

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)



115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2435

H.P. 1747

House of Representatives, March 23, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

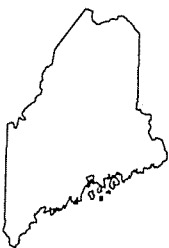
Presented by Representative LEBOWITZ of Bangor.
Cosponsored by Representative BAILEY of Township 27.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

**An Act to Eliminate the Position and Office of the Chancellor of the
University of Maine System.**

(AFTER DEADLINE)



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

2 **Sec. 1. 10 MRSA §918, sub-§3**, as amended by PL 1989, c. 700,
4 Pt. A, §36, is further amended to read:

6 **3. Ex officio corporators.** Ex officio corporators shall
8 consist of the heads of the major state departments and agencies
and the Chancellor of the University of Maine System. State
10 department and agency heads shall include the following:

12 Treasurer of State;

14 Director of the State Planning Office;

16 Director of the State Development Office;

18 Commissioner of Agriculture, Food and Rural Resources;

20 Commissioner of Professional and Financial Regulation;

22 Commissioner of Conservation;

24 Commissioner of Education;

26 Commissioner of Environmental Protection;

28 ~~Commissioner of Finance;~~

30 Commissioner of Administration Administrative and Financial
Services;

32 Commissioner of Human Services;

34 Commissioner of Inland Fisheries and Wildlife;

36 Commissioner of Labor;

38 Commissioner of Marine Resources;

40 Commissioner of Mental Health and Mental Retardation;

42 Commissioner of Transportation;

44 Chief Executive Officer of the Finance Authority of Maine;

46 Executive Director of the Maine Municipal Bond Bank; and

48 Executive Director of the Maine State Housing Authority.

50 **Sec. 2. 20-A MRSA §10902-B**, as amended by PL 1985, c. 779,
52 §50, is repealed.

2 **Sec. 3. 20-A MRSA §10907**, as amended by PL 1985, c. 779, §51,
is repealed.

4 **Sec. 4. 20-A MRSA §11053, sub-§1, ¶A**, as amended by PL 1985,
c. 779, §53, is further amended to read:

6 A. One shall must be the--current--Chancellor a member
8 representing the Board of Trustees of the University of
Maine System, ex officio;

10 **Sec. 5. 26 MRSA §1022, sub-§11, ¶B**, as amended by PL 1989, c.
12 443, §63, is further amended to read:

14 B. Appointed by the Board-of-Trustees board of trustees as
16 a vice-president, dean, director or member of the
chancellor's, superintendent's or Maine Technical College
18 System executive-director's president's immediate staff;

20 **Sec. 6. 32 MRSA §6208-A, sub-§1**, as amended by PL 1991, c.
456, §13, is further amended to read:

22 1. **Membership.** The State Board of Substance Abuse
24 Counselors, as established by Title 5, section 12004-A,
subsection 41, consists of 11 members. Nine members are
26 appointed by the Governor. One member must be the Director of
the Office of Substance Abuse or a designee. One member,
28 appointed by the Chancellor Board of Trustees of the University
of Maine System, must be a member of the university faculty
involved in the training of substance abuse counselors. Of these
30 11 members, 5 members must be licensed substance abuse
counselors. Two members must be nonproviders, one of whom must be
32 a family member of a consumer of substance abuse services or a
consumer of substance abuse services who has abstained from the
34 use of alcohol and other drugs for a period of at least 2 years.
One member must be a public member. One member must be a
36 representative of a regional alcohol and drug abuse council.
Members must represent a broad geographic distribution of the
38 State and must be from among the professional associations
representative of the field.

40 **Sec. 7. 32 MRSA §13852, sub-§2**, as amended by PL 1991, c. 263,
42 §2, is further amended to read:

44 2. **Members.** The board consists of 13 members, 12 of them
appointed by the Governor. Each member must be a citizen of the
46 United States and a resident of this State. Eight members must
be licensed counseling professionals under this chapter, 2 of
48 whom must be professional counselors, 2 must be clinical
professional counselors, 2 must be marriage and family therapists
50 and 2 must be pastoral counselors. Two members must be
registered counseling professionals who are not qualified for
52 licensure. Each counselor member must have been, for at least 5

2 years immediately preceding appointment, actively engaged as a
3 practitioner, educator or researcher. Two members must be
4 representatives of the general public and may not be currently
5 practicing counseling or receiving compensation for counseling
6 services. One of the 2 public members must be a consumer of
7 counseling services. One member, appointed by the Chancellor
8 Board of Trustees of the University of Maine System, must be a
9 member of the university faculty involved in the training of
10 counselors.

