Maine Arts Commission
Enabling Legislation

Title 27: LIBRARIES, HISTORY, CULTURE AND ART
Chapter 11: ART

§303. Preservation of works of art

1. **Definitions.** As used in this section, unless the context indicates otherwise, the following terms have the following meanings.
   A. "Artist" means the creator of the work of fine art. [1985, c. 382 (new).]
   B. "Conservation" means acts taken to correct deterioration and alteration and acts taken to prevent, stop or retard deterioration. [1985, c. 382 (new).]
   C. "Reproduction" means a copy, in any medium, of a work of fine art, that is displayed or published under circumstances that, reasonably construed, evinces an intent that it be taken as a representation of a work of fine art as created by the artist. [1985, c. 382 (new).]
   D. "Work of fine art" means any original work of visual or graphic art of any medium which includes, but is not limited to, painting, drawing, print, photographic print or sculpture of a limited edition of no more than 300 copies. "Work of fine art" does not include sequential imagery, such as that in motion pictures. [1985, c. 382 (new).]

   [1985, c. 382 (new).]
2. **Public display; publication and reproduction of works of fine art.** Except as provided in subsection 4, no person, other than the artist or a person acting with the artist's consent, may knowingly display in a place accessible to the public or publish a work of fine art of that artist or a reproduction of a work of fine art of that artist in an altered, defaced, mutilated or modified form if the work is displayed, published or reproduced as being the work of the artist or under circumstances under which it would reasonably be regarded as being the work of the artist, and damage to the artist's reputation is reasonably likely to result from the display, publication or reproduction. [1985, c. 382 (new).]
3. **Artist's authorship rights.** Except as provided in subsection 4, the artist shall retain at all times the right to claim authorship or, for just and valid reason, to disclaim authorship of his work of fine art. The right to claim authorship is the right of the artist to have his name appear on or in connection with the work of fine art as the artist. The right to disclaim authorship is the right of the artist to prevent his name from appearing on or in connection with the work of fine art as the artist. Just and valid reason for disclaiming authorship includes the fact that the work of fine art has been altered, defaced, mutilated or modified other than by the artist, without the artist's consent, and damage to the artist's reputation is reasonably likely to result or has resulted. The rights created in this

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§402.Membership
The term of office of each member shall be 3 years; provided that of the members first appointed, 1/3 shall be appointed for terms of one year, 1/3 for terms of 2 years and 1/3 for terms of 3 years. Other than the chairman, no member of the commission who serves 2 full 3-year terms shall be eligible for reappointment during the one-year period following the expiration of his second such term. The Governor shall designate a chairman and a vice-chairman from the members of the commission, to serve as such at the pleasure of the Governor. The chairman shall be the presiding officer of the commission. All vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments. The members of the commission shall be compensated according to the provisions of Title 5, chapter 379. [1983, c. 812, § 170 (amd).]

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§403-A.Director of Maine Arts Commission; appointment
The Director of the Maine Arts Commission must be qualified by training or experience and is appointed by the Maine Arts Commission. The director shall serve for an indefinite term subject to removal for cause. The commission shall fix compensation for the director within salary range 88. [1991, c. 528, Pt. E, §32 (amd); Pt. RRR (aff); c. 591, Pt. E, §32 (amd).]

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§404.Duties
The duties of the commission shall be: [1965, c. 499, § 1 (new).]

1. **Encouragement.** To take such steps as may be necessary and appropriate to encourage and stimulate public interest and participation in the cultural heritage and programs of our State and to expand the state's cultural resources; and [1965, c. 499, § 1 (new).]
2. **Freedom.** To encourage and assist freedom of artistic expression essential for the well-being of the arts; and [1965, c. 499, § 1 (new).]

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§406.Funds

The commission is the 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 commission. [1965, c. 499, § 1 (new).

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§408.Maine Student Artist Awards Program

The Maine Arts Commission shall establish the Maine Student Artist Awards Program, which shall recognize and honor outstanding achievement in the arts by the State's students. The awards shall be made during Maine Cultural Heritage Week, as established in Title 1, section 118. [1987, c. 801, §1 (new).]

1. **Eligibility.** Any student in good standing at a public or private secondary school within the State shall be eligible to win an award. [1987, c. 801, §1 (new).]
2. **Categories.** Awards may be presented in each of the following categories:
   - A. Literary art, including:
     - (1) Poetry and writing;
     - [1987, c. 801, §1 (new).]
   - B. Performing arts, including:
     - (1) Dance, including:
     - , jazz and modern dance;
     - (2) Music, including:
       - (a) Classical, contemporary, jazz and folk music; and
     - (3) Theater arts, including:
       - (a) Acting, design, directing, mime and puppetry;
       - [1987, c. 801, §1 (new).]
   - C. Traditional arts, including:
     - (1) Crafts, humor and music; and
   - D. Visual art, including:
     - (1) Crafts, drawing, media, painting, photography, printmaking and sculpture.
     - [1987, c. 801, §1 (new).]
3. **Selection procedure.** A school may nominate an eligible student for an award in one or more of the categories. The review and selection procedure shall be developed by the commission in conjunction with educators and statewide arts education organizations. [1987, c. 801, §1 (new).]

More about the Maine Arts Commission…

Mission

The Maine Arts Commission shall encourage and stimulate public interest and participation in the cultural heritage and cultural programs of our state; shall expand the state's cultural resources; and shall encourage and assist freedom of artistic expression for the well being of the arts, to meet the needs and aspirations of persons in all parts of the state.

To carry out this mission, which is drawn from the Maine Arts Commission's enabling legislation, the Maine Arts Commission will support programs and partnerships that:

- engender a cooperative environment within the arts field that results in more efficient delivery of programs and services;
- further the goals of the State as articulated by its elected leadership, advancing the arts through activities in such areas as technology, education, and the economy;
- have the potential to change lives by giving people of all ages the opportunity to come into meaningful contact with artists and art-making; and
- build a broad support base for the arts by increasing local capacity for arts-making and arts presenting, and by increasing local advocacy.

Guiding Principles

The actions of the Maine Arts Commission are guided by the following basic principles. In all of its programs, the Maine Arts Commission will:

- value artistic quality and cultural diversity, which may be represented in many forms and achieved in many ways;
- engage widely and deeply the public it seeks to reach, recognizing that access and impact of the kind that changes lives are both immediate and long-term goals;
- act locally, because it is at the local level that access and impact are most readily achieved and sustained;
- work collaboratively and promote collaboration in order to increase the impact of the Maine Arts Commission's resources, and foster relationships and commitments that build infrastructure beyond the Maine Arts Commission's involvement;
- be flexible and adaptive in the way the agency functions in order to take advantage of opportunities, respond to needs more effectively, and incorporate what it learns from its experience; and
- demonstrate leadership in its conduct as a state agency.

In acting on these principles, the Maine Arts Commission will look for evidence that the public is a clear beneficiary; that available resources (including but not limited to money) are being used efficiently; that additional resources are being leveraged to ensure success, sustainability and commitment; and that the local capacity to carry on the work begun becomes greater as a result of these efforts.