

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1246

S. P. 426

In Senate, March 9, 1971

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Dunn of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT Relating to the Maine Law Enforcement and
Criminal Justice Academy.**

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

Whereas, law enforcement training is essential for all municipal, county and state law enforcement agencies; and

Whereas, the Maine Police Academy law must be amended in order to carry out comprehensive law enforcement training for criminal justice agencies in the State so that the Board of Commissioners of the Maine Police Academy may properly discharge their functions; 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:

R. S., T. 25, §§ 2801-2804, amended. Sections 2801 to 2804 of Title 25 of the Revised Statutes, as enacted by section 1 of chapter 491 of the public laws of 1969, are amended to read as follows:

§ 2801. The Maine Law Enforcement and Criminal Justice Academy

There is created a ~~police law enforcement and criminal justice~~ training facility to be known as "The Maine ~~Police Law Enforcement and Criminal Justice~~ Academy" which shall be established at some convenient and suitable

place in the Augusta area as the Board of Commissioners, hereinafter established, may determine.

§ 2802. Membership

The Maine ~~Police Law Enforcement and Criminal Justice~~ Academy shall be under the direct control and supervision of a Board of Commissioners consisting of ~~7~~ 10 members as follows: The Attorney General, the Chief of the Maine State Police, ex officio, and the following to be appointed by the Governor with the advice and consent of the Council: A ~~county attorney~~ a sheriff and, 3 other persons who shall be officers of municipal police departments, an educator, a representative from a criminal justice agency not involved in the general enforcement of Maine criminal laws, a representative of a federal law enforcement agency and a municipal public official.

The members of the board shall serve for a term of 3 years unless they are serving ex officio, in which event they shall serve until their term expires and their successors are duly appointed and qualified. Members of the board shall serve without compensation, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties. Any vacancy on the Board of Commissioners shall be filled in the same manner as the original appointment, but for the unexpired term.

§ 2803. Duties

The duties of the Board of Commissioners shall be to implement the establishment of The Maine ~~Police Law Enforcement and Criminal Justice~~ Academy in order to provide a facility for the training and education of municipal police officers and other law enforcement ~~officers and criminal justice personnel~~; to supervise its operation and its training programs; the right to employ all personnel which may reasonably be required to carry out the purposes of this chapter; the right to lease, rent or acquire adequate facilities to house The Maine ~~Police Law Enforcement and Criminal Justice~~ Academy and to conduct proper and adequate training programs; to provide and conduct training programs both at a basic level and at an advanced training level for such periods of time during each calendar year as the Board of Commissioners may determine, but it shall conduct at least 3 basic and 3 advanced training courses during each calendar year; to accept such ~~federal~~ funds or grants from public or private sources as may be available to carry out or implement its purposes; to establish reasonable fees for attendance to defray part of the cost; and to make its training program available to all law enforcement agencies for personnel.

The Board of Commissioners may appoint and employ an individual, subject to the terms of the Personnel Law, to act as director or administrator of the academy to plan, direct and supervise the day-to-day operation of the police training facility and he shall be charged with the responsibilities of carrying out the policy and procedures as established by the Board of Commissioners for the purposes of this chapter.

The Board of Commissioners shall employ, subject to the terms of the Personnel Law, full time personnel who are trained as experienced law enforce-

~~ment officers. They shall be classified in rank or position to comparable positions within the Maine State Police.~~ All full-time personnel employed by the Board of Commissioners shall be employed subject to the Personnel Law.

§ 2804. Meetings

The Board of Commissioners shall meet at such time or times as may be reasonably necessary to carry out their duties, but it shall meet at least once in each calendar quarter at such place and time as the board shall determine and it shall meet at the call of the chairman. The board shall organize annually by electing a chairman, vice-chairman ~~and a~~, secretary and a treasurer from among its members.

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

STATEMENT OF FACT

The purpose of this bill is to allow the Maine Police Academy to broaden its instruction to encompass all components of the criminal justice field and to enlarge the Board of Commissioners so as to provide a broader representation of the criminal justice field.