

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)



MAINE STATE MUSEUM
83 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0083

ANGUS S. KING, JR.
GOVERNOR

November 1, 1999

Joint Standing Committee on Education and Cultural Affairs
119th Maine Legislature

Honorable Members:

I will provide the Maine State Museum's Program Evaluation Report within one week of today, to be included at this point, in the Maine State Cultural Affairs Council package.

My apologies for this delay related to my having overcome influenza only to contract complications. The Museum is a small agency and my personal participation in finalizing the self evaluation is very important.

I am fully aware of the importance of this report and deeply regret being tardy with my final version.

Sincerely,

Joseph R. Phillips
Museum Director

JRP/mps



PRINTED ON RECYCLED PAPER

MAINE STATE MUSEUM
GOVERNMENT EVALUATION ACT
PROGRAM EVALUATION REPORT
1999

Prepared for the
Joint Standing Committee on Education and Cultural Affairs
'119th Maine Legislature

The Mission of the Museum is to collect, preserve, and research objects of Maine's natural and cultural history for the purpose of educating and inspiring Maine's people and visitors, in order to promote an understanding of and respect for the past, which is essential for Maine's future. (Adopted 12/07/98)

MAINE STATE MUSEUM
GOVERNMENT EVALUATION ACT
PROGRAM EVALUATION REPORT

Table of Contents

1. Enabling Legislation
2. Program Description
3. Organizational Structure
4. Compliance
5. Financial Summary
6. Regulatory Agenda and Rules Adopted
7. Partnerships
8. Constituencies
9. Alternative Delivery Systems
10. Emerging Issues
11. Other Agency Information

1. ENABLING LEGISLATION

STATE LAW

- Title 27 M.R.S.A.
 - Chapter 2, State Museum
 - Chapter 13, Archaeology

FEDERAL LAW

- Public Law 100-298; U.S.C. 2101-2106
 - Abandoned Shipwreck Act of 1987

TITLE 27

LIBRARIES, HISTORY, CULTURE AND ART

Chapter	Section
1. State Library	1
2. State Museum	81
3. Public Libraries	101
4. Regional Library Systems	110
4-A. Library Records	121
5. Interstate Library Compact	141
7. County Law Libraries [Repealed]	221
9. State Historian	261
10. State Archivist [Repealed]	275
11. Art	301
13. Archaeology	361
15. The Arts	401
16. The Percent for Art Act	451
17. Maine Historic Preservation Commission	501
19. Property Deposited With Museums and Historical Societies	601

WESTLAW Electronic Research

WESTLAW supplements Maine Revised Statutes Annotated and is useful for additional research. Enter a citation in Insta-Cite for display of any parallel citations and case history. Enter a constitution, statute or rule citation in a case law database for cases of interest.

Example query for Insta-Cite: IC 420 A.2d 928

Example query for state Constitution:
Const. Constitution /s 6 VI +3 3

Example queries for statute:
32 +s 4056
17-A +s 402

Example queries for court rules:
M.R.C.P. M.R.Civ.P. Civ.Proc. Civil /3 51
M.R.Crim.P. Crim.Proc. Criminal /3 30
M.R.Evid. Evid. Evidence /3 801

Also, see the WESTLAW Electronic Research Guide following the Preface.

CHAPTER 2
STATE MUSEUM

Subchapter	Section
I. General Provisions.....	81
II. Acceptance of Works of Art From Estates	91
III. Conservation and Preservation	94

Chapter 2, State Museum, was enacted by Laws 1965, c. 502, § 1.

SUBCHAPTER I
GENERAL PROVISIONS

*The heading of Subchapter I, General Provisions, was enacted by
Laws 1979, c. 526, § 1.*

Section
81. Declaration of policy.
82. Maine State Museum Commission.
83. Powers and duties of Maine State Museum Commission.
84, 85. Repealed.
85-A. Powers and duties of Museum Director.
86. Acquisition, ownership and disposition of property and size and storage of collection.
86-A. Historical materials.
87. Assistance from other state agencies.
88. Federal funds.
89. Publication fund.
90. Conservation fund.
90-A. Reproductions of museum collections.

§ 81. Declaration of policy

The Legislature declares it is the policy of the State that in order to further the cultural and educational interests of the people of the State, to present through the use of its collections and activities the proud heritage and unique historical background, and to preserve and exhibit the environmental and cultural richness of the State, there is established the Maine State Museum.

1965, c. 502, § 1.

Historical Note

Reorganization of Maine State Museum. Section A, 99 of Laws 1985, c. 763, provides:
"There shall be a reorganization of the Maine State Museum as provided for in Part B [appropriation adjustments] of this Act.

"It is the Legislature's intent that the reorganization be accomplished within the existing re-

sources of the museum. The establishment of new positions shall be effective upon the termination of the old positions provided that the occupants of the old positions shall remain on staff until the new positions are filled."

Library References

States ⇐82.
C.J.S. States § 144.

WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.

§ 82. Maine State Museum Commission

The Governor shall appoint a Maine State Museum Commission, as established by Title 5, section 12004, subsection 8, consisting of 15 members especially qualified and interested in the several fields of museum activity. Of those members first appointed, 5 shall be appointed for terms of 2 years, 5 for 4 years and 5 for 6 years. Their successors shall be appointed for 6 years. Each member shall serve for the term of his appointment and thereafter until his successor is appointed and qualified. In case of the termination of a member's service during his term, the Governor shall appoint a successor for the unexpired term. Members shall be compensated according to the provisions of Title 5, chapter 379¹.

1965, c. 502, § 1; 1983, c. 812, § 167.

¹ Section 12001 et seq. of title 5.

Historical Note

Laws 1983, c. 812, in the first sentence, inserted “, as established by Title 5, section 12004, subsection 8,” and in the sixth sentence, substituted “be compensated according to the provisions of Title 5, chapter 379” for “serve without

compensation but shall receive their necessary expenses”.

Savings clause. For savings clause provision of Laws 1983, c. 812, § 302, see the Historical Note under title 25, § 2801.

Cross References

Powers and responsibilities of board, compensation, see title 5, § 12004-G.

Library References

States ⇐45 et seq.
C.J.S. States § 79 et seq.

§ 83. Powers and duties of Maine State Museum Commission

The general powers and duties of the commission are:

1. **Administration.** To administer this chapter. In administering its provisions, the commission may formulate policies and exercise general supervision.

2. **Prescribe duties of Museum Director.** To prescribe the duties of the Museum Director.

3. **Delegate powers.** To delegate powers to the Museum Director necessary for the administration of this chapter.

4. **Recommendations.** To make recommendations to the Legislature for such legislation as may be necessary to improve the functioning of the Maine State Museum.

1965, c. 502, § 1.

Library References

States ⇐67, 73, 82.
C.J.S. States §§ 120 et seq., 130 et seq., 144.

§ 84. Repealed. Laws 1971, c. 610, § 15

Historical Note

The repealed section, derived from Laws 1966, c. 502, § 1, authorized the appointment of a museum director.

§ 85. Repealed. Laws 1987, c. 465, § 1

Historical Note

See, now, § 85-A of this title.

§ 85-A. Powers and duties of Museum Director

The Museum Director shall have the powers and duties established under the following provisions governing the administration and operation of the Maine State Museum activities:

1. **Duties prescribed.** To perform the duties which are prescribed for him by the commission;
2. **Administration.** To administer the office of Museum Director. In exercising his administration, the Museum Director shall promulgate operating policies, establish organizational and operational procedures and exercise supervision of museum activities. He shall employ, subject to the Civil Service Law¹ and the approval of the Commissioner of Educational and Cultural Services, such assistants as may be necessary to carry out the purposes of this chapter. The Museum Director shall adopt a seal for use in the official business of the museum;
3. **Rules.** To promulgate such rules as necessary to effectuate the purposes of this chapter. No unreasonable restrictions or limitations shall be imposed on the use of museum records or objects that are defined by law as records or objects open to public inspection. With the exception of matters concerning collections security and preservation, decisions made by the director concerning access, use and reproduction of museum collections may be appealed to the commission within 30 days for final determination by the commission;
4. **Acceptance of gifts and bequests.** To accept gifts, bequests and endowments for purposes consistent with the purposes of this chapter. Any funds, if given as an endowment or trust, shall be invested by the Treasurer of State according to the laws governing the investment of trust funds. All gifts, bequests and proceeds of endowment funds shall be used solely to carry out the purposes for which they were made;
5. **Biennial report.** To report biennially to the Governor and Legislature facts and recommendations relating to the work and needs of his office.
6. **General.** To carry out the policies and directives of the Maine State Museum Commission;

7. **Collection.** To institute and maintain a program of systematic collection in the several fields of museum activity with particular emphasis on those fields relating to this State;

8. **Preservation and restoration.** To preserve, identify, catalogue, document and safeguard the collections of the museum;

9. **Research and publications.** To carry on research to increase knowledge in the several fields of museum activity and to provide interpretive and information services, including the dissemination and recording of information gathered through research. Protection through copyright law may be obtained;

10. **Information.** To provide reference services to individuals and local historical, natural history, scientific and other groups and societies interested in museum activities;

11. **Exhibitions.** To exhibit the collections of the museum, including permanent and temporary exhibits, and to provide a loan service for films, artifacts, specimens and other exhibits of the museum to such persons, groups and schools and under such terms and conditions as determined by the director;

12. **Services.** To provide ancillary museum services such as operation of a museum library, consultation concerning museum activities, sale of publications, provision of speakers, participation in special events and any other activities which will promote the effectiveness of the museum.

13. **Educational stipends.** To provide educational field school opportunities in concert with archaeological and conservation projects by providing educational stipends from funds secured from nongeneral fund sources.

1987, c. 465, § 2.

¹ See § 7039 of title 5.

Historical Note

Derivation:

R.S.1954, c. 36, § 34-B.
Laws 1963, c. 417, § 7.
Laws 1965, c. 502, § 1.

Laws 1971, c. 610, § 16.
Laws 1981, c. 8.
Laws 1985, c. 785, § B, 124.
Former §§ 85, 362 of this title.

