

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

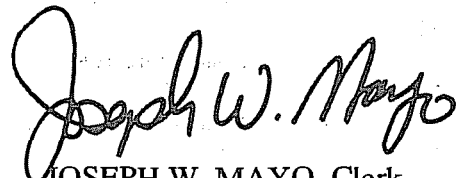
No. 1000

H.P. 742

House of Representatives, March 23, 1993

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

Reference to the Committee on Education suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative COFFMAN of Old Town.
Cosponsored by Representative BAILEY of Township 27 and
Representatives: AHEARNE of Madawaska, BARTH of Bethel, BENNETT of Norway,
BRUNO of Raymond, CLEMENT of Clinton, CROSS of Dover-Foxcroft, DEXTER of
Kingfield, FARNUM of South Berwick, GRAY of Sedgwick, HATCH of Skowhegan, HUSSEY
of Milo, JOY of Island Falls, KUTASI of Bridgton, LEMKE of Westbrook, LEMONT of
Kittery, LIBBY of Kennebunk, LINDAHL of Northport, MARSHALL of Eliot, MICHAEL of
Auburn, MURPHY of Berwick, NICKERSON of Turner, OTT of York, PLOWMAN of
Hampden, QUINT of Paris, REED of Dexter, STEVENS of Sabattus, THOMPSON of Lincoln,
TRACY of Rome, TUFTS of Stockton Springs, VIGUE of Winslow, YOUNG of Limestone,
Senators: BUTLAND of Cumberland, WEBSTER of Franklin.

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

Sec. 1. 10 MRSA §918, sub-§3, as amended by PL 1991, c. 780, Pt. Y, §113, is further amended to read:

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

Treasurer of State;

Director of the State Planning Office;

Director of the State Development Office;

Commissioner of Agriculture, Food and Rural Resources;

Commissioner of Professional and Financial Regulation;

Commissioner of Conservation;

Commissioner of Education;

Commissioner of Environmental Protection;

Commissioner of Administrative and Financial Services;

Commissioner of Human Services;

Commissioner of Inland Fisheries and Wildlife;

Commissioner of Labor;

Commissioner of Marine Resources;

Commissioner of Mental Health and Mental Retardation;

Commissioner of Transportation;

Chief Executive Officer of the Finance Authority of Maine;

Executive Director of the Maine Municipal Bond Bank; and

Executive Director of the Maine State Housing Authority.

Sec. 2. 20-A MRSA §10902-B, as amended by PL 1985, c. 779, §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
a vice-president, dean, director or member of the
16 ~~chancellor's, superintendent's or Maine Technical College~~
System ~~executive-director's~~ president's immediate staff;

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

22 1. **Membership.** The State Board of Substance Abuse
Counselors, as established by Title 5, section 12004-A,
24 subsection 41, consists of 11 members. Nine members are
appointed by the Governor. One member must be the Director of
26 the Office of Substance Abuse or a designee. One member,
appointed by the ~~Chancellor~~ Board of Trustees of the University
28 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

years immediately preceding appointment, actively engaged as a practitioner, educator or researcher. Two members must be representatives of the general public and may not be currently practicing counseling or receiving compensation for counseling services. One of the 2 public members must be a consumer of counseling services. One member, 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 counselors.

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

Section 4-A. Administration; campus heads; advisory committees. The board of trustees shall appoint the persons to administer the various campuses and give those persons appropriate titles. The administrator of a campus may not serve concurrently as a member of the board of trustees. The board of trustees shall appoint advisory committees on behalf of the various campuses and other advisory committees as necessary.

Sec. 9. 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 and heads of the various campuses.

1. Board of trustees; duties. The 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 the 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.

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

3. Head of each campus; duties. The head of each campus shall be is the chief administrative and educational officer thereof of the campus 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 and the chancellor; and, in addition, shall exercise the head of each campus has such rights and privileges as are generally recognized in the administering of admissions, curriculum development, extra curricular extracurricular programs, long---range long-range

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

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

12 STATEMENT OF FACT

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

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

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

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

30 4. Replaces the chancellor with a member representing the
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
concerning University of Maine System labor relations;

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

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