

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1313

H.P. 932

House of Representatives, April 12, 1995

**An Act to Provide for the Position of President of the University of  
Maine System.**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative AHEARNE of Madawaska.  
Cosponsored by Representatives: CLARK of Millinocket, CROSS of Dover-Foxcroft, JOY of  
Crystal, MORRISON of Bangor.

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 1993, c. 349,  
4           §24, is further amended to read:

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

10           Treasurer of State;

12           Director of the State Planning Office;

14           Commissioner of Economic and Community Development;

16           Commissioner of Agriculture, Food and Rural Resources;

18           Commissioner of Professional and Financial Regulation;

20           Commissioner of Conservation;

22           Commissioner of Education;

24           Commissioner of Environmental Protection;

26           Commissioner of Administrative and Financial Services;

28           Commissioner of Human Services;

30           Commissioner of Inland Fisheries and Wildlife;

32           Commissioner of Labor;

34           Commissioner of Marine Resources;

36           Commissioner of Mental Health and Mental Retardation;

38           Commissioner of Transportation;

40           Chief Executive Officer of the Finance Authority of Maine;

42           Executive Director of the Maine Municipal Bond Bank; and

44           Executive Director of the Maine State Housing Authority.

46           **Sec. 2. 20-A MRSA §10902-B**, as amended by PL 1985, c. 779,  
48           §50, is repealed.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is repealed.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~~  
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  
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  
46           appointed by the Governor. Each member must be a citizen of the  
United States and a resident of this State. Eight members must  
48           be licensed counseling professionals under this chapter, 2 of  
whom must be professional counselors, 2 must be clinical  
50           professional counselors, 2 must be marriage and family therapists  
and 2 must be pastoral counselors. Two members must be

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

13 **Sec. 8. P&SL 1865, c. 532, §4-A,** as amended by PL 1987, c. 20,  
14 §3, is repealed and the following enacted in its place:

15 **Section 4-A. Administration; president, vice-presidents;**  
16 **advisory committees.** The board of trustees shall appoint one  
17 person as president of the combined campuses. The president of  
18 the combined campuses may not serve concurrently as a member of  
19 the board of trustees. The board of trustees shall appoint one  
20 vice-president for each campus to assist the president with the  
21 day-to-day operation of each individual campus and the  
22 development of the academic program of each campus. The board of  
23 trustees shall appoint advisory committees on behalf of the  
24 various campuses and other advisory committees as necessary.

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

27 **Section 4-B. Duties of the board of trustees and heads of the various**  
28 **campuses.**

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

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

40 **3. President of the combined campuses.** ~~The head of each~~  
41 ~~campus shall be~~ president of the combined campuses is the chief  
42 administrative and educational officer ~~thereof~~ and shall be is  
43 responsible for the ~~day-to-day~~ day-to-day operation and  
44 development of ~~its~~ the academic program of each campus within the

limits defined by the board of trustees ~~and the chancellor;~~ and, in addition, ~~shall--exercise~~ the president of the combined campuses has such rights and privileges as are generally recognized in the administering of admissions, curriculum development, ~~extra--curricular~~ extracurricular programs, ~~long range~~ long-range planning within the framework of the overall university plan, and supervision of faculty.

## STATEMENT OF FACT

This bill eliminates the position and office of the Chancellor of the University of Maine System, eliminates the position of president for each campus and instead provides for one president for the combined campuses. To accomplish this, the bill:

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

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

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

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

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

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

7. Amends the charter of the University of Maine System to remove all references to and authority of the chancellor and to provide for one president for the combined campuses, with one vice-president appointed for each campus.