subsection, the State, through the commission, shall pay 100% of only the employee's share of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission, except for Legislators, for whom the State shall pay 50% of the health plan premium for dependent coverage. For any person appointed to a

position after November 1, 1981 who is employed less than full time, the State shall pay a share of the employee's share reduced pro rata to reflect the reduced number of work hours. The State may not pay any portion of the health plan premium for a blind person eligible for the group health plan under subsection 1, paragraph H.

For persons who were first employed before July 1, 1991, the State shall pay 100% of only the retiree's share of the premiums for the standard plan identified and offered by the commission and available to the retiree, as authorized by the commission for persons who were previously eligible for this health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G.

For persons who were first employed by the State after July 1, 1991, the State shall pay a pro rata share portion of only the retiree's share of the premiums for the standard plan identified and offered by the commission and available to the retiree, as authorized by the commission for persons who were previously eligible for this health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G based on the total number of years of participation in the group health plan prior to retirement as follows:

<u>Years of Participation</u>	<u>State Portion</u>
<u>10 or more years</u>	<u>100% group health plan premium</u>
<u>9 but less than 10 years</u>	<u>90% group health plan premium</u>
<u>8 but less than 9 years</u>	<u>80% group health plan premium</u>
<u>7 but less than 8 years</u>	<u>70% group health plan premium</u>
<u>6 but less than 7 years</u>	<u>60% group health plan premium</u>
<u>5 but less than 6 years</u>	<u>50% group health plan premium</u>
<u>Less than 5 years</u>	<u>No contribution</u>

Pursuant to Title 20-A, section 12722, subsection 5, this subsection applies to participants in the defined contribution plan offered by the Maine Technical College System Board of Trustees under Title 20-A, section 12722.

**Sec. 2. 5 MRSA §17001, sub-§40**, as amended by PL 1989, c. 698, §§3 and 76, is further amended to read:

**40. State employee.** "State employee" means any regular classified or unclassified officer or employee in a department, any employee of the Maine Technical College System, except those who make the election provided under Title 20-A, section 12722.