

## CHAPTER 18

### MAINE STATE CULTURAL AFFAIRS COUNCIL

#### §551. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1989, c. 700, Pt. B, §42 (NEW).]

**1. Cultural agencies.** "Cultural agencies" means the Maine Arts Commission, the Maine Historic Preservation Commission, the Maine Library Commission, the Maine State Museum Commission, the Maine Humanities Council, the Maine Historical Society and the Maine State Archives and programs of these organizations.

[PL 1999, c. 573, §1 (AMD).]

**2. Directors.** "Directors" means the Director of the Maine Arts Commission, the Director of the Maine Historic Preservation Commission, the State Librarian, the Director of the Maine State Museum, the Director of the Maine Humanities Council, the Director of the Maine Historical Society and the State Archivist.

[PL 1999, c. 573, §1 (AMD).]

#### SECTION HISTORY

PL 1989, c. 700, §B42 (NEW). PL 1999, c. 573, §1 (AMD).

#### §552. Maine State Cultural Affairs Council

The Maine State Cultural Affairs Council, as established in Title 5, section 12004-G, subsection 7-A, shall ensure a coordinated, integrated system of cultural resources programs and projects and shall ensure the support of cultural heritage institutions and activities of the State. [PL 1989, c. 700, Pt. B, §42 (NEW).]

#### SECTION HISTORY

PL 1989, c. 700, §B42 (NEW).

#### §553. Membership; meetings

The Maine State Cultural Affairs Council consists of the chair of the State Cultural Affairs Council, appointed pursuant to subsection 1, and the chair and vice-chair or their designees from the Maine Arts Commission, the Maine Historic Preservation Commission, the Maine Library Commission, the Maine Humanities Council, the Maine Historical Society, the Archives Advisory Board and the Maine State Museum Commission. The Governor may designate a staff member of the Office of the Governor to serve as a nonvoting member. The directors of the 7 cultural agencies are nonvoting ex officio members of the council. [PL 1999, c. 573, §2 (AMD).]

**1. Appointment of chair.** The Governor shall appoint the chair of the Maine State Cultural Affairs Council from among the members of the Maine Library Commission, the Maine Historic Preservation Commission, the Maine Arts Commission, the Maine Humanities Council, the Maine Historical Society, the Archives Advisory Board or the Maine State Museum Commission, as long as the appointed chair is not from the same entity as the previous chair.

[PL 1999, c. 573, §3 (AMD).]

**2. Term of chair.** The Chair of the Maine State Cultural Affairs Council shall serve a term of 2 years, except that the chair's term shall not extend beyond the chair's term as a commission member.

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**3. Meetings.** The Maine State Cultural Affairs Council may conduct a public proceeding using telephonic, video, electronic or other means of remote participation when 2 or more members are physically present at the location of the public proceeding identified in the notice required under Title 1, section 4 and the total number of members participating in the meeting, both physically present and participating remotely, constitute a quorum.

[PL 2021, c. 269, §2 (NEW).]

#### SECTION HISTORY

PL 1989, c. 700, §B42 (NEW). PL 1995, c. 519, §7 (AMD). PL 1999, c. 573, §§2,3 (AMD). PL 2021, c. 269, §§1, 2 (AMD).

#### §554. Staff

The directors and the personnel of the cultural agencies shall provide staff assistance to the Maine State Cultural Affairs Council. [PL 1989, c. 700, Pt. B, §42 (NEW).]

#### SECTION HISTORY

PL 1989, c. 700, §B42 (NEW).

#### §555. Duties

The duties and functions of the council are limited to the following: [PL 1989, c. 700, Pt. B, §42 (NEW).]

**1. Coordination of budget requests.** To receive budget requests from each of the cultural agencies and to coordinate the budget plans for submission to the Bureau of the Budget; [PL 1989, c. 700, Pt. B, §42 (NEW).]

**2. Forum for interagency planning.** To provide a forum for interagency cooperation and planning; [PL 1989, c. 700, Pt. B, §42 (NEW).]

**3. Liaison.** To serve as the principal liaison for distribution of agency-wide notices and instructions from other governmental administrative agencies; [PL 1989, c. 700, Pt. B, §42 (NEW).]

**4. Prepare annual report.** To coordinate the preparation of an annual report and other joint planning documents of the 7 cultural agencies; [PL 1999, c. 573, §4 (AMD).]

**5. Statewide cultural planning.** To meet jointly and at least annually with the directors of the Maine State Film Commission and the State Law Library and others as considered appropriate for the purpose of exchanging information and coordinating statewide cultural planning; and [PL 1999, c. 573, §4 (AMD).]

**6. New Century Community Program Fund.** To administer the New Century Community Program Fund. The New Century Community Program Fund is established as a nonlapsing account to assist in carrying out the purposes of section 558. The Maine State Cultural Affairs Council may accept and expend money on behalf of the fund from public and private sources. [PL 2001, c. 439, Pt. DDDD, §1 (AMD).]

#### SECTION HISTORY

PL 1989, c. 700, §B42 (NEW). PL 1999, c. 573, §§4,5 (AMD). PL 2001, c. 439, §DDDD1 (AMD).