§ 86. Acquisition, ownership and disposition of property and size and storage of collection

1. **Acquisition.** The Maine State Museum is authorized to accept donations of property for the sole use of the museum provided the donations are of a nature to carry out and promote the purposes of this chapter. The Maine State Museum may purchase works of art, artifacts and specimens for the enrichment of the collections from funds provided in the budget, secured from private donations or bequests or generated from the disposition of deaccessioned items.

2. **Ownership.** The museum shall hold its collections and property for the State and shall not sell, mortgage, transfer or dispose of in any manner, except as provided under this section or other authority of law.

3. **Disposition.** Notwithstanding any contrary provisions of law, the museum may sell or exchange any duplicates or other property determined to be

unnecessary which the museum may have or obtain, and may transfer to other institutions of the State property not deemed applicable or necessary for the purposes of the museum. Funds generated by the disposition of artifacts shall be deposited into a revolving fund to be used exclusively for the increase and care of museum collections, including the purchase of other artifacts, specimens or works of art, or the conservation and preservation of state collections. Disposition of property may be through return of property to the original donor, as deemed appropriate by the Maine State Museum Commission.

4. Repealed. Laws 1973, c. 625, § 173, eff. July 5, 1973.

5. **Size and storage of collections.** The Maine State Museum shall endeavor to continually upgrade the scope and quality of the collections. New acquisitions are to be sought to fulfill this objective. In order to refine existing holdings the museum shall also maintain an on-going program of artifact disposition permitting the improvement of collections within a finite storage space available for them.

1965, c. 502, § 1; 1973, c. 625, § 173, eff. July 5, 1973; 1985, c. 763, § A, 77, eff. July 1, 1986.

Historical Note

Laws 1973, c. 625, repealed subsec. 4, which read:

"Property of existing museum to be transferred. All property in possession or belonging to the present museum in the State Capitol shall upon the effective date of this Act, be transferred to the Maine State Museum."

Laws 1985, c. 763, in subsec. 1, in the first sentence, substituted "the donations" for "such donations" and added the second sentence; in subsec. 2, deleted "of Maine" following "State", and substituted ", except as provided under this section or other" for "or remove from the Maine

State Museum any article thereof, or part of same, without"; in subsec. 3, in the first sentence, substituted "unnecessary" for "useless", and added the second and third sentences; and added subsec. 5.

Storage facilities. Section A, 100 of Laws 1985, c. 763, provides:

"The Maine State Museum and Law and Legislative Reference Library shall not be moved from their present storage facilities in the Burleigh and Nash Buildings, respectively, until adequate alternative storage facilities are provided."

Library References

States ⇌82 et seq.
C.J.S. States § 144 et seq.

§ 86-A. Historical materials

The Maine State Museum shall hold title, as trustee for the State, to all historical materials, other than documents or other library or archival items under the administrative jurisdiction of the Maine State Library or the Maine State Archives, which are or may become the property of the State and are or may be housed in the public buildings of the State. Such historical materials shall include the banners and flags presently housed in the State House Hall of Flags and may include, but shall not be restricted to, paintings, sculptures and other works of art dealing with historic subjects or executed by historically significant artists; flags, banners, insignia, medals, firearms, edged weapons, uniforms and other accoutrements relating to Maine military personnel or units; furnishings, utensils, implements, tools, machinery and other devices having

particular historical significance to the State. The State Capitol Building shall be in the jurisdiction of the State Capitol Commission.

Historical materials as described herein which are directly connected with areas under the jurisdiction of the State Park and Recreation Commission shall be exempt from this section.

The State Museum shall protect, preserve and interpret such materials which may be placed under its trusteeship in accordance with this chapter.

1971, c. 401, § 1; 1987, c. 816, § EE, 6, eff. April 28, 1988.

Historical Note

Laws 1987, c. 816, in the first paragraph, inserted "Maine" preceding "State Museum" and "State Library" and "the Maine" preceding "State Archives" in the first sentence, and added the last sentence.

§ 87. Assistance from other state agencies

The heads of the various state departments, agencies and institutions are authorized to consult with the Maine State Museum upon request concerning any aspect of museum operations. The Maine Arts Commission shall furnish the Maine State Museum Commission with such assistance as necessary to administer section 86-A.

1965, c. 502, § 1; 1971, c. 485, § 1; 1985, c. 763, § A, 78, eff. July 1, 1986.

Historical Note

Laws 1971, c. 485, added the second sentence. Laws 1985, c. 763, in the second sentence, substituted "Arts Commission" for "State Commission on the Arts and Humanities".

§ 88. Federal funds

The museum through its commission and director may be an official agency of the State to receive and disburse any funds made available by the Federal Government for programs related to the purposes of the museum.

1971, c. 544, § 84.

§ 89. Publication fund

1. **Revolving fund.** There is established within the Maine State Museum a revolving fund for the use of the museum to cover acquisition, printing and distribution costs for scientific, historical and educational literature and for services offered by the museum for which a charge is made.

2. **Prices and rates.** The director is authorized to fix the prices and rates at which publications, services or related items may be sold and delivered. The museum shall receive without charge 15% of all such publications for complimentary distribution.

3. **Certain materials.** The director is authorized to purchase, establish the price and sell through the museum sales program pertinent handcraft, educational or publication materials procured from outside sources. Proceeds from such

STATE MUSEUM
Ch. 2

27 § 90-A

sales shall be utilized to restock materials for resale and to support the publications program as defined in subsection 1.

4. **Income.** Income from sale of publications shall be credited to the revolving fund, to be used as a continuing carrying account to carry out the purposes of subsection 1 or as excepted by the conditions of subsection 3.

1971, c. 544, § 84; 1987, c. 465, § 3.

Historical Note

Laws 1987, c. 465, in subsec. 1, inserted "acquisition,".

Cross References

Sales of surplus Maine histories by the Maine State Museum, use of proceeds, see § 69 of this title.

Library References

States ⇄127.
C.J.S. States § 228.

§ 90. Conservation fund

1. **Revolving fund.** There is established within the Maine State Museum a revolving fund for conservation, within the Maine State Museum Conservation Center, of objects which are of significance to the cultural and environmental heritage of Maine for which a charge is made.

2. **Prices and rates.** The director is authorized to establish such prices, fees or rates for materials or services provided by the Conservation Center as may be appropriate to assure maintenance of the fund and continuation of conservation activities.

3. **Income.** Income received from such fees for services or materials, or through contributions, allocations, grants or bequests from private, corporate, institutional and governmental sources for this purpose, shall be credited to the revolving fund to be used as a continuing carrying account to carry out the purposes of subsection 1.

1975, c. 746, § 25, eff. April 12, 1976.

§ 90-A. Reproductions of museum collections

1. **Authorization.** The Maine State Museum may enter into licensing or similar arrangements for reproductions of selected items from the museum collections.

2. **Fees; royalties.** Income received from those arrangements, including the sale of reproductions directly or indirectly through vendor arrangements, shall be credited to the General Fund.

1987, c. 465, § 4.

LIBRARIES, HISTORY AND CULTURE
Title 27

SUBCHAPTER II
ACCEPTANCE OF WORKS OF ART FROM ESTATES

Section

91. Definitions.
92. Payment of inheritance and estate tax in works of art.
93. Procedure for payment in works of art.

Subchapter II, Acceptance of Works of Art From Estates, was enacted by Laws 1979, c. 526, § 2.

Cross References

Payment of estate and inheritance taxes in works of art, see title 36, § 3688.
Payment of estate tax, see title 36, § 4065.

§ 91. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. **Commission.** "Commission" means the Maine State Museum Commission.

2. **Work of art.** "Work of art" includes any painting, portrait, mural, decoration, stained glass, statue, tablet, bas-relief, ornament, fountain or other article or structure of a permanent character intended for decoration or commemoration, and any historical material defined in section 86-A. 1979, c. 526, § 2.

§ 92. Payment of inheritance and estate tax in works of art

A decedent's estate may pay all or part of any tax owed by the decedent's estate to the State by payment in the form of one or more works of art, subject to section 93. An executor, administrator or trustee shall follow the procedure set out in section 93 to make payment in works of art taken from the decedent's estate:

1. **Decedent directs.** If the decedent has so directed by a will; or

2. **Executor, administrator or trustee finds advantage.** In the absence of a direction in the decedent's will, if the executor, administrator or trustee finds that this method of payment is advantageous to the estate. 1979, c. 526, § 2.

Cross References

Payment of estate and inheritance taxes in works of art, see title 36, § 3688.

Library References

Taxation ⇐903.
C.J.S. Taxation § 1220.

§ 93. Procedure for payment in works of art

1. **Selection.** The executor, administrator or trustee of any estate, desiring to pay all or part of an estate tax or inheritance tax owed the State in one or

more works of art, shall notify the commission of his desire to do so. The commission shall, within a reasonable period of time and after consulting with the Maine Arts Commission, notify the executor, administrator or trustee, and the State Tax Assessor, as to whether, in the judgment of the commission, it would be advantageous to the State to accept one or more works of art as payment for the estate or inheritance tax. The commission's decision shall be final and nonappealable.

Acceptance of a work of art is advantageous to the State if its acceptance:

- A. Encourages the preservation of original or noteworthy works of art;
- B. Furthers the preservation and understanding of fine arts traditions which have existed in Maine;
- C. Furthers the understanding of the fine arts by the people of Maine; or
- D. Aids in establishment of important state collections of works of art.

2. **Agreement on valuation.** If the commission finds that it would be advantageous for the State to accept payment in one or more works of art as payment for the estate or inheritance tax, the commission and the executor, administrator or trustee shall, as a condition of state acceptance of this method of payment, mutually agree in writing on the current market value at the time of the decedent's death of each work of art proposed to be accepted. Upon agreement, the commission shall forward a copy of the proposed valuation to the State Tax Assessor, who shall have 45 days from the date of notification to object to that valuation.

If the State Tax Assessor objects, he shall set forth his objection in writing and forward that objection to the commission and to the executor, administrator or trustee, who may, taking into account the State Tax Assessor's objections, submit a new agreed upon valuation for his approval. If the State Tax Assessor rejects this new valuation within 45 days of its submission, the State shall be deemed not to accept the proposed method of payment in works of art.

