

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1391

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H.P. 1025

House of Representatives, April 7, 2021

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**An Act To Enhance the Educational Expertise and Knowledge of  
the Board of Trustees of the University of Maine System**

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Received by the Clerk of the House on April 5, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative COLLINGS of Portland.  
Cosponsored by Representatives: OSHER of Orono, SYLVESTER of Portland, TALBOT  
ROSS of Portland.

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

2 **Sec. 1. P&SL 1865, c. 532, §4**, as amended by P&SL 1997, c. 37, §2, is further  
3 amended to read:

4 **Section 4. Board of Trustees.** The Board of Trustees of the University of Maine  
5 System shall ~~consist~~ consists of ~~16~~ 22 members.

6 **1. Commissioner of Educational and Cultural Services Education.** The  
7 Commissioner of Educational and Cultural Services Education shall serve as a voting  
8 member ex officio.

9 **2. Members appointed by the Governor.** Fourteen members shall must be appointed  
10 ~~for 5-year terms~~ by the Governor, subject to review by the joint standing committee of the  
11 Legislature having jurisdiction over education and cultural affairs and confirmation by the  
12 Legislature Senate. ~~Each term shall expire on May 26th of the appropriate year, except~~  
13 ~~that the retiring member shall serve until a successor is appointed by the Governor and~~  
14 ~~confirmed by the Legislature. No person accepting such appointment may be a member of~~  
15 ~~the State Board of Education. In making appointments, the Governor shall strive to achieve~~  
16 ~~a membership which is representative of the population of this State. In so far as feasible~~  
17 ~~when selecting qualified nominees to the board, the Governor shall consider affirmative~~  
18 ~~action criteria, professional education and experience and an equitable geographical~~  
19 ~~representation among the members. Trustees may serve a maximum of 2 terms, except that~~  
20 ~~an individual appointed to fill an unexpired term of 3 years or less is eligible for~~  
21 ~~appointment to 2 full terms. Vacancies shall be filled by the Governor, subject to review~~  
22 ~~by the joint standing committee of the Legislature having jurisdiction over education and~~  
23 ~~confirmation by the Legislature, for the unexpired balance of the term. In order to restore~~  
24 ~~and maintain rotation of terms of office of trustees, an incumbent trustee who was~~  
25 ~~appointed for a term of 5 years at a time subsequent to the expiration of the term of his~~  
26 ~~predecessor in office shall be deemed to have commenced his 5-year term upon the date of~~  
27 ~~the expiration of the term of office of his predecessor rather than from the date of his~~  
28 ~~appointment and qualification. Trustees shall serve without compensation, but may be~~  
29 ~~reimbursed for travel and other expenses incurred in the performance of their official duties.~~

30 **2-A. Members elected by educator unions.** Six members must be current or retired  
31 public sector educators selected pursuant to this subsection. These 6 members are full  
32 voting members and may sit on any board of trustees committee. Three of the 6 members  
33 must be elected by members of Associated Faculties of the Universities of Maine labor  
34 union or its successor organization, and 3 of the 6 members must be elected by members  
35 of the Maine Education Association labor union or its successor organization. All 6 of the  
36 members must be confirmed by the joint standing committee of the Legislature having  
37 jurisdiction over education and cultural affairs. These 6 members serve for 5-year terms,  
38 except that, of the initial trustees elected by the Associated Faculties of the Universities of  
39 Maine, one member shall serve for one year, one member shall serve for 3 years and one  
40 member shall serve for 5 years and, of the initial trustees elected by the Maine Education  
41 Association, one member shall serve for one year, one member shall serve for 3 years and  
42 one member shall serve for 5 years.

