

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1025**

H. P. 827

House of Representatives, March 5, 1979

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Pearson of Old Town.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Concerning the Governor and Council of the Penobscot Indian Tribe.**

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

**22 MRSA § 4793, 4th ¶, last sentence**, as enacted by PL 1973, c. 130, § 2, is amended to read:

Tribal members who have been convicted of a ~~felony~~ **crime punishable by a maximum term of imprisonment equal to or exceeding one year** shall not be permitted to hold any tribal office, either elective or appointive. **Clemency may only be given by the tribal governor and council preceding the election or appointment. The tribal member shall obtain a pardon within one year if clemency is granted.**

STATEMENT OF FACT

There exists a need for a period of grace for tribal members elected to office, but who have been convicted of a crime punishable by a maximum term of imprisonment equal to or exceeding one year, to seek a pardon from the Governor of the State of Maine within one year after election. This bill will provide that period of grace.