3. **Acceptance.** If the State Tax Assessor does not object to a submitted valuation of a work of art within 45 days of its submission, the State shall be deemed to have accepted the work of art as complete or partial payment of the estate or inheritance tax owed, and the commission shall assume title to that work of art as soon as practicable.

4. **Credit against tax.** Upon the assumption of title to a work of art by the commission, the State Tax Assessor shall credit, against the amount owed by the estate, the valuation of that work of art as agreed upon under subsection 2. In no case shall any credit allowed by this subsection be greater than the amount of estate or inheritance tax owed by the decedent's estate.

5. **Limitation on aggregate value of works of art accepted during one fiscal year.** The commission shall not, during any fiscal year, assume title to works of art which have an aggregate value of more than \$100,000, unless:

A. The State Budget Officer, on application from the commission and in extraordinary circumstances, permits the commission to exceed that limit; or

B. The commission transfers into the General Fund, not later than the end of the next fiscal year, revenue equalling or exceeding the amount by which the commission has exceeded that limit.

1979, c. 526, § 2; 1985, c. 763, § A, 79, eff. July 1, 1986.

Historical Note

Laws 1985, c. 763, in the first paragraph of "Arts Commission" for "State Commission on subsec. 1, in the second sentence, substituted the Arts and the Humanities".

Library References

Taxation ⇐903.

C.J.S. Taxation § 1220.

CHAPTER 13
ARCHAEOLOGY
SUBCHAPTER I
[IN GENERAL]

§ 361. Repealed. 1981, c. 55, § 1

SUBCHAPTER II
STATE-OWNED OBJECTS AND SPECIMENS

Section	Section
373-A. Definitions.	376. Antiquities recovered from archaeological sites.
375. Unlawful excavation.	377. Protection of site location information.
	378. Emergency site designation [New].

§ 371. Statement of policy

The Legislature, in recognizing the importance of Maine's cultural heritage of the distant past to our understanding of Maine's people, declares that it is the policy of this State to preserve and protect archaeological sites for proper excavation and interpretation.

It is in the public interest to provide for the preservation and interpretation of archaeological artifacts and specimens for the benefit of the people of the State. In order to ensure proper preservation and interpretation of artifacts, specimens and materials which are found on, in or beneath state-controlled lands, it is in the public interest that a single state department be designated to hold title, as trustee for the State, to all such artifacts, specimens and materials, except as may be authorized by section 376.

The State Museum Bureau is best qualified to assume that trusteeship by virtue of the fact that its facilities are intended to function primarily for the purpose of preserving and interpreting artifacts, specimens and materials as defined within this subchapter.

1981, c. 55, § 2.

1981 Amendment. Chapter 55 repealed and replaced this section.

§ 372. Legislative intent

1. Transference of custody. The several departments of the State are authorized to transfer any archaeological objects, materials or specimens in their possession to the custody and trusteeship of the State Museum Bureau.

2. Museum responsibility. The State designates the State Museum Bureau to hold title, as trustee for the State, to all archaeological objects, materials and specimens found on, in or beneath state-controlled lands. The State charges the State Museum Bureau with the responsibility of protecting, preserving and interpreting such objects, materials and specimens as may be placed under its trusteeship; preventing their defacement, damage, destruction or unauthorized removal; and ensuring their continued availability for scientific study by qualified persons, agencies or institutions.

1981, c. 55, § 3.

1981 Amendment. Chapter 55 repealed and replaced this section.

Library References
Health and Environment ⇐ 25.5(8).

C.J.S. Health and Environment §§ 61 et seq.,
115 et seq.

§ 374. Legislative provisions

1. Purpose. The people of this State benefit only when a site is systematically excavated, analyzed and interpreted by a qualified principal investigator.

2. Permit procedure. The procedure for obtaining a permit to excavate a site shall be as follows.

A. Any person, agency or institution desiring to excavate a site shall submit a written application.

B. Application for a permit shall be in the form of a letter and research proposal directed to the Director of the Maine Historic Preservation Commission and shall be accompanied by a copy of the preservation agreement attested by the Register of Deeds and the written permission of the landowner to proceed with the excavation. The landowner may give permission to excavate in the preservation agreement.

C. The permit to excavate shall be cosigned by the Director of the Maine Historic Preservation Commission and the Director of the State Museum Bureau, except for state-controlled lands where the permit also shall be cosigned by the director of the agency with primary jurisdiction.

D. The application shall state the nature and specific location of the artifacts, specimens and materials to be removed, the legal name and address of the person, agency or institution seeking authorization and the date or dates on which the artifacts, specimens or materials are to be removed.

E. Upon receipt of an application, the permittors may issue a written permit authorizing the excavation of the site for such term and upon such conditions as they deem reasonable and which are consistent with subsection 3.

3. Permit conditions. The conditions which may be imposed upon a permit are as follows.

A. In order to minimize damage to state-controlled lands and to artifacts, specimens or materials to be removed, and, in order to ensure the recording and preservation of significant data regarding those artifacts, specimens, materials or sites, the permit may set forth requirements or limitations regarding the methods and equipment to be employed in the removal, the procedures to be followed in documenting the removal and the report or reports, if any, to be submitted to officials or agencies of the State upon completion of the removal activities.

B. The permittors may require that an authorized representative of the State be present to witness and document the removal of artifacts, specimens or materials from state-controlled land.

C. The permit shall clearly indicate the type of artifacts, specimens or materials to be removed, the location of the site, the time of the proposed removal activity or excavation, the legal name and address of the permittee and any other limitations and requirements that may be imposed by the permittors.

D. On excavations authorized by the permit process, the principal investigator should normally possess the minimum qualifications of a graduate degree in anthropology, archaeology or a related field, accompanied by institutional facilities to ensure proper conservation and curation of the artifacts, materials and specimens or extensive experience and demonstrated ability.

4. Permit revocation. All permittors, or their authorized representatives, may revoke or suspend a permit if there is evidence to indicate that the permittee has violated or exceeded the limitations of his permit, or if there is evidence to indicate that artifacts, materials or the site are being unnecessarily defaced, damaged or destroyed in the course of their removal. Any willful violation of the provisions or limitations of a permit is grounds for immediate revocation of the permit and shall be construed as unauthorized excavation.

Library References
Health and Environment ⇐25.5(8).

C.J.S. Health and Environment §§ 61 et seq.,
115 et seq.

§ 377. Protection of site location information

In order to protect the site from unlawful excavation or harm, any information on the location or other attributes of any site in the possession of the Maine Historic Preservation Commission, the State Museum Bureau, the Bureau of Parks and Recreation, other state agencies or the University of Maine may be deemed by the Maine Historic Preservation Commission or State Museum Bureau to be confidential and exempt from Title 1, chapter 13.¹ Such data shall be made available for the purpose of archaeological research. The directors of the Maine Historic Preservation Commission and the State Museum Bureau shall jointly adopt rules establishing standards and procedures for obtaining the data, and may impose reasonable requirements on its use, including requirements of confidentiality. 1981, c. 55, § 7.

¹ Section 401 et seq. of title 1.

Library References
Health and Environment ⇐25.5(8).

C.J.S. Health and Environment §§ 61 et seq.,
115 et seq.

§ 378. Emergency site designation

In the case of an area containing archaeological materials or artifacts on private property which is directly threatened with unauthorized excavation, the Director of the Maine Historic Preservation Commission, with the written permission of the landowner, may designate such an area a site which shall be subject to this chapter for a period not to exceed one year. All sites given emergency designation under this section shall be posted against unauthorized excavation. Notice of the designation shall be filed with the registrar of deeds in the county in which the site is located.

1981, c. 568, § 4.

Library References
Health and Environment ⇐25.5(8).

C.J.S. Health and Environment §§ 61 et seq.,
115 et seq.

PUBLIC LAW 100-298—APR. 28, 1988

ABANDONED SHIPWRECK ACT OF 1987

SEC. 4. RIGHTS OF ACCESS.

(a) ACCESS RIGHTS.—In order to—

(1) clarify that State waters and shipwrecks offer recreational and educational opportunities to sport divers and other interested groups, as well as irreplaceable State resources for tourism, biological sanctuaries, and historical research; and

(2) provide that reasonable access by the public to such abandoned shipwrecks be permitted by the State holding title to such shipwrecks pursuant to section 6 of this Act,

it is the declared policy of the Congress that States carry out their responsibilities under this Act to develop appropriate and consistent policies so as to—

(A) protect natural resources and habitat areas;

(B) guarantee recreational exploration of shipwreck sites; and

(C) allow for appropriate public and private sector recovery of shipwrecks consistent with the protection of historical values and environmental integrity of the shipwrecks and the sites.

(b) PARKS AND PROTECTED AREAS.—In managing the resources subject to the provisions of this Act, States are encouraged to create underwater parks or areas to provide additional protection for such resources. Funds available to States from grants from the Historic Preservation Fund shall be available, in accordance with the provisions of title I of the National Historic Preservation Act, for the study, interpretation, protection, and preservation of historic shipwrecks and properties.

SEC. 5. PREPARATION OF GUIDELINES.

(a) In order to encourage the development of underwater parks and the administrative cooperation necessary for the comprehensive management of underwater resources related to historic shipwrecks, the Secretary of the Interior, acting through the Director of the National Park Service, shall within nine months after the date of enactment of this Act prepare and publish guidelines in the Federal Register which shall seek to:

(1) maximize the enhancement of cultural resources;

(2) foster a partnership among sport divers, fishermen, archeologists, salvors, and other interests to manage shipwreck resources of the States and the United States;

(3) facilitate access and utilization by recreational interests;

(4) recognize the interests of individuals and groups engaged in shipwreck discovery and salvage.

(b) Such guidelines shall be developed after consultation with appropriate public and private sector interests (including the Secretary of Commerce, the Advisory Council on Historic Preservation, sport divers, State Historic Preservation Officers, professional dive operators, salvors, archeologists, historic preservationists, and fishermen).

(c) Such guidelines shall be available to assist States and the appropriate Federal agencies in developing legislation and regulations to carry out their responsibilities under this Act.

