

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1178

H.P. 859

House of Representatives, March 7, 2007

### An Act To Update and Clarify Laws Relating to Maine's Community Colleges

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative NORTON of Bangor.  
Cosponsored by Senator BOWMAN of York.

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

2 **Sec. 1. 20-A MRSA §6552, sub-§1**, as amended by PL 1989, c. 414, §13, is  
3 further amended to read:

4 **1. Prohibition.** A person may not possess a firearm on public school property or  
5 discharge a firearm within 500 feet of school property. For purposes of this subsection,  
6 public school property includes property of a community college that adopts a policy  
7 imposing such a prohibition.

8 **Sec. 2. 20-A MRSA §12706, sub-§11**, as amended by PL 1991, c. 376, §36, is  
9 further amended to read:

10 **11. Personnel policies.** To develop and adopt personnel policies and procedures for  
11 the system. The board of trustees, subject to applicable collective bargaining agreements,  
12 shall determine the qualifications, duties and compensation of its employees and shall  
13 allocate and transfer personnel within the system as necessary to fulfill the purposes of  
14 this chapter. The board of trustees shall appoint the president of the system and the  
15 presidents of the colleges. The provisions of the Civil Service Law, as defined by Title 5,  
16 section 7039, do not apply to the system, except that the same protections for personnel  
17 records provided in Title 5, section 7070 to state employees apply to the personnel  
18 records of system employees;

19 **Sec. 3. 20-A MRSA §12706, sub-§13**, as amended by PL 1995, c. 96, §1, is  
20 further amended to read:

21 **13. Property management.** To acquire by purchase, gift, lease or rent any property,  
22 lands, buildings, structures, facilities or equipment necessary to fulfill the purposes of this  
23 chapter. The board of trustees shall manage, rent, lease, sell and dispose of property,  
24 including lands, buildings, structures, equipment and facilities, and license dormitory  
25 rooms for occupancy by students. The purchase and installation of faucets, shower heads,  
26 toilets and urinals is subject to Title 5, section 1762-A. If the board of trustees proposes  
27 to sell or permanently transfer any interest in real estate, the transaction must be approved  
28 by the Legislature before the interest is transferred. Any revenues derived from these  
29 uses are to be credited to a separate fund to be used for the purposes of this chapter.  
30 Notwithstanding any other provision of law, the board of trustees may grant or otherwise  
31 transfer utility easements without legislative approval;

32 **Sec. 4. 20-A MRSA §12712, sub-§7, ¶A**, as amended by PL 1991, c. 376, §41,  
33 is further amended to read:

34 A. Each president may make rules for the control, movement and parking of  
35 vehicles within the limits of the property owned by or under the control of the  
36 college. These rules may include special provisions for employees of the system and  
37 college students. A president's rule has the same force and effect as a municipal  
38 ordinance. District courts may impose governing penalties and fines, not to exceed  
39 \$10 and a college may impose appropriate discipline, for each violation of these  
40 rules.

1           **Sec. 5. 27 MRSA §121**, as amended by PL 1997, c. 146, §1 and as affected by §2,  
2 is further amended to read:

3           **§121. Confidentiality of library records**

4           Records maintained by any public municipal library, the Maine State Library, the  
5 Law and Legislative Reference Library and libraries of the University of Maine System,  
6 Maine Community College System and the Maine Maritime Academy that contain  
7 information relating to the identity of a library patron relative to the patron's use of books  
8 or other materials at the library are confidential. Those records may only be released with  
9 the express written permission of the patron involved or as the result of a court order.

10

**SUMMARY**

11           This bill updates and clarifies several laws governing Maine's community colleges. It  
12 requires the Board of Trustees of the Maine Community College System to license  
13 dormitory rooms for occupancy by students. It updates the language regarding traffic  
14 violations on campus. It clarifies that the Maine Community College System personnel  
15 records are entitled to the same protections as the personnel records of state employees.  
16 It enables the community colleges to enhance public safety by specifying the colleges'  
17 ability to control firearm possession on their campuses. Finally, it gives community  
18 college library patrons the same rights regarding confidentiality as patrons of the  
19 University of Maine System, Maine Maritime Academy and municipal libraries.