

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)

26 M.R.S.A., 1024-4
U. of Maine: Student Collective Bargaining

JOSEPH E. BRENNAN
ATTORNEY GENERAL



RICHARD S. COHEN
JOHN M. R. PATERSON
DONALD G. ALEXANDER
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

November 24, 1976

Honorable Richard Davies
53 North Main Street
Orono, Maine 04473

Dear Representative Davies:

This letter responds to your oral request for an opinion of this office on the following question:

"May the Board of Trustees of the University of Maine appoint more than 3 students to act as student collective bargaining representatives pursuant to 26 M.R.S.A. § 1024,4?"

The answer to your question is negative for the reasons stated below.

Title 26 M.R.S.A. § 102,4 reads, in pertinent part, as follows:

"When collective bargaining is to take place between the university and the faculty or professional and administrative staff, the board of trustees shall appoint 3 currently enrolled students who are broadly representative of the various campuses to meet and confer with the university and who may meet and confer with the bargaining agent prior to collective bargaining."

It is clear from the explicit provision of the section itself that the Board of Trustees is authorized and directed to appoint 3 and only 3 student representatives. It is our understanding that your question arose from a discussion of the possibility of appointing 12 students in order to obtain a more broadly representative view from the various university campuses. While a more representative view might be achieved in this manner, there is no statutory authority for such action. Furthermore, the provision that the three student representatives be ". . . broadly representative of the various campuses. . . ." shows that the Legislature was aware of the multiple campus representation problem at the time that they set the number of student representatives. In light of the foregoing, it is our opinion that the Board of Trustees may not appoint more than three student representatives pursuant to 26 M.R.S.A. § 1024, 4.

Hon. Richard Davies
Page 2
November 24, 1976

Please continue to call upon us whenever we may be of assistance.

Sincerely,

S. KIRK STUDSTRUP
Assistant Attorney General

SKS/ec