SEC. 6. RIGHTS OF OWNERSHIP.

(a) UNITED STATES TITLE.—The United States asserts title to any abandoned shipwreck that is—

(1) embedded in submerged lands of a State;

(2) embedded in coralline formations protected by a State on submerged lands of a State; or

Cultural
programs.
Historic
preservation.
Environmental
protection.
42 USC 2103.

Grants.

43 USC 2104.

National parks,
monuments, etc.
Federal
Register,
publication.

43 USC 2105.

Public Law 100-298
100th Congress

An Act

Apr. 28, 1988
[S. 858]

To establish the title of States in certain abandoned shipwrecks, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Abandoned
Shipwreck
Act of 1987.
Maritime
affairs.
43 USC 2101
note.
43 USC 2101.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Abandoned Shipwreck Act of 1987".

SEC. 2. FINDINGS.

The Congress finds that—

- (a) States have the responsibility for management of a broad range of living and nonliving resources in State waters and submerged lands; and
- (b) included in the range of resources are certain abandoned shipwrecks, which have been deserted and to which the owner has relinquished ownership rights with no retention.

43 USC 2102.

SEC. 3. DEFINITIONS.

For purposes of this Act—

- (a) the term "embedded" means firmly affixed in the submerged lands or in coralline formations such that the use of tools of excavation is required in order to move the bottom sediments to gain access to the shipwreck, its cargo, and any part thereof;
- (b) the term "National Register" means the National Register of Historic Places maintained by the Secretary of the Interior under section 101 of the National Historic Preservation Act (16 U.S.C. 470a);
- (c) the terms "public lands", "Indian lands", and "Indian tribe" have the same meaning given the terms in the Archaeological Resource Protection Act of 1979 (16 U.S.C. 470aa-470ll);
- (d) the term "shipwreck" means a vessel or wreck, its cargo, and other contents;
- (e) the term "State" means a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands; and
- (f) the term "submerged lands" means the lands—
 - (1) that are "lands beneath navigable waters," as defined in section 2 of the Submerged Lands Act (43 U.S.C. 1301);
 - (2) of Puerto Rico, as described in section 8 of the Act of March 2, 1917, as amended (48 U.S.C. 749);
 - (3) of Guam, the Virgin Islands and American Samoa, as described in section 1 of Public Law 93-435 (48 U.S.C. 1705); and
 - (4) of the Commonwealth of the Northern Mariana Islands, as described in section 801 of Public Law 94-241 (48 U.S.C. 1681).

Public
information.
Historic
preservation.

(3) on submerged lands of a State and is included in or determined eligible for inclusion in the National Register.

(b) The public shall be given adequate notice of the location of any shipwreck to which title is asserted under this section. The Secretary of the Interior, after consultation with the appropriate State Historic Preservation Officer, shall make a written determination that an abandoned shipwreck meets the criteria for eligibility for inclusion in the National Register of Historic Places under clause (a)(3).

(c) TRANSFER OF TITLE TO STATES.—The title of the United States to any abandoned shipwreck asserted under subsection (a) of this section is transferred to the State in or on whose submerged lands the shipwreck is located.

Gifts and
property.
Indians.

(d) EXCEPTION.—Any abandoned shipwreck in or on the public lands of the United States is the property of the United States Government. Any abandoned shipwreck in or on any Indian lands is the property of the Indian tribe owning such lands.

(e) RESERVATION OF RIGHTS.—This section does not affect any right reserved by the United States or by any State (including any right reserved with respect to Indian lands) under—

(1) section 3, 5, or 6 of the Submerged Lands Act (43 U.S.C. 1311, 1313, and 1314); or

(2) section 19 or 20 of the Act of March 3, 1899 (33 U.S.C. 414 and 415).

43 USC 2106.

SEC. 7. RELATIONSHIP TO OTHER LAWS.

(a) LAW OF SALVAGE AND THE LAW OF FINDS.—The law of salvage and the law of finds shall not apply to abandoned shipwrecks to which section 6 of this Act applies.

(b) LAWS OF THE UNITED STATES.—This Act shall not change the laws of the United States relating to shipwrecks, other than those to which this Act applies.

(c) EFFECTIVE DATE.—This Act shall not affect any legal proceeding brought prior to the date of enactment of this Act.

Approved April 28, 1988.

LEGISLATIVE HISTORY—S. 858:

HOUSE REPORTS: No. 100-514, Pt. 1 (Comm. on Interior and Insular Affairs) and Pt. 2 (Comm. on Merchant Marine and Fisheries).

SENATE REPORTS: No. 100-241 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 133 (1987): Dec. 19, considered and passed Senate.

Vol. 134 (1988): Mar. 28, 29, Apr. 13, considered and passed House.

2. PROGRAM DESCRIPTION

ADMINISTRATION AND EDUCATION

In 1999 the Museum is responsible for two elements of the **New Century Community Program** which provide technical assistance and matching grants for statewide cultural revitalization. It is a joint program of the Maine State Museum, Maine Arts Commission, Maine Historic Preservation Commission, Maine State Library, Maine Historical Society, Maine State Archives, and Maine Humanities Council. Technical assistance, training and reference material will be provided to historical societies, museums, town and county offices, libraries, and other institutions responsible for historic artifacts or documents by the Cultural Resources Information Center (CRIC) a joint project with the Maine State Archives, and the non-profit association Maine Archives and Museums. The two agencies are also closely coordinating a program providing matching grants ranging from \$500 to \$5,000 to these same community institutions for projects preserving their historic collections.

The Museum is open all but four days each year. In Fiscal Year 1999 Museum exhibits attracted 94,448 visitors, of whom 31,412 came in 1016 school and camp groups from 276 Maine communities. Museum educators provided live demonstrations and hands-on gallery programs. A Sunday afternoon program series; a Spring film premier-reception; archaeology field schools in Brooklin, Maine and at the 1607 Popham Colony Site in Popham, Maine were well attended.

Teaming again with Maine Public Television, Museum staff members provided historical materials and professional assistance for the new series, "HOME, The Story of Maine."

EXHIBITION

Exhibition in the Cultural Building and care of collections displayed in the State House and Blaine House are key Museum responsibilities. "The Colors of Glory: the 20th Maine Regiment at Gettysburg" displayed Maine's most famous Civil War flag, carried by Joshua Chamberlain's men at Little Round Top. "Maine Earthenware" was opened within the large "Made-in-Maine" exhibition and tells the story of the State's early pottery making families. "What Can We Learn From Bones?" was developed to show how archaeologists learn about the animals, birds, and fish eaten by people in the past. A special exhibit on the colorful "Waldoboro Rugs" made in mid-coast Maine in the last century was very popular. Two are now in preparation with one on Maine's sister-state relationship with Aomori, Japan; and one based on the Museum's outstanding collection of Maine related glass which will include everything from stained glass windows which once graced the Maine State Senate chamber, to the bottles used by local businesses for distributing milk and medications. A major long-term exhibition, "Maine Home Life" received planning support this year in terms of two grants from the National Endowment on the Humanities.

RESEARCH AND COLLECTIONS

The Archaeology Program of the Maine State Museum seeks to systematically preserve and expand the state's archaeology and ethnology collections. It is distinct from other Museum functions in that it comes under its own distinct set of Federal and state laws, which require specific actions. The Maine State Museum is one of three federally certified repository in Maine for the long-term curation of archaeological collections.

The Historical and Natural History collections seek to preserve and display a cross section of the state's fascinating past. In Fiscal Year 1999 the Museum acquired 116 groups of historic artifacts and scientific specimens consisting of 2,226 objects. Artifacts from five archaeological sites were also accessioned. These primarily constitute direction donations, combined with purchases assisted by financial gifts and generous bequests. Examples include: a suit worn by Hannibal Hamlin, tailored in Bangor; original arts and

crafts style furnishings built by Maine State Penitentiary prisoners for their warden's summer home; a 271-piece collection of late-nineteenth and early-twentieth century Maine souvenir china; a dream catcher beaded with the Maine State Seal which was presented to Governor King by the four tribes resident in Maine.

DESCRIPTION OF PROGRAM ACTIVITIES

ADMINISTRATION AND EDUCATION

Description Of Program Activities: Administer and manage the Maine State Museum as the central repository of natural history and material culture for state government and Maine citizens; conduct public information, education, awareness and technical assistance activities in collaboration with the state's network of historical and educational institutions, Friends of the Maine Museum, volunteers, State economic development agencies, and private sector support organizations; coordinate partnerships with educators at all levels in support of Maine curricula development and lifelong learning; promote research, publications, and broadcasts on topics of Maine's rich heritage; and operate the Maine State Museum store.

EXHIBITION DESIGN AND PREPARATION

Description Of Program Activities: Preserve, and interpret the history and significance of, artifacts of Maine's natural and cultural history; prepare them for exhibition; design, construct, upgrade, maintain, and present exhibits and exhibition environments which inform and excite the interest of visitors while properly protecting artifacts; construct special storage facilities; maintain physical plant; and assure safety and security of visitors, staff and collections; and accessibility of exhibits and facilities.

RESEARCH AND COLLECTIONS

Description Of Program Activities: Identify, acquire, inventory, protect, preserve and make available for scientific research, study, interpretation and explanation archaeological artifacts, public historical materials, and other collections of Maine's natural, prehistoric and historic cultural heritage, representing the story of Maine's environment, resources, and peoples; comply with and enforce state and federal laws protecting archaeological sites and artifacts; physically preserve all collections, clean, stabilize, and restore artifacts in collections, and provide secure and accessible storage; inventory the location of, insure, create and preserve proper records and documentation for, and historical research pertaining to collections; and conduct field work, archival study, and interaction with experts in pertinent fields; and interpret through exhibit scripts, lectures, and publications.

III. Performance-Based Budget Plan FY00-FY01

GOAL: To ensure the preservation, protection, exhibition, interpretation and promotion of Maine's unique natural and cultural heritage.

OBJECTIVE: To increase among all Maine's people knowledge and understanding of, and appreciation and respect for, Maine's natural and cultural heritage and its importance for Maine's future.