11 **Sec. 8. P&SL 1865, c. 532, §4-A,** as amended by PL 1987, c. 20,
12 §3, is repealed and the following enacted in its place:

13 **Section 4-A. Administration; campus heads; advisory committees.**
14 The board of trustees shall appoint the persons to head the
15 various campuses and shall give the persons such titles as are
16 appropriate. The head of a campus may not serve concurrently as
17 a member of the board of trustees. The board of trustees shall
18 appoint such advisory committees on behalf of the various
19 campuses and such other advisory committees as may appear
20 desirable.

21 **Sec. 9. P&SL 1865, c. 532, §4-B,** as amended by PL 1987, c. 769,
22 Pt. A, §§189 and 190, is further amended to read:

23 **Section 4-B. Duties of the board of trustees and heads of the various**
24 **campuses.**

25 **1. Board of trustees; duties.** The board of trustees, ~~in~~
26 ~~consultation with the chancellor, shall be~~ is the governing and
27 planning body of the university and ~~in addition shall have~~ has
28 the responsibility for preparing and approving the operating and
29 capital budgets of the university and presenting them in
30 accordance with the direction in the Maine Revised Statutes,
31 Title 5, section 1665, and Title 5, chapter 153.

32 ~~2. Chancellor and staff members; duties. The chancellor~~
33 ~~shall exercise such powers and fulfill such responsibilities as~~
34 ~~shall be delegated by the board. The chancellor may delegate any~~
35 ~~of such powers and responsibilities to such members of his staff~~
36 ~~as he deems necessary.~~

37 **3. Head of each campus; duties.** The head of each campus
38 shall ~~be~~ is the chief administrative and educational officer
39 thereof of the campus and shall ~~be~~ is responsible for the day-to
40 day ~~day-to-day~~ operation and development of its academic program
41 within the limits defined by the board of trustees and ~~the~~
42 ~~chancellor;~~ and, in addition, shall ~~exercise~~ the head of each
43 campus has such rights and privileges as are generally recognized
44 in the administering of admissions, curriculum development, ~~extra~~
45 ~~curricular~~ extracurricular programs, ~~long-range~~ long-range

2 planning within the framework of the overall university plan, and
3 supervision of faculty.

4 5. Council established. The University of Maine System
5 Council is established consisting of the heads of each campus.
6 The council shall elect a chair annually from its membership.
7 The council shall ensure the performance of certain limited
8 systemwide functions necessary to maintain continuous and
9 uninterrupted delivery of services to all campuses.

12 STATEMENT OF FACT

14 This bill eliminates the position and office of the
15 Chancellor of the University of Maine System. To accomplish
16 this, the bill:

18 1. Removes the chancellor from the list of ex officio
19 corporators of the Board of Directors of the Maine Development
20 Foundation;

22 2. Repeals the provision requiring the chancellor to
23 present an address on the state of the University of Maine System
24 to the Legislature;

26 3. Repeals the provision establishing a committee,
27 appointed by the chancellor, whose reporting and implementation
28 dates have passed;

30 4. Replaces the chancellor with a member representing the
31 Board of Trustees of the University of Maine System on the New
32 England Board of Higher Education;

34 5. Removes a reference to the chancellor in the laws
35 concerning University of Maine System labor relations;

36 6. Requires the board of trustees rather than the
37 chancellor to appoint a member to the State Board of Substance
38 Abuse Counselors and a member to the Board of Counseling
39 Professionals Licensure; and
40

42 7. Amends the charter of the University of Maine System to
43 remove all references to and authority of the chancellor and to
44 establish a council made up of the heads of each campus to
45 oversee certain systemwide functions.
46