43 **2-B. Terms; reimbursement.** The term of a member of the board of trustees is for 5  
44 years. Each term expires on May 26th of the appropriate year, except that, with regard to  
45 a retiring member who was appointed by the Governor pursuant to subsection 2, the retiring

1 member shall serve until a successor is appointed by the Governor and confirmed by the  
2 Senate and, with regard to a retiring member selected pursuant to subsection 2-A, the  
3 retiring member shall serve until a successor is elected by an educator union pursuant to  
4 subsection 2-A and confirmed by the joint standing committee of the Legislature having  
5 jurisdiction over education and cultural affairs. No person accepting an appointment may  
6 be a member of the State Board of Education. A trustee may serve a maximum of 2 terms,  
7 except that an individual appointed to fill an unexpired term of 3 years or less is eligible  
8 for appointment to 2 full terms. A vacancy must be filled by the Governor pursuant to  
9 subsection 2 or by an educator union pursuant to subsection 2-A, subject to review and  
10 confirmation, for the unexpired balance of the term. In order to restore and maintain  
11 rotation of terms of office of trustees, an incumbent trustee who was appointed for a term  
12 of 5 years at a time subsequent to the expiration of the term of the trustee's predecessor in  
13 office is deemed to have commenced the trustee's 5-year term upon the date of the  
14 expiration of the term of office of the trustee's predecessor rather than on the date of the  
15 trustee's appointment and qualification. A trustee shall serve without compensation but  
16 may be reimbursed for travel and other expenses incurred in the performance of the trustee's  
17 official duties.

18 **3. Student member.** One of the members ~~shall~~ must be a full-time student at one of  
19 the campuses of the University of Maine System at the time of appointment and ~~shall~~ must  
20 be a permanent resident of the State. To be eligible as a student member, a student must be  
21 enrolled for a minimum of 12 credit hours per semester. The student member ~~shall be~~ is  
22 a full voting member of the board of trustees and shall serve for a 2-year term and until a  
23 successor is qualified. Sixty days prior to the expiration of the student member's term, the  
24 Governor shall solicit a list of 6 eligible students from the student senates from 6 of the  
25 campuses within the University of Maine System; the 7th campus being excluded in  
26 accordance with this subsection. The Governor shall ~~then~~ nominate a student member  
27 within 30 days of receiving the list of names and the nomination ~~shall be~~ is subject to review  
28 by the ~~Joint Standing Committee on Education~~ joint standing committee of the Legislature  
29 having jurisdiction over education and cultural affairs and confirmation by the ~~Legislature~~  
30 Senate. The student representative ~~shall~~ may not come from the same campus in any 2  
31 consecutive terms. In the event that the student representative transfers from one campus  
32 to another during the student's term of appointment, the original campus of enrollment ~~shall~~  
33 prevail in reference to the provisions of the subsection.

34 **3-A. Alumni members.** The Governor shall make every effort to appoint to the ~~Board~~  
35 board of Trustees ~~trustees~~ pursuant to section 2, subject to review by the joint standing  
36 committee of the Legislature having jurisdiction over education ~~matters~~ and cultural affairs  
37 and confirmation by the Senate, 7 alumni members, one from each of the universities in the  
38 system.

39 **4. Meetings of the Board board of Trustees trustees.** The ~~Board~~ board of ~~Trustees~~  
40 trustees shall meet from time to time at each of the various campuses of the University of  
41 Maine System, whenever reasonably practical.

42 Each meeting of the board must include an opportunity for citizen input. Each citizen  
43 must be permitted to address the board for a period of time established by the board.

1

**SUMMARY**

2           This bill adds 6 members to the Board of Trustees of the University of Maine System,  
3 who must be current or retired public sector educators, are full voting members and may  
4 sit on any board of trustees committee. It requires 3 of the 6 members to be elected by  
5 members of Associated Faculties of the Universities of Maine labor union and 3 to be  
6 elected by members of the Maine Education Association labor union. All 6 of the members  
7 must be confirmed by the joint standing committee of the Legislature having jurisdiction  
8 over education and cultural affairs. It requires the 6 members to serve for 5-year terms,  
9 except that, of the initial trustees elected by the Associated Faculties of the Universities of  
10 Maine, one member must serve for one year, one member must serve for 3 years and one  
11 member must serve for 5 years and, of the initial trustees elected by the Maine Education  
12 Association, one member must serve for one year, one member must serve for 3 years and  
13 one member must serve for 5 years.