

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
AT THE
SPECIAL SESSIONS

October 2-3, 1967

January 9-26, 1968

September 18, 1968

of the Legislature, and shall report any expenditures contrary to such intent to the Governor and Council.

The Governor and the Budget Officer when next preparing a Budget Document may at their discretion adjust the figures in parentheses, representing numbers of employees, to reflect the number of employees which in their opinion is necessary to the proper operation of each department, institution or agency.

The Personnel Board is directed to require merit ratings on each individual who is recommended for a salary increase on a form prescribed by the board. Department heads are directed that the granting of merit increases be scrutinized and documented carefully. It is the intent of the Legislature that in instances where merit increases are not earned and warranted they should be denied.

Sec. 3. Chapter 151, P. & S. L., 1967. The provisions of Chapter 151 of the private and special laws of 1967, notwithstanding, the State Controller, with the approval of the Governor and Council, may increase the allocations of the Liquor Commission to specifically cover those adjustments determined to be necessary as related to the Employees' Pay Plan.

Sec. 4. R. S., T. 28, § 53, amended. The first sentence of section 53 of Title 28 of the Revised Statutes is amended to read as follows:

The salary of the chairman of the commission shall be ~~\$8,500~~ \$11,000 per year and the salary of each of the other members shall be \$5,625 per year, and in addition each member shall be allowed his reasonable expense incurred in the performance of his duties.

Sec. 5. Effective date. This Act shall become effective on July 1, 1968.

Effective July 1, 1968

Chapter 229

AN ACT Relating to Coordination of Public Higher Education.

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

Sec. 1. P. & S. L., 1865, c. 532, § 1-A, additional. Chapter 532 of the private and special laws of 1865 is amended by adding a new section 1-A, to read as follows:

Sec. 1-A. Establishment; purposes. To develop, maintain and support a cohesive structure of public higher education in the State of Maine and in full recognition of the principle that each institution of higher education shall have a proper measure of control over its own operations and that its faculty shall enjoy the academic freedoms traditionally accorded institutions of higher education in teaching, research and expression of opinions, a system unifying the

University of Maine, Gorham State College, Farmington State College, Aroostook State College, Washington State College and Fort Kent State College is established under the name of the University of Maine. Aroostook State College will be named Aroostook State College of the University of Maine, Farmington State College will be named Farmington State College of the University of Maine, Fort Kent State College will be named Fort Kent State College of the University of Maine, Gorham State College will be named Gorham State College of the University of Maine and Washington State College will be named Washington State College of the University of Maine.

Sec. 2. P. & S. L., 1865, c. 532, § 4, repealed and replaced. Section 4 of chapter 532 of the private and special laws of 1865, as repealed and replaced by chapter 122 of the private and special laws of 1951, is repealed and the following enacted in place thereof:

Sec. 4. Board of trustees. The board of trustees of the university shall consist of 15 persons. The Commissioner of Education shall serve as a voting member ex officio. Fourteen of the members shall be appointed by the Governor with the advice and consent of the Council for 7-year terms. Initially, 7 members, but no more than 7 members, shall be appointed from among the members currently serving on the Board of Trustees of the University of Maine for terms of years as follows: One for 7; one for 6; one for 5; one for 4; one for 3; one for 2; and one for one. The other 7 members, 3 of whom shall be chosen from among the members currently serving on the State Board of Education, shall be appointed for terms of years as follows: One for 7; one for 6; one for 5; one for 4; one for 3; one for 2; and one for one. No person accepting such appointment shall remain a member of the State Board of Education. Subsequent appointments shall be for full 7-year terms. Trustees are eligible for reappointment once only and shall retire upon reaching the age of 70. Any vacancy shall be filled by the Governor with the advice and consent of the Council for the unexpired balance of the term. Trustees shall serve without pay, but shall receive their actual traveling and other expenses incurred in the performance of their official duties. The terms of office of the trustees appointed under this section shall commence 30 days after the effective date of this Act at which time the terms of all current trustees of the university shall terminate. The board of trustees shall, when practicable, meet from time to time at each of the various campuses of the university.

Sec. 3. P. & S. L., 1865, c. 532, §§ 4-A - 4-E, additional. Chapter 532 of the private and special laws of 1865 is amended by adding 5 new sections, to be numbered 4-A to 4-E, to read as follows:

Sec. 4-A. Administration; chancellor; campus heads; administrative council; advisory committees. The board of trustees shall appoint a chancellor of the university who shall serve at its pleasure and be chief administrative and education officer thereof. The chancellor may maintain an office at Augusta and such other offices as the board of trustees may designate. The chancellor shall nominate and the board of trustees shall appoint the persons to head the various campuses and shall give said persons such titles as shall be deemed appropriate. The head of a campus shall not serve concurrently as chancellor or as a member of the board of trustees. An administrative council composed of the heads of each institution shall be formed. The board of trustees shall appoint such advisory committees on behalf of the various campuses and such other advisory committees as may appear desirable.

Sec. 4-B. Duties of the board of trustees, chancellor, administrative council and heads of the various campuses.

1. Board of trustees; duties. The board of trustees, in consultation with the chancellor, shall be the governing and planning body of the university and in addition shall have responsibility for preparing and approving the operating and capital budgets of the university and presenting them in accordance with the direction in Title 5, section 1665, and Title 5, chapter 153.