STRATEGY: To effectively develop and maintain Maine State Museum facilities, operations, and programs, conduct public education, awareness and technical assistance activities in collaboration with the state's network of historical and educational institutions.

STRATEGY: To design and prepare, build, upgrade, maintain, and present exhibits; maintain physical plant; and assure safety and security of visitors, staff, and collections.

STRATEGY: To identify, acquire, inventory, protect, preserve and make available for study archaeological artifacts, public historical materials, and other collections of Maine's natural and cultural heritage.

PERFORMANCE MEASURES:

	Baseline	FY1999-2000	FY2000-2001
1. Rate/1,000 pop. of Maine citizens attending MSM facilities or programs	79.3	72	80
2. % of Maine 4 th grade students attending MSM facilities or programs	46.9%	48%	50%
3. % of Maine people surveyed indicating MSM is unique source of information and education on Maine's heritage	69%	72%	75%
4. Number of exhibits Installed	2	4	5
5. Number of active volunteers	95	110	125
6. Number of MSM members	1,444	1,500	1,600

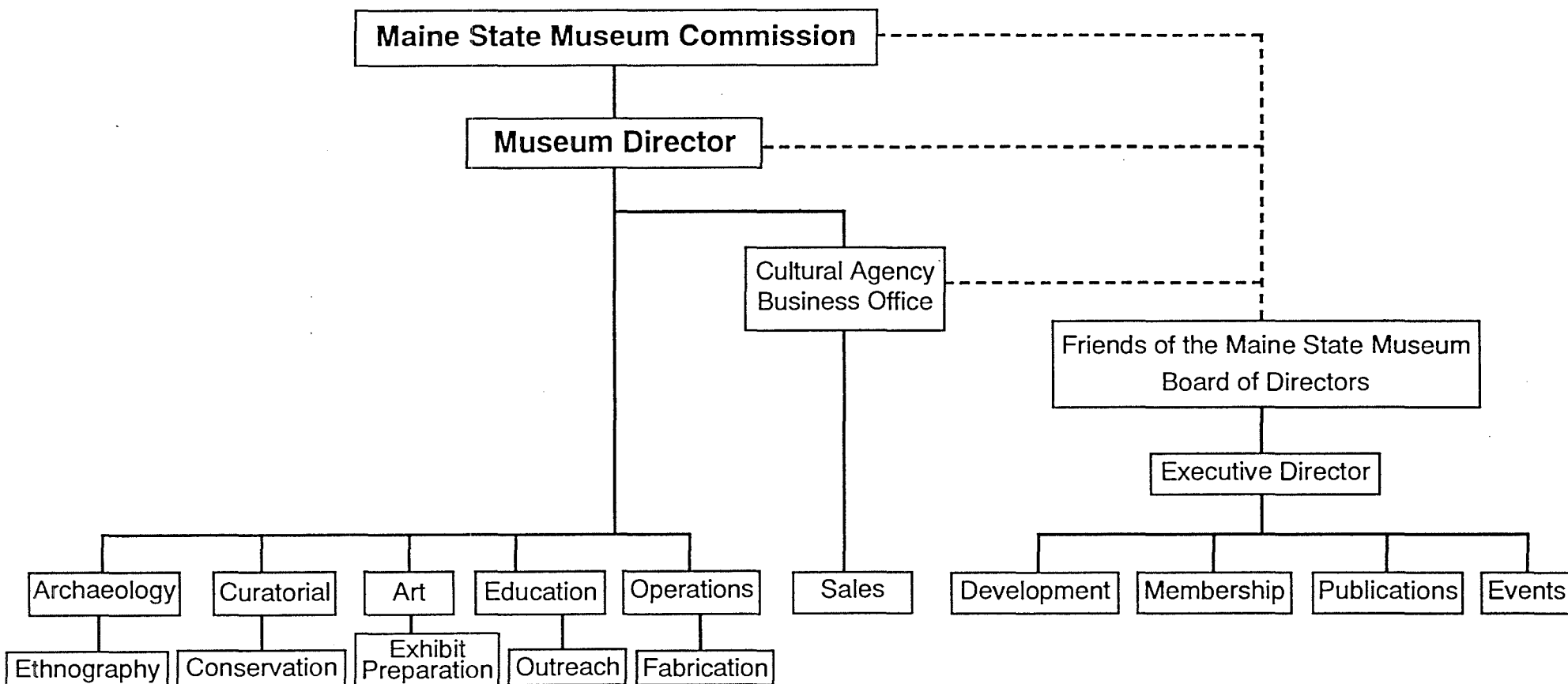
3. ORGANIZATIONAL STRUCTURE

MAINE STATE MUSEUM ORGANIZATIONAL CHART
(RELATIONSHIP WITH NON-PROFIT FRIENDS GROUP)

ORGANIZATION CHART

POSITION COUNT WITH JOB CLASSIFICATIONS

MAINE STATE MUSEUM ORGANIZATIONAL CHART



The Cultural Agency Business Office is a function of the Maine State Library, which also serves the Maine State Museum, Maine Historic Preservation Commission, and Maine Arts Commission.

The Museum and its Friends support group have a tightly interconnected management structure:

- The Friends sole purpose is to support the mission of the Museum.
- The Museum commission chair, Museum director, and business manager are voting members of the Friends board of directors per corporate bylaws.
- Formal Museum contracts govern the Friends' management of the membership program and specific projects.

ORGANIZATION CHART

as of October 1999

Maine State Museum Commission

Director

<u>ADMINISTRATION</u>	<u>EDUCATION</u>	<u>ART</u>	<u>PREPARATION</u>	<u>ARCHAEOLOGY</u>	<u>CONSERVATION</u>	<u>CURATORIAL</u>
Accountant I	Museum Spec. III	Museum Spec. II	Museum Spec. II	Museum Spec. III	Museum Tech. I J/S	Museum Spec. III
Clerk Typist III	Museum Spec. I		Master Carpenter	Museum Spec. I		Museum Spec. II
Clerk Typist III	Museum Spec. I					Museum Spec. II
Co-ordinator-1/2	Museum Tech. I J/S					Museum Spec. II
Store (self-supporting)	Museum Tech. I 1/2					Museum Spec. II-1/2
	Museum Tech. I 1/2					
	Museum Tech. I S					
	Museum Tech. I S					
	Museum Tech. I S					
	Museum Tech. I 1/2					
	Museum Tech. I 1/2					

NOTES: Museum Tech. (Museum Technician)
 Museum Spec. (Museum Specialist)
 S=Seasonal
 1/2= Part-time
 J/S= Job Share

ORGANIZATION CHART

15 Full-time personnel
 10 Half-time personnel
 3 Seasonal (20 Weeks @
 24 hours)

Does not include Business Operations Manager,
 Accountant III, Payroll clerk who are part of
 the State Library Staff

MAINE STATE MUSEUM -- POSITION COUNT

FULL TIME

<u>Title</u>	<u>State Classification</u>	<u>Pay Range</u>
Museum Director	Museum Director	88
Chief Curator	Museum Specialist III	28
Chief Archaeologist and Curator of Ethnology	Museum Specialist III	28
Chief Educator	Museum Specialist III	28
Operations Manager	Museum Specialist II	23
Art Director	Museum Specialist II	23
Registrar	Museum Specialist II	23
Curator of Natural History	Museum Specialist II	23
Archaeology Assistant	Museum Specialist I	19
Supervisory Educators (2)	Museum Specialist I	19
Master Carpenter	Master Carpenter (Museum)	16
Accountant	Accountant I	14
Secretary to the Director	Clerk Typist III	12
Education Scheduler	Clerk Typist III	12

HALF TIME, JOB SHARE, AND SEASONAL

<u>Title</u>	<u>State Classification</u>	<u>Pay Range</u>
Curator of Fine Art, Graphic Art, and Archives	Museum Specialist II	23
Conservation Technicians (2-job share)	Museum Technician I	15
Volunteer Coordinator	Museum Technician I	15
Museum Educators (6-half time and job share)	Museum Technician I	15
Museum Educators (3-seasonal, 20 wks. at 24 hours)	Museum Technician I	15

4. COMPLIANCE

The Maine State Museum is primarily funded through Legislative appropriations. In recent years grants have been received from several federal agencies. The Museum Commission and staff are therefore mindful of compliance with state and federal regulations.

CIVIL RIGHTS

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance (Section 601).

Title IX of the Education Amendments of 1972 provides that no person in the United States shall, on the basis of sex, be subject to discrimination under any educational program or activity receiving federal financial assistance.

The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program receiving federal assistance.

PEOPLE WITH DISABILITIES

Disability is defined as anyone who has a physical or mental impairment which substantially limits one or more of such persons major life activities, has a record of such impairment, or is regarded as having such impairment.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified person with a disability in the United States, as defined in Section 7(6), shall, solely by reason of his or her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal assistance.

The Americans with Disabilities Act of 1991 extends protections of the Civil Rights Act of 1964 by prohibiting discrimination in employment based on disability, requiring places of public accommodation be accessible to people with disabilities, mandating gradual replacement of buses and railroad cars with equipment that can accommodate people with disabilities, and making telephone services available to people with hearing and speech impairments, nationwide.

DRUG FREE WORKPLACE

The Drug Free Workplace Act of 1988 requires that employees of the grantee not engage in the unlawful manufacture, dispensation, possession, or use of controlled substances in the grantee's workplace or work site.

MANAGEMENT AND USE OF FUNDS

Section 5(j) and 5(k) of the U.S. Public Law 89-209 requires compliance in regard to the employment of professional personnel, mechanics, and laborers employed for any construction project, and to the health, safety and sanitary laws of the state.

18 U.S.C. Sec. 1913 regulates lobbying with appropriated moneys, and the Hatch Act (5 U.S.C. Sec. 1501-1508 and 7324-7328) limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

An adequate financial management system must be maintained to provide efficient and effective accountability and control of all property, funds and

assets, in compliance with OMB Circulars A-128 (for local governments) and A-110 (for non-profit organizations and universities).

