

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 735

H.P. 540

House of Representatives, February 11, 2019

**An Act To Create a Permanent Wabanaki Law Enforcement Seat
on the Board of Trustees of the Maine Criminal Justice Academy**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.
Cosponsored by Representative WARREN of Hallowell, Senator MOORE of Washington and
Representatives: ALLEY of Beals, CARDONE of Bangor, FECTION of Biddeford,
HARNETT of Gardiner, HICKMAN of Winthrop, MOONEN of Portland, TUELL of East
Machias, Senator: CARPENTER of Aroostook.

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

2 **Sec. 1. 25 MRSA §2802**, as amended by PL 2013, c. 147, §7, is further amended
3 to read:

4 **§2802. Board of trustees**

5 There is created a board of trustees for the academy consisting of ~~17~~ 18 members as
6 follows: the Commissioner of Public Safety, ex officio, the Attorney General, ex officio,
7 the Game Warden Colonel in the Department of Inland Fisheries and Wildlife, ex officio,
8 the Commissioner of Corrections, ex officio, ~~and~~ the Chief of the State Police, ex officio,
9 and a law enforcement official representing the Wabanaki tribal governments of the
10 Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy
11 Tribe at Motahmikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation and
12 the following to be appointed by the Governor: a county sheriff, a chief of a municipal
13 police department, 2 officers of municipal police departments who are not police chiefs,
14 an educator who is not and has never been a sworn member of a law enforcement agency,
15 a criminal prosecutor from one of the offices of the District Attorney, a representative of
16 a federal law enforcement agency, 3 citizens each of whom is not and has never been a
17 sworn member of a law enforcement agency, a municipal official who is not and has
18 never been a sworn member of a law enforcement agency and one nonsupervisory
19 corrections officer representing a state or county correctional facility. The law
20 enforcement official representing the 5 Wabanaki tribal governments must be appointed
21 by the tribal governments by a process determined by those governments that provides
22 for the board membership to rotate among the tribal governments.

23 A designee of an ex officio member is a member of the board only during the term of
24 office of the ex officio member who designated the designee. All of the other members of
25 the board serve for a term of 3 years, except that the Wabanaki law enforcement member
26 serves for a term of 2 years. A trustee holds office for the term for which the trustee is
27 appointed or until the trustee's successor ~~had~~ has been appointed and qualified. Members
28 of the board are entitled to compensation in accordance with Title 5, chapter 379. Any
29 vacancy on the board of trustees must be filled in the same manner as the original
30 appointment, but for the unexpired term.

31 **SUMMARY**

32 This bill provides a permanent seat on the Board of Trustees of the Maine Criminal
33 Justice Academy for a representative of the 5 Wabanaki tribal governments. The tribal
34 representative must be a law enforcement official and must be chosen for a 2-year term
35 by a process determined by the tribal governments. The process must require that the
36 position rotate among the 5 tribal governments.