#### §556. Limitations

The powers of the council do not extend to: [PL 1989, c. 700, Pt. B, §42 (NEW).]

**1. Alteration of program.** Alteration of any agency program or request except as a conduit for administrative budget instructions;

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**2. Consolidation.** Consolidation or transfer of funds between agencies;

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**3. Policy setting.** Policy setting for any agency or commission; or

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**4. Additional powers.** Any powers not expressly granted.

[PL 1989, c. 700, Pt. B, §42 (NEW).]

#### SECTION HISTORY

PL 1989, c. 700, §B42 (NEW).

#### §557. Annual report

The Maine State Cultural Affairs Council shall annually report to the Governor and the Legislature. The directors shall provide the necessary information and assist the council in the preparation of this report. This report shall include the following: [PL 1989, c. 700, Pt. B, §42 (NEW).]

**1. Receipts and expenditures.** The receipts and expenditures on the accounts of the cultural agencies;

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**2. Acquisitions.** The number of acquisitions by the cultural agencies, specifying those obtained by purchase, donation or exchange;

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**3. Program accomplishments.** The accomplishments of the programs within the cultural agencies;

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**4. Program needs.** The program needs of the cultural agencies; and

[PL 1989, c. 700, Pt. B, §42 (NEW).]

**5. Improvements.** Suggestions for improvement of the individual programs within the cultural agencies and for the improvement of delivery of cultural services in the State.

[PL 1989, c. 700, Pt. B, §42 (NEW).]

#### SECTION HISTORY

PL 1989, c. 700, §B42 (NEW).

#### §558. Maine Communities in the New Century Program

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Council" means the Maine State Cultural Affairs Council. [PL 1999, c. 401, Pt. LL, §1 (NEW).]

B. "Participating agencies" means the:

- (1) Maine Arts Commission;
- (2) Maine Historic Preservation Commission;
- (3) Maine State Library;
- (4) Maine State Museum;
- (5) Maine Historical Society;

(6) Maine State Archives; and

(7) Maine Humanities Council. [PL 1999, c. 401, Pt. LL, §1 (NEW).]

C. "Program" means the New Century Community Program established in subsection 2. [PL 2001, c. 439, Pt. DDDD, §2 (AMD).]  
[PL 2001, c. 439, Pt. DDDD, §2 (AMD).]

**2. Program established; objectives.** The New Century Community Program is established under the auspices of the council to further the following objectives:

A. Preservation of the State's historic resources, properties, artifacts and documents; [PL 1999, c. 401, Pt. LL, §1 (NEW).]

B. Expanded access to improved educational resources; and [PL 1999, c. 401, Pt. LL, §1 (NEW).]

C. Community and economic development through strengthened local cultural resources, including through increased community access to the State's leading cultural institutions. [PL 2001, c. 439, Pt. DDDD, §3 (AMD).]  
[PL 2001, c. 439, Pt. DDDD, §3 (AMD).]

**3. Program components.** To assist communities in preserving, improving and providing access to cultural resources, the program shall provide matching grants, technical assistance and support services to local, nonprofit, community-based organizations.  
[PL 1999, c. 401, Pt. LL, §1 (NEW).]

**4. Council duties.** The council shall:

A. Oversee the planning and implementation of the program and coordinated communication among the participating agencies on behalf of Maine communities; [PL 1999, c. 401, Pt. LL, §1 (NEW).]

B. Establish an outside evaluation system for the project to be implemented in the 2nd year of the program; [PL 1999, c. 401, Pt. LL, §1 (NEW).]

C. Provide a forum of interagency planning among the participating agencies; [PL 1999, c. 401, Pt. LL, §1 (NEW).]

D. Receive and distribute notices and instructions from other governmental administrative agencies; [PL 1999, c. 401, Pt. LL, §1 (NEW).]

E. Meet quarterly to assess the progress of the program; [PL 1999, c. 401, Pt. LL, §1 (NEW).]

F. Coordinate the program with a statewide cultural alliance organization that is a private nonprofit educational agency supporting libraries, museums and arts and humanities organizations and with statewide groups of individuals and artists concerned about the health of the State's cultural resources; and [PL 1999, c. 401, Pt. LL, §1 (NEW).]

G. Submit an annual report to the Legislature on the program. [PL 1999, c. 401, Pt. LL, §1 (NEW).]

[PL 1999, c. 401, Pt. LL, §1 (NEW).]

**5. Participating agency duties.** The participating agencies shall:

A. Provide matching grants and services to eligible nonprofit and community-based organizations; [PL 1999, c. 401, Pt. LL, §1 (NEW).]

B. Participate in coordinated efforts of the council; and [PL 1999, c. 401, Pt. LL, §1 (NEW).]

C. Provide appropriate information for the annual report to the Legislature. [PL 1999, c. 401, Pt. LL, §1 (NEW).]

[PL 1999, c. 401, Pt. LL, §1 (NEW).]

## SECTION HISTORY

PL 1999, c. 401, §LL1 (NEW). PL 2001, c. 439, §§DDDD2,3 (AMD).

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