

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2059

H. P. 1666

House of Representatives, January 2, 1974

Referred to the Committee on Human Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Mills of Eastport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Relating to Police Officers for the Indian Tribes.

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

Sec. 1. R. S., T. 22, § 4716, sub-§ 1, repealed and replaced. Subsection 1 of section 4716 of Title 22 of the Revised Statutes, as amended by section 77-B of chapter 62 of the public laws of 1971, is repealed and the following enacted in place thereof:

1. **Appointment.** The tribal governor, with the advice and consent of the tribal council, is authorized to appoint one or more persons of the age of 18 years or over, in each of the Indian reservations in this State, as police officers with like powers and duties of police officers and constables within towns and cities, in the enforcement of the laws of the State and of tribal ordinances within the limits of the respective reservations, with authority to take any offender before any court of competent jurisdiction within his county. Such police officers shall act as school attendance officers for their respective tribes. They shall receive such compensation as may be determined by the department.

Sec. 2. R. S., T. 22, § 4716, sub-§ 2, amended. Subsection 2 of section 4716 of Title 22 of the Revised Statutes is amended to read as follows:

2. **Term of office.** Said ~~constables~~ police officers shall be appointed for a term of 2 years from the date of their appointments or until their successors have been duly appointed and qualified. Any ~~constable~~ police officer may be removed by the tribal governor upon recommendation of the department.

STATEMENT OF FACT

Several changes in the present reading of the statute regarding Indian constables were considered necessary. The wording of the statute has been phrased differently in several places and the name of constable is replaced with that of police officer. Any reference to racial qualification has been deleted to bring the statute in conformity with several federal and state acts regarding racial discrimination.