NATIVE AMERICAN GRAVES

U.S. Public Law 101-601, the Native American Graves Protection and Repatriation Act of 1990 applies to Museums controlling archaeological collections. It requires consultation with federally recognized Indian groups, the submission of formal inventories to the U.S. Department of the Interior's National Park Service, and to tribal groups represented in the inventory. The Maine State Museum took the lead in Maine concerning educating other museums about this law and is in full compliance at this time.

5. FINANCIAL SUMMARY

Charts and tables on the following pages depict a complex story and cannot by themselves describe the Museum's recent history.

PERSONNEL

Between fiscal years 1990 and 1995 the Museum staff was reduced by 40%. The positions eliminated had been critical to the functioning of a state museum with the various special responsibilities assigned by the legislature. We are extremely grateful to the 119th Maine Legislature and Governor King for funding three half-time and three seasonal educator positions for face to face teaching of students and the general public. Unfortunately, the Museum remains critically understaffed in professional areas.

ALL OTHER FUNDS

In the fiscal years 1982 and 1990 the funds made available for museum exhibit construction, publications, teaching materials, etc. averaged \$400,000 per year. In the years since that time, basic allocations were reduced on average to approximately 50%. Again, we are grateful to the Legislature and Governor for recent special allocations supporting the purchase of historic treasures from the Berdan Collection as well as supporting the special exhibition "Maine and Aomori: Bridges Through Time." Normal functions however, are slowed to a crawling pace due to lack of All Other funds.

NON-STATE FUNDING

The Friends of the Maine State Museum, a non-profit support organization was established in 1992 to develop and manage a self-funded Museum Membership Program and to assist the Museum staff with private sector fundraising and federal grant applications. The Membership Program is on a solid footing and involves special opportunities such as prehistoric and historic archaeological schools at significant Maine sites each year.

Grants from private foundations and federal agencies have been very helpful in the accomplishment of some very basic activities. Especially in the field of collection care these funds have helped us catch up with inventory, documentation, automation and climate control improvements. These efforts have not, and cannot, make up for the profound reduction in staff and All Other funds.

ACCREDITATION RISK

The Maine State Museum was re-accredited in 1999 by the American Association of Museums. The great reduction of State financial support, with no reduction in mandated responsibility, caused great concern however. **Accreditation was granted for only five years instead of the normal ten due to this concern.** To quote the report:

"It is essential that acceptable minimal levels of staffing be established as soon as possible so that the Museum may meet professional obligations and adequately serve its public."

Maine State Museum

Expenditures

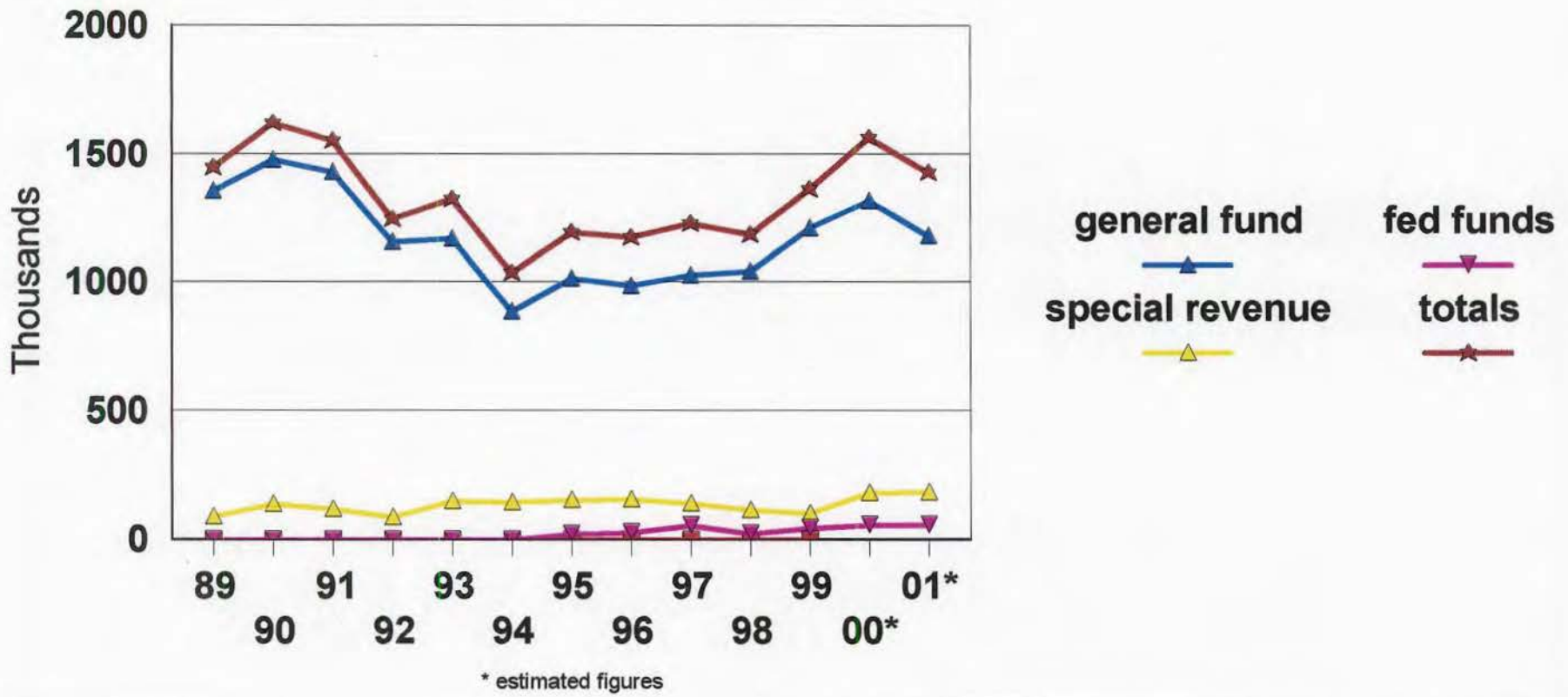
	89	90	91	92	93	94	95	96	97	98	99	00*	01*
general fund	1,358,859	1,482,071	1,432,746	1,159,883	1,173,596	888,603	1,015,933	987,730	1,029,450	1,043,995	1,214,016	1,320,996	1,183,801
special revenue	92,067	142,547	123,217	89,527	152,905	149,669	158,335	160,569	143,974	118,752	105,477	185,250	187,325
fed funds	0	0	0	0	0	0	22,067	28,861	58,094	25,073	46,124	60,322	60,322
totals	1,450,926	1,624,618	1,555,963	1,249,410	1,326,501	1,038,272	1,196,335	1,177,160	1,231,518	1,187,820	1,365,617	1,566,568	1,431,448

Position

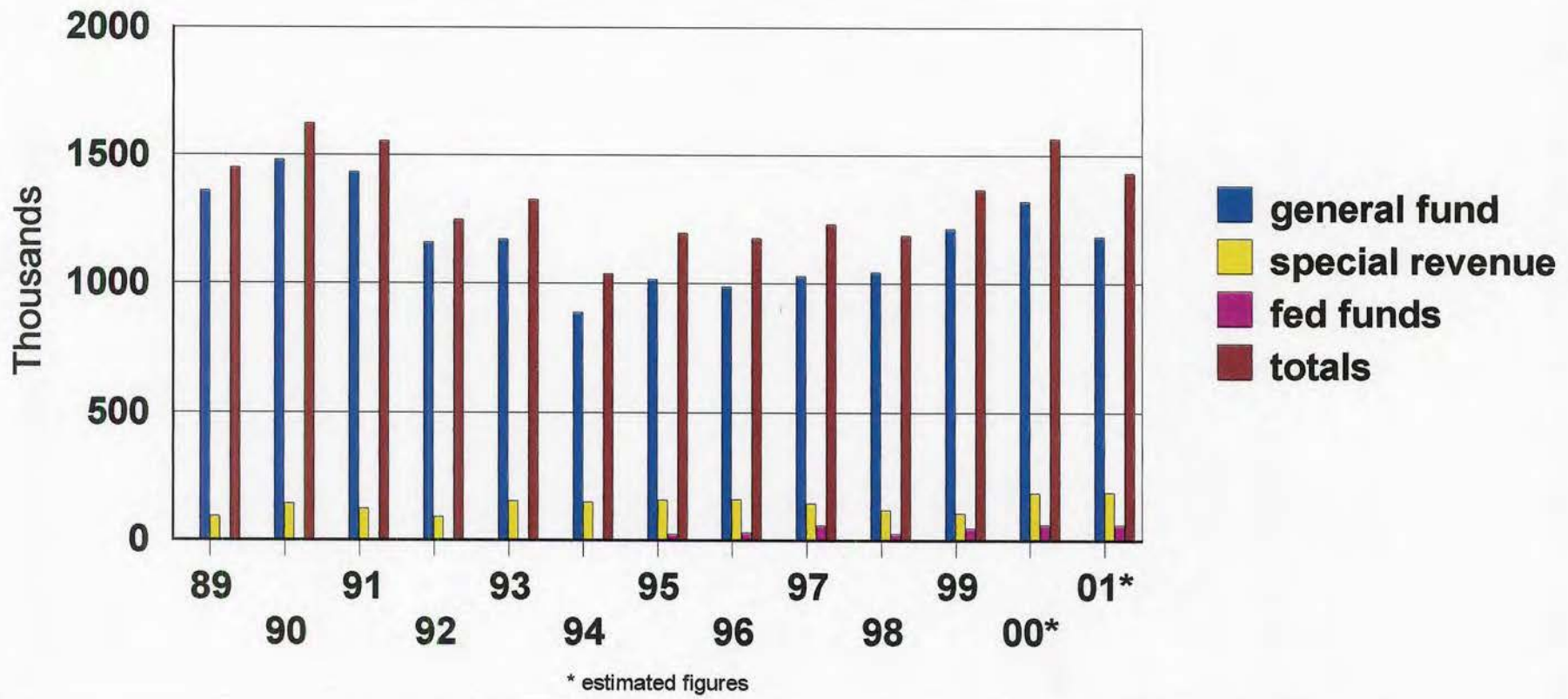
	89	90	91	92	93	94	95	96	97	98	99	00*	01*
general fund positions	31	32	29	24.5	24.5	21	20.5	19.5	19.5	19.5	19.5	21.7	21.7
special revenue positions	1	1	1	1	1	1	1	1	1	1	0	0	0
total	32	33	30	25.5	25.5	22	21.5	20.5	20.5	20.5	19.5	21.7	21.7

