

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 67

H.P. 42

House of Representatives, January 9, 1997

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

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Representatives: BRUNO of Raymond, CLARK of Millinocket, CROSS of
Dover-Foxcroft, JOY of Crystal, O'NEAL of Limestone, WATERHOUSE of Bridgton,
WHEELER of Bridgewater.

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

2
4 **Sec. 1. 10 MRSA §918, sub-§3**, as corrected by RR 1995, c. 2,
§19, is amended to read:

6 **3. Ex officio corporators.** Ex officio corporators consist
8 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:

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, Mental Retardation and
38 Substance Abuse Services;

40 Commissioner of Transportation;

42 Chief Executive Officer of the Finance Authority of Maine;

44 Executive Director of the Maine Municipal Bond Bank; and

46 Executive Director of the Maine State Housing Authority.

48 **Sec. 2. 20-A MRSA §10902-B**, as amended by PL 1985, c. 779,
50 §50, is repealed.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is repealed.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 1995, c.
20 394, §9, is further amended to read:

22 1. **Membership.** The State Board of Alcohol and Drug
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 or alcohol and drug
30 counselors. Of these 11 members, 5 members must be licensed
alcohol and drug counselors. Two members must be nonproviders,
32 one of whom must be a family member of a consumer of alcohol and
drug counseling services or a consumer of alcohol and drug
34 counseling services who has abstained from the use of alcohol and
other drugs for a period of at least 2 years. One member must be
36 a public member. One member must be a representative of a
regional alcohol and drug abuse council. Members must represent
38 a broad geographic distribution of the 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

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

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

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

30 **1. Board of trustees; duties.** The board of trustees, ~~in~~
31 ~~consultation with the chancellor, shall be~~ is the governing and
32 planning body of the university and ~~in addition shall have~~ has
33 the responsibility for preparing and approving the operating and
34 capital budgets of the university and presenting them in
35 accordance with the direction in the Maine Revised Statutes,
36 Title 5, section 1665, and Title 5, chapter 153.
37

38 ~~2. Chancellor and staff members; duties. The chancellor~~
39 ~~shall exercise such powers and fulfill such responsibilities as~~
40 ~~shall be delegated by the board. The chancellor may delegate any~~
41 ~~of such powers and responsibilities to such members of his staff~~
42 ~~as he deems necessary.~~
43

44 **3. President of the combined campuses.** The head of each
45 campus ~~shall be~~ is president of the combined campuses the chief
46 administrative and educational officer thereof and shall be is
47 responsible for the day-to-day day-to-day operation and
48
49
50

2 development of ~~its~~ the academic program of each campus within the
3 limits defined by the board of trustees ~~and the chancellor~~; and,
4 in addition, ~~shall exercise~~ the president of the combined
5 campuses has such rights and privileges as are generally
6 recognized in the administering of admissions, curriculum
7 development, ~~extra-curricular~~ extracurricular programs, ~~long~~
8 range long-range planning within the framework of the overall
9 university plan, and supervision of faculty.

10 SUMMARY

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

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

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

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

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

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

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

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