

MAINE STATE LEGISLATURE

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April 28, 1975

Joseph M. Hochadel, Asst. to Governor

Executive

Leon V. Walker, Assistant

Attorney General

Appointments to U. of M. Board of Trustees - Residency Requirements

You have asked whether there exists any restriction requiring persons appointed to the University of Maine Board of Trustees to be residents of the State of Maine. The answer is No.

Section 4 of the original charter of the college (P. & S. L. 1865, c. 532) provides that "no person shall be a trustee, who is not an inhabitant of this state . . .". P. & S. L. 1951, c. 122, repealed P. & S. L. 1865, c. 352, § 4, and established a new Board of Trustees of 11 members, and contained the restriction that "no person shall be a trustee . . . who is not a legal resident of this State." P. & S. L. 1967, c. 229, § 2, repealed P. & S. L. 1865, c. 532, § 4, as repealed and replaced by P. & S. L. 1951, c. 122, and enacted in place thereof a new § 4 establishing a Board of 15 members. This new section does not contain any provision requiring members of the Board to be residents of this State, nor does the latest amendment of P. & S. L. 1865, c. 532, § 4, (by P.L. 1973, c. 625, § 280) relating to the terms of office of the trustees.

We conclude then that the residency requirement was repealed by P. & S. L. 1967, c. 229, § 2, and that there is no residency restriction now in effect.

LVWJr/mf