*estimated

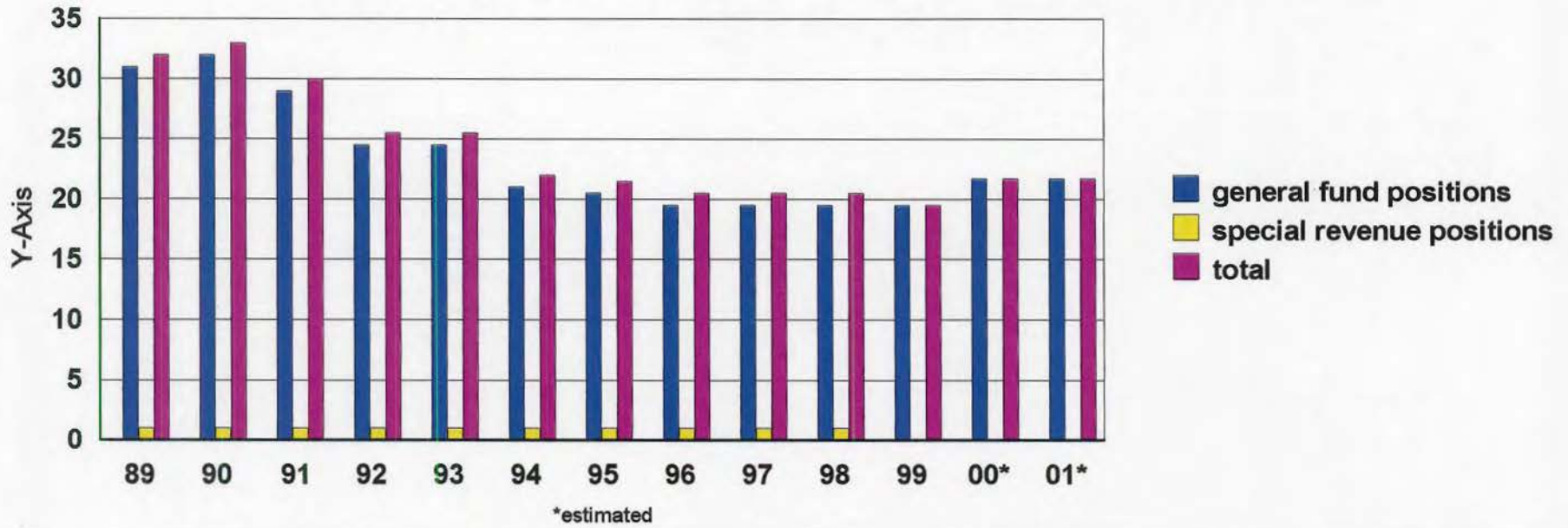
Maine State Museum



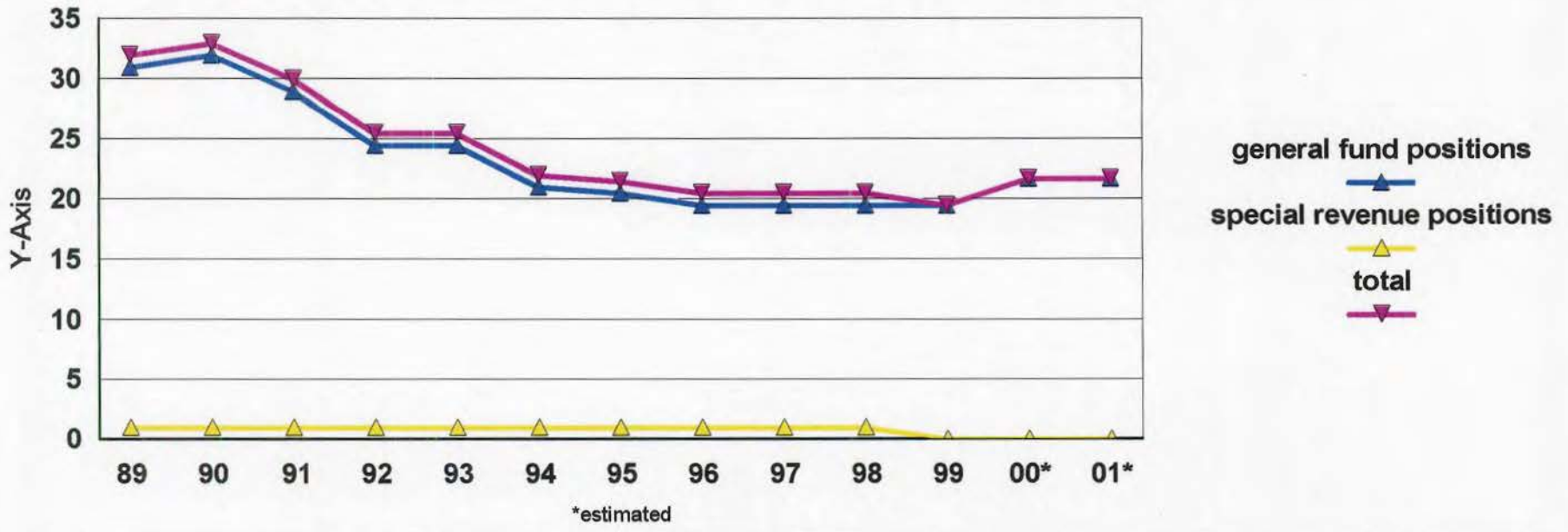
Maine State Museum



Maine State Museum - Positions



Maine State Museum - Positions



6. REGULATORY AGENDA AND RULES ADOPTED

The Maine State Museum does not anticipate developing any new rules or altering any existing rules this year. Changes in professional standards and a general improvement in overall collection management will call for some rule upgrades within a few years.

94-073 MAINE STATE MUSEUM

Chapter 501 USE OF MUSEUM FACILITIES

SUMMARY: Rules and Regulations for the use and security of materials and facilities of the Maine State Museum.

The facilities of the Maine State Museum are to be used in furtherance of the Legislative Declaration of Policy as stated in 27 MRSA §81.

94-073 MAINE STATE MUSEUM

Chapter 502 REPRODUCTION OF MUSEUM COLLECTIONS

SUMMARY: Collections of the Maine State Museum are held in trust for the people of the State of Maine. Reproductions of selected items may be approved by the Museum In accordance with this rule.

This rule is intended to govern decisions pertaining to the reproduction of collection items of the Maine State Museum. It establishes the general principles by which decisions will be made regarding reproduction privileges.

94-073 MAINE STATE MUSEUM

Chapter 505 COLLECTIONS

SUMMARY: To set forth the rules and regulations regarding acceptance, use and disposition of museum collections as a means of preserving the historical, cultural, and environmental heritage of the State of Maine.

94-073 MAINE STATE MUSEUM

Chapter 506 PUBLIC ACCESS TO AND USE OF MUSEUM COLLECTIONS

SUMMARY: This rule establishes standards and procedures governing access to and the use of collections of the Maine State Museum.

The Maine State Museum recognizes an obligation to encourage study of the history and cultural heritage of the State. The purpose of this rule is to establish standards and procedures to govern access by the public to collections of the Museum which will foster the goal of research and also preserve and protect these holdings for the enjoyment of the public at large.

94-073 MAINE STATE MUSEUM

Chapter 511 CONSERVATION CENTER

SUMMARY: To establish rules and regulations for the Conservation Center.

The Maine State Museum Conservation Center performs conservation services on historical and artistic works of significance to the cultural and environmental heritage of Maine. 27 M.R.S.A. §85.3 Operational Procedures.

94-073 MAINE STATE MUSEUM

Chapter 521 PUBLIC SERVICES

SUMMARY: It is the function of the Maine State Museum to interpret and present the collections and the knowledge acquired through research to all citizens of this state in a meaningful and educational manner with the primary objective of developing an understanding of the environment, cultural, and historical development of Maine. 27 MRSA §85.6-7 Operational Procedures.

94-073 MAINE STATE MUSEUM

Chapter 531 PUBLICATIONS PROGRAM

SUMMARY To establish rules and regulations for the Publications Program and the Museum Sales Shop

The Publications Program of the Maine State Museum shall conform to the basic objectives of the Museum as established by the enabling legislation and as further defined and implemented in the Publications Fund 27 MRSA Chapter 2 §81, 85.5 Administrative Provisions; 85.4, 85.7 Operational Provisions; and 89.

94-073 MAINE STATE MUSEUM

Chapter 551 ACCEPTANCE OF WORKS OF ART FROM ESTATES

SUMMARY: To clarify rules and regulations regarding acceptance of works of art from estates in lieu of estate taxes.

Pursuant to 27 MRSA §91, et. seq., the Maine State Museum is authorized to accept works of art on behalf of the State of Maine. The Commission will be using the values established for tax purposes by the Bureau of Taxation in fulfilling its responsibilities under 27 MRSA §93.2. This law encourages not only citizen investment in the State's cultural resources as regards art, but also the preservation and retention by the state of historical artifacts.

94-089 MAINE HISTORIC PRESERVATION COMMISSION AND MAINE STATE
MUSEUM

Chapter 100: RULES FOR IMPLEMENTING AN ACT TO PRESERVE MAINE'S
ARCHAEOLOGICAL HERITAGE

SUMMARY: These rules set forth the standards and procedures for access to records in the possession of the Maine Historic Preservation Commission, the State Museum Bureau, the Bureau of Parks and Recreation and other State agencies or the University of Maine containing information regarding the locations or other attributes of archaeological sites. These rules are jointly adopted by the Maine Historic Preservation Commission and Maine State Museum, but are codified under the Maine Historic Preservation Commission's umbrella number of 94-089.

7. PARTNERSHIPS

STATE GOVERNMENT LEADERS

Maine's Governor and State Legislature are the Museum's most vital partners as they provide the basic funding and legal authority needed to accomplish our mission.

