

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)

SECOND SPECIAL SESSION

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1849

S. P. 777

In Senate, January 9, 1968

Referred to Committee on Education. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Lund of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-EIGHT

AN ACT Relating to Coordination of Public Higher Education.

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

Sec. 1. P. & S. L., 1865, c. 532, § 1-A, additional. Chapter 532 of the private and special laws of 1865 is amended by adding a new section 1-A, to read as follows:

Sec. 1-A. Establishment; purposes. To develop, maintain and support a cohesive structure of public higher education in the State of Maine and in full recognition of the principle that each institution of higher education shall have a proper measure of control over its own operations and that its faculty shall enjoy the academic freedoms traditionally accorded institutions of higher education in teaching, research and expression of opinions, a system unifying the University of Maine, Gorham State College, Farmington State College, Aroostook State College, Washington State College and Fort Kent State College is established under the name of the University of Maine.

Sec. 2. P. & S. L., 1865, c. 532, § 4, repealed and replaced. Section 4 of chapter 532 of the private and special laws of 1865, as repealed and replaced by chapter 122 of the private and special laws of 1951, is repealed and the following enacted in place thereof:

Sec. 4. Board of trustees. The board of trustees of the university shall consist of 15 persons. The Commissioner of Education shall serve as a voting member ex officio. Fourteen of the members shall be appointed by the Governor with the advice and consent of the Council for 7-year terms. Initially, 7 members shall be appointed from among the members currently serving on the Board

of Trustees of the University of Maine for terms of years as follows: One for 7; one for 6; one for 5; one for 4; one for 3; one for 2 and one for one. The other 7 members, 3 of whom shall be chosen from among the members currently serving on the State Board of Education, shall be appointed for terms of years as follows: One for 7; one for 6; one for 5; one for 4; one for 3; one for 2; and one for one. No person accepting such appointment shall remain a member of the State Board of Education. Subsequent appointments shall be for full 7-year terms. Trustees are eligible for reappointment once only and shall retire upon reaching the age of 70. Any vacancy shall be filled by the Governor with the advice and consent of the Council for the unexpired balance of the term. Trustees shall serve without pay, but shall receive their actual traveling and other expenses incurred in the performance of their official duties. The terms of office of the trustees appointed under this section shall commence 30 days after the effective date of this Act at which time the terms of all current trustees of the university shall terminate. The board of trustees shall, when practicable, meet from time to time at each of the various campuses of the university.

Sec. 3. P. & S. L., 1865, c. 532, §§ 4-A — 4-D, additional. Chapter 532 of the private and special laws of 1865 is amended by adding 4 new sections, to be numbered 4-A to 4-D, to read as follows:

Sec. 4-A. Administration; chancellor; campus heads; advisory committees. The board of trustees shall appoint a chancellor of the university who shall serve at its pleasure and be chief administrative and education officer thereof. The chancellor shall maintain an office at Augusta and such other offices as the board of trustees may designate. The chancellor shall nominate and the board of trustees shall appoint the persons to head the various campuses and shall give said persons such titles as shall be deemed appropriate. The head of a campus shall not serve concurrently as chancellor or as a member of the board of trustees. The board of trustees shall appoint such advisory committees on behalf of the various campuses and such other advisory committees as may appear desirable.

Sec. 4-B. Duties of the board of trustees, chancellor and heads of the various campuses.

1. Board of trustees; duties. The board of trustees, in consultation with the chancellor, shall be the governing and planning body of the university and in addition shall have responsibility for preparing and approving the operating and capital budgets of the university and presenting them directly to the Governor and Legislature.

2. Chancellor; duties. The chancellor shall exercise such powers and fulfill such responsibilities as shall be delegated by the board.

3. Head of each campus; duties. The head of each campus shall function as its principal officer and shall be responsible for the day to day operation and development of its academic program within the limits defined by the 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 programs, long-range planning within the framework of the overall university plan, and supervision of faculty.

Sec. 4-C. Properties, assets and liabilities. Thirty days after the effective date of this Act all of the assets, tangible or intangible, real, personal and mixed, of, or used in connection with, Gorham State College, Farmington State College, Aroostook State College, Washington State College, Fort Kent State College, respectively, except such as are in trust or are subject to limitations purporting to restrict their transferability or assignability, are transferred and assigned to the university. Any gift, bequest, devise or other transfer or conveyance to any state college which takes effect after the date of transfer of assets of the colleges to the university shall become the property of the university. All moneys appropriated to the state colleges and unexpended as of 30 days after the effective date of this Act shall be transferred over to the university. As a condition of continued receipt of public funds, the university shall accept the assets of state colleges and shall assume the care, control and disposition of said property together with all the duties and legal obligations and management of the former affairs of the state colleges including any obligations in connection with indebtedness for dormitories and dining facilities. Any student fees relating to said state colleges presently required to be paid into the General Fund of the State shall continue to be paid into the fund until June 30, 1969.

The Attorney General of Maine is authorized and empowered to execute in the name of the State any documents necessary to effect the above transfers. The Attorney General is directed to institute any court actions necessary to effectuate the transfer of properties held in trust or subject to any limitations purporting to affect their transferability.

Any property received by the university which has been designated or limited for particular purposes or uses shall be used by the university only for those purposes.

Sec. 4-D. Options for employment benefits of personnel. All personnel heretofore employed at the state colleges shall have the option of continuing their membership, if such exists, in the Maine State Employees' Retirement System or of becoming members of the retirement system in effect at the University of Maine at the time the election is made. Such election shall be made within 6 months after the effective date of this Act on forms and in such manner as the Board of Trustees of the University of Maine may direct. As to each such employee who elects to continue membership in the Maine State Employees' Retirement System, it shall thereafter be the responsibility of the university to provide for payment to the Treasurer of State of the amount which would have been the State's contribution to the retirement system for such employee had he remained in the State's service. As to all such employees who elect to become members of the retirement system in effect at the university, the Treasurer of State shall, within 90 days after notification of such election, cause to be paid into the fund of the retirement system of the university for each such employee his proper proportion of the funds allocable to such employee under the State Retirement System in accordance with computations consistent with those used in the Maine State Employees' Retirement System. Within 6 months after the effective date of this Act, such employees shall exercise the option of determining whether they shall keep their personnel classification, salary level and tenure rights, to the extent they now exist, for their work with their present

institutions, or adopt such benefits as they exist under the system in effect at the university at the time election is made.

Sec. 4. P. & S. L., 1867, c. 362, repealed. Chapter 362 of the private and special laws of 1867 is repealed.

Sec. 5. P. & S. L., 1869, c. 192, repealed. Chapter 192 of the private and special laws of 1869 is repealed.

Sec. 6. P. L., 1883, c. 196, repealed. Chapter 196 of the public laws of 1883, as amended by chapter 154 of the private and special laws of 1951, is repealed.

Sec. 7. P. & S. L., 1897, c. 550, repealed. Chapter 550 of the private and special laws of 1897 is repealed.

Sec. 8. Appropriation. There is appropriated from the General Fund to the University of Maine the sum of \$103,700 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act. The breakdown shall be as follows:

UNIVERSITY OF MAINE	1968-69
All Other	\$103,700