

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

J.S. McCarthy Company
Augusta, Maine
1997

Section 11-D. Form of amendment. The board of directors, acting through the corporation's officers, has authority to file the amendment authorized under section 11-A in a form it determines appropriate and to make further amendments to the articles of incorporation consistent with this Act.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 28, 1997.

CHAPTER 37

H.P. 1114 - L.D. 1557

An Act to Create Efficient and Effective Administration of the University of Maine System

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

Sec. 1. P&SL 1865, c. 532, §3, as enacted by P&SL 1865, c. 532, is repealed.

Sec. 2. P&SL 1865, c. 532, §4, sub-§3-A is enacted to read:

3-A. Alumni members. The Governor shall make every effort to appoint to the Board of Trustees, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Senate, 7 alumni members, one from each of the universities in the system.

Sec. 3. P&SL 1865, c. 532, §4-B, as amended by PL 1987, c. 769, Pt. A, §§189 and 190, is further amended to read:

Section 4-B. Duties of the Board of Trustees, chancellor and heads of the various campuses.

1. Board of Trustees; duties. The ~~board of trustees~~ Board of Trustees, in consultation with the chancellor, ~~shall be~~ is the governing and planning body of the university and in addition ~~shall have~~ has responsibility for preparing and approving the operating and capital budgets of the university and presenting them in accordance with the direction in the Maine Revised Statutes, Title 5, section 1665, and Title 5, chapter 153. In fulfilling its duties, the Board of Trustees shall:

A. Support and enhance the system and the mission of the system;

B. Provide sound financial management of the system;

C. Exercise prudent stewardship of the assets of the system;

D. Evaluate the chancellor and presidents appointed by the Board of Trustees pursuant to section 4-A;

E. Plan strategies for programs and allocation of resources that most effectively serve the educational needs of the citizens of this State;

F. Develop and maintain a strong system of accountability to the public for performance results of the system;

G. Visibly advocate higher education as a means to strengthen the economy and communities of the State; and

H. Establish mechanisms for review and approval of system programs.

2. Chancellor and staff members; duties. The chancellor shall exercise such powers and fulfill such responsibilities as ~~shall be~~ are delegated by the ~~board~~ Board of Trustees. The chancellor may delegate any of such powers and responsibilities to ~~such~~ members of ~~his~~ the chancellor's staff as ~~he~~ deems necessary. The chancellor is the chief administrative education officer of the system and shall:

A. Provide leadership to the universities in the system in addressing the State's highest priority needs;

B. Establish a vision and planning for the system that:

(1) Provides quality education that is affordable and accessible for the students of this State; and

(2) Strengthens the State's economy for its citizens;

C. Promote system planning, in collaboration with university presidents, for academic affairs, student affairs, outreach and community services programs, financial operations, capital plans and resource allocations;

D. Prepare all operating and capital budgets, appropriation requests and bond issues;

E. Take an active role in the nomination, appointment and evaluation of persons to head the universities and to serve in other major staff positions in the system;

F. Develop and implement an effective state-wide public relations and legislative program;

G. Provide a centralized management oversight of services;

H. Coordinate University of Maine System academic offerings to avoid duplication with private and public institutions in this State; and

I. Develop a method to transfer academic credits to all universities within the University of Maine System.

3. Head of each campus; duties. The head of each campus ~~shall be~~ is the chief administrative and educational officer thereof and ~~shall be~~ is responsible for the ~~day-to-day~~ day-to-day operation and development of its academic program within the limits defined by the ~~board of trustees~~ Board of Trustees and the chancellor; and in addition, shall exercise such rights and privileges as are generally recognized in the administering of admissions, curriculum development, ~~extra-curricular~~ extracurricular programs, ~~long-range~~ long-range planning within the framework of the overall university plan, and supervision of faculty.

5. Boards of visitors; membership; duties; reimbursement. Each of the 7 universities has a board of visitors.

A. Each board of visitors consists of up to 20 members recommended by campus presidents and confirmed by the Board of Trustees. Membership should reflect the mission of the university and the region it serves.

B. Each board of visitors shall:

- (1) Advocate for the university;
- (2) Raise private funds for the university;
- (3) Advise the head of each campus on community and regional needs; and
- (4) Review for final recommendation to the Board of Trustees tuition increases, new academic programs and the 5-year plan of the university.

C. Members of the boards of visitors may receive reimbursement for travel and other necessary expenses for attendance at meetings of the board. Reimbursement expense for board members must be absorbed within the existing budgeted revenues of the University of Maine System.

Sec. 4. P&SL 1865, c. 532, §13, as amended by P&SL 1891, c. 284, is repealed.

Sec. 5. P&SL 1865, c. 532, §14, as enacted by P&SL 1865, c. 532, is repealed.

Sec. 6. P&SL 1865, c. 532, §18, as enacted by P&SL 1865, c. 532, is amended to read:

Section 18. Rights of the Legislature reserved. The ~~legislature shall have~~ Legislature has the right to grant any further powers, to alter, limit or restrain any of the powers vested in the ~~trustees~~ Board of Trustees of the ~~college~~ University of Maine System established by this ~~act~~ Act, as ~~shall~~ may be judged necessary to promote the best interests thereof. And this act ~~shall take~~ takes effect upon its approval by the ~~governor~~ Governor.

Sec. 7. Board of Trustees; review and report.

1. Review. The Board of Trustees of the University of Maine System shall:

A. Conduct a review and evaluation of programs existing on the effective date of this Act. This review must identify which of the programs best address future educational and economic priorities of citizens of the State;

B. Review the current method of distributing state resources in light of distinctive missions, enrollment shifts, program priorities, changing program costs, demographic patterns and emerging needs of the State. As part of its review, the board shall ensure that the needs of the State's nontraditional students are met in a more equitable manner;

C. Determine what savings result from reorganization of the system as set out in this Act and develop a mechanism to ensure that any such savings are used to reduce increases in tuition; and

D. Study methods employed in other jurisdictions and make recommendations to create a system that is substantially more market-driven.

2. Report. The Board of Regents shall report its findings and recommendations based on its work pursuant to subsection 1 to the Joint Standing Committee on Education by January 1, 1998. The Joint Standing Committee on Education may report out legislation it determines based on the report.

See title page for effective date.

CHAPTER 38

H.P. 1311 - L.D. 1859

An Act to Prevent Hunger Among Unemployed Maine Workers