2. Chancellor; duties. The chancellor shall exercise such powers and fulfill such responsibilities as shall be delegated by the board.

3. Head of each campus; duties. The head of each campus shall be the chief administrative and educational officer thereof and shall be responsible for the 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 such rights and privileges as are generally recognized in the administering of admissions, curriculum development, extra curricular programs, long rang planning within the framework of the overall university plan, and supervision of faculty.

4. Administrative council. The administrative council shall exercise the following responsibilities: To make to the board of trustees, through the chancellor, recommendations which require board action or pertain to policy development; serve as a clearing house for matters referred to it by appropriate officers of individual institutions; act on matters referred to the council by the chancellor or the board of trustees.

Sec. 4-C. Properties, assets and liabilities. Thirty days after the effective date of this Act all of the assets, tangible or intangible, real, personal and mixed, of, or used in connection with, Gorham State College, Farmington State College, Aroostook State College, Washington State College, Fort Kent State College, respectively, except such as are in trust or are subject to limitations purporting to restrict their transferability or assignability, are transferred and assigned to the university. Any gift, bequest, devise or other transfer or conveyance to any state college which takes effect after the date of transfer of assets of the colleges to the university shall become the property of the university. All moneys appropriated to the state colleges and unexpended as of 30 days after the effective date of this Act shall be transferred over to the university. As a condition of continued receipt of public funds, the university shall accept the assets of state colleges and shall assume the care, control and disposition of said property together with all the duties and legal obligations and management of the former affairs of the state colleges including any obligations in connection with indebtedness for dormitories and dining facilities. Any student fees relating to said state colleges presently required to be paid into the General Fund of the State shall continue to be paid into the fund until June 30, 1969.

The Attorney General of Maine is authorized and empowered to execute in the name of the State any documents necessary to effect the above transfers. The Attorney General is directed to institute any court actions necessary to effectuate the transfer of properties held in trust or subject to any limitations purporting to affect their transferability.

Any property received by the university which has been designated or limited for particular purposes or uses shall be used by the university only for those

purposes.

Ownership of any property formerly held by Aroostook State College, Farmington State College, Fort Kent State College, Gorham State Collège or Washington State College, which is removed from educational use by the University of Maine, shall revert to the State of Maine.

Sec. 4-D. Options for employment benefits of personnel. All personnel heretofore employed at the state colleges shall have the option of continuing their membership, if such exists, in the Maine State Retirement System or of becoming members of the retirement system in effect at the University of Maine at the time the election is made. Such election shall be made within 6 months after the effective date of this Act on forms and in such manner as the Board of Trustees of the University of Maine may direct. As to each such employee who elects to continue membership in the Maine State Retirement System, it shall thereafter be the responsibility of the university to provide for payment from its appropriation to the Treasurer of State of the amount which would have been the state's contribution to the retirement system for such employee had he remained in the state's service. Notwithstanding any other provisions of law, as to all such employees who elect to become members of the retirement system in effect at the university, such employees shall, within 90 days after such election, authorize the Maine State Retirement System to pay through the Treasurer of State into the retirement system in effect at the university the total of the member's contributions for said employee. Any such employee electing to become a member of the retirement system in effect at the university who has vested rights under the Maine State Retirement System may elect, notwithstanding the foregoing provision, to leave his contributions on deposit in said system. Within 6 months after the effective date of this Act, such employees shall exercise the option of determining whether they shall keep their personnel classification, salary level and tenure rights, to the extent they now exist, for their work with their present institutions, or adopt such benefits as they exist under the system in effect at the university at the time election is made. No faculty member employed at one campus may be transferred to another campus without his consent.

Sec. 4-E. Student tuition. The current proportionate difference in student tuition between the present University of Maine and the present state colleges shall be maintained through the academic year 1971-1972.

Sec. 4. P. & S. L., 1867, c. 362, repealed. Chapter 362 of the private and special laws of 1867 is repealed.

Sec. 5. P. & S. L., 1869, c. 192, repealed. Chapter 192 of the private and special laws of 1869 is repealed.

Sec. 6. P. L., 1883, c. 196, repealed. Chapter 196 of the public laws of 1883, as amended by chapter 164 of the private and special laws of 1951, is repealed.

Sec. 7. P. & S. L., 1897, c. 550, repealed. Chapter 550 of the private and special laws of 1897 is repealed.

Sec. 8. Appropriation. There is appropriated from the General Fund to the University of Maine the sum of \$103,700 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act. The breakdown shall be as follows:

1968-69

UNIVERSITY OF MAINE

All Other

\$103,700

Effective April 26, 1968

Chapter 230

AN ACT Appropriating Funds to Carry out Duties of the Elections Division of the Office of the Secretary of State.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, an amendment to the Constitution of Maine will be voted upon by the people at the general election in November, 1968; and

Whereas, such amendment will create the necessity of an additional ballot at such election; and

Whereas, in order to provide for such ballot, additional expenses will be created; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Elections Division, Office of the Secretary of State, the sum of \$25,000. The breakdown of expenditures shall be as follows:

	1968-69
SECRETARY OF STATE	
Elections	
Personal Services	\$ 3,000
All Other	22,000
	<hr/>
	\$25,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.