MAINE CULTURAL AFFAIRS COUNCIL

In 1990, the Maine State Cultural Affairs Council was established to coordinate the resources, programs and projects of the Maine State Museum Commission, Maine Arts Commission, Maine Historic Preservation Commission, and the Maine State Library Commission. This Council has a chairman appointed by the Governor and two voting members from each agency Commission. The Museum Director is an ex-officio member of the Council.

The Maine Communities in the New Century Program was conceived and developed by the Council working closely with the Maine State Archives, Maine Historical Society, Maine Humanities Council and related organizations throughout the State.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

The Department of Administrative & Financial Services provides critical support without which the Museum could not function: maintenance and cleaning of buildings and grounds; financial and payroll services; communication services; and vehicles. We rely upon the Bureau of General Services for the desperately needed expansion of our Collection Care and Research Facility in Hallowell.

STATE HOUSE AND CAPITOL PARK COMMISSION

The State House and Capitol Park Commission is legally constituted to provide technical advice to the Legislative Council concerning the preservation and development of the aesthetic and historical integrity of the State House and grounds. This Council of Legislative leaders has jurisdiction over the interior and exterior of the building. The Museum's "State House Historical Collection" and "Flag and Banner Collection" are inextricably linked to the State House so that their long term preservation and display depend upon improvements in the building currently underway. The Museum Director is a member of this Commission.

BLAINE HOUSE COMMISSION

The Blaine House Commission has legal jurisdiction over the entire exterior of the governor's mansion as well as over the interior rooms used by the public, and the immediate grounds. The Museum's "Blaine House Historical Collection" is primarily displayed in the building so that its preservation and display depend upon the cautious stewardship exercised by this commission. The Museum Director is a member of this Commission.

FRIENDS OF THE MAINE STATE MUSEUM

Friends of the Maine State Museum, was incorporated in 1992 to benefit the Maine State Museum and its mission to preserve Maine's heritage. It accomplishes this "through development and implementation of volunteer support, educational programs, fundraising, acquisition and management of real property, private and public foundation grants, special events, public participation, publications, Museum membership, and visitation promotion." It has a 14-member board, including the chair of the Museum Commission, the Museum Director, and the Cultural agencies' Business Manager, who serve as voting members to ensure coordinated communication and guidance. Friends has a full-time executive director and assistant to manage the Museum's membership

and publications program under contract. Active committees carry out specific projects including development, membership, publications and events.

MAINE ARCHIVES AND MUSEUMS

Maine Archives and Museums (MAM) is a network of citizens and institutions which fosters the preservation and use of records and objects of enduring value in Maine, sponsors continuing education for those involved in such work, and promotes the use of Maine museums and archives to the public. We depend upon this group to provide in-state professional training opportunities for employees and volunteers, and as a conduit for professional outreach activities. The Museum Director is a member of the MAM Board of Directors.

MAM, the Maine State Museum, and Maine State Archives are the joint sponsors of the Cultural Resources Information Center (CRIC) which is funded for two years through the Maine Communities in the New Century Program. CRIC is providing direct assistance to the community organizations in every county which care for and display Maine's historic and artistic objects.

MAINE PUBLIC TELEVISION

Maine Public Broadcasting System's mission parallels that of the State Museum in important aspects. The inclusion of the Museum's scientific and historical projects in several recent television programs provided statewide dissemination of information. Collaboration on a classroom video package, and joint planning for future production of a joint museum exhibit/broadcast effort demonstrates a potential for advantageous partnering.

The Museum and Maine PBS worked closely with historians from around the state to develop the pilot season of "Home: The Story of Maine" which premiered at the Museum on May 7, 1999. Grant funding has enabled the Museum and Maine PBS to begin planning the second and third season of this jointly developed television series on local history.

MAINE ARTS AND HERITAGE TOURISM PARTNERSHIP

Launched by the Maine Arts Commission and Maine Office of Tourism, this partnership of state agencies, local governments and non-profit organizations works to jointly promote Maine as a wonderful place for touring. It also works to make the state more accessible to Maine residents and visitors alike. The Museum Director is a member of the partnership.

8. CONSTITUENCIES

The Maine State Museum serves all Maine people in the basic role of collecting and researching objects of Maine's natural and cultural history, and preserving them for future generations.

The Maine State Museum, the largest museum in the state, has hosted a large percentage of the 1.2 million people who live in Maine, and visitors from all 50 states and more than 55 nations. Museum visitor surveys indicate that 70% of Museum visitors are from Maine, 67% visit with their families, and 57% are between the ages of 30-49. The Museum continues to expand its audiences by sending outreach and special program information to schools, by working closely with the tourist industry, and by distributing brochures and the Museum newsletter throughout the state. In 1998, the Museum welcomed 98,623 visitors, including 31,149 from schools and summer camps throughout Maine. The Museum schedules Open House Days, evening lectures, free Sunday programs, and outreach events to serve the general public and specialized audiences.

The Museum is strongly committed to sharing its resources with all the people of Maine regardless of income. For those who cannot travel to Augusta, innovative partnerships with Maine Public Television extend the Museum's reach through jointly-produced television programs to nearly every household and school in the state, including those in Maine's most remote and isolated communities. The Museum has been very successful at attracting key segments of its primary audience, particularly families and school groups, and has made strong attempts through special events and exhibitions to attract Franco-Americans, Native Americans, and other ethnic groups.

All Museum exhibitions are fully accessible and barrier-free. Trained educators are stationed in the galleries not on to interpret exhibitions, but also to provide assistance in reading labels. "Touch Stations, containing objects with Braille labels, provide tactile experiences for the visually-impaired. As Maine's "flagship" museum, the staff is encouraged to assist other Museum and historical society personnel with advice and support on professional issues. Active partnerships and the Cultural Resources Information Center are avenues for serving these constituents.

9. ALTERNATIVE DELIVERY SYSTEMS

In addition to educational exhibitions in the Museum, State House, and Blaine House; and the Educational programs and lectures presented on site by Museum staff and invited experts; a number of other "systems" are used:

BOOKS

The Museum and Friends currently have four history books, a coloring book, and a catalog of earthenware in print. Three more are in the works in-house and a major publisher of scientific works is preparing Twelve Thousand Years in Maine as the first volume in a significant new North American archaeology series.

ARTIFACT LOANS

Artifacts are loaned to many institutions. Recent examples include the complete summer show of the Castine Historical Society and a significant portion of the international cultural exchange exhibit sent to the Aomori Cultural Museum in Japan. In 1999 the Brick Store Museum in Kennebunk presented a locally enhanced version of our Maine furniture exhibit. The Smithsonian Institution will borrow several important items for a two year traveling exhibit on Vikings.

In 1998 a two part archaeology exhibit was installed in cooperation with the Passamaquoddy Tribe at the Indian Township School. This long-term exhibit installation completed several years of joint work in the St. Croix region.

ARCHAEOLOGY FIELD SCHOOLS

Established and managed by the Friends of the Maine State Museum, week-long schools are held at the Goddard Site in Brooklin and the Popham Colony site in Phippsburg. As of 1999 participation earns one course credit at the University of Maine.

TELEVISION

Museum collections, projects and personnel have been featured in three programs of the Maine Public Television "Quest" series, "Maine Digs," "Shipwreck!", and "Maine Fauna"; in an episode of "Made in Maine"; and in the new series explained elsewhere in this report, "Home: The Story of Maine."

10. EMERGING ISSUES

MUSEUM STAFF NEEDS

Grant funding and a special legislative appropriation have enabled the Museum to contract consultants to perform some of the functions once handled with skill and continuity by staff personnel. Exhibit design, conservation of artifacts, exhibit construction, curation of collections, and certain planning functions have been contracted out in order to keep the Museum advancing in its areas of responsibility. It has become clear that this effort can not be maintained successfully. Constant fundraising and the administration of grants and contracts has in fact added greatly to the burden of surviving staff members. Permanent positions must be established for key professional needs.

MUSEUM "ALL OTHER" BUDGET NEEDS

Exhibit construction materials and services are currently funded well below the level of need, as are artifact conservation materials and specialized services. In years past the artifact acquisition budget was \$40,000 per year but now, through sacrificing other needs such as staff training, the acquisition budget can be maintained at only \$10,000. Without an adequate budget the Museum has lost the flexibility to deal with special circumstances without having to make emergency appeals to the legislature. An increase to 1980's level "All Other" budget would answer the need.

MUSEUM FACILITIES NEEDS

The Museum staff has been working with the Bureau of General Services since 1991 to move artifacts from insecure wooden barns (accomplished) to temporary leased facilities and then to a planned state-owned secure climate controlled Collection Care and Research building within or adjoining the Central Storage Facility in Hallowell. Current artifact care spaces are now overfull. This problem must be resolved urgently with a permanent expansion.

The primary educational purpose of the Museum is accomplished through displays of artifacts and specimens in both long-term and temporary exhibitions. When the current plans for the Museum's fourth floor are accomplished, one new changing exhibit gallery and a long-term exhibition on "Maine Home Life" will occupy space converted from other purposes. At that point the building will be full and the wonderful collections still in storage left without a display space. The time has come to begin engineering studies toward eventual expansion and upgrade of the Cultural Building to better serve users of the State Library, State Archives, and State Museum.

MAINE COMMUNITIES IN THE NEW CENTURY

A one year allocation was passed in the first session of the 119th Maine Legislature to initiate and test the Maine Communities in the New Century Program. Developed by the member agencies of the Cultural Affairs Council with the strong support from local organizations around the state, this innovative program provides matching grants and technical assistance to help Maine communities preserve their unique historic properties, artifacts, and documents; expand their educational resources by promoting literacy and the access of their citizens to historic and cultural materials; and strengthen their libraries, museums, theaters, and other cultural institutions and build on their own heritage as the basis for economic and social development. Further funding is needed to continue to raise Maine's arts and cultural institutions to a higher level of effectiveness as a cohesive force for economic growth.

11. OTHER INFORMATION

For the convenience of the Committee a Red folder is provided with a number of recent publications, invitations, and promotional items.