

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 140

H.P. 115

House of Representatives, January 31, 2013

**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.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Senator BURNS of Washington and
Representatives: CASAVANT of Biddeford, CHENETTE of Saco, DION of Portland, DOAK
of Columbia Falls, JOHNSON of Greenville, KAENRATH of South Portland, MAKER of
Calais, MITCHELL of the Penobscot Nation.

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

2 **Sec. 1. 25 MRSA §2802**, as amended by PL 2005, c. 331, §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 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, an educator who is not and
14 has never been a sworn member of a law enforcement agency, a representative from a
15 criminal justice agency not involved in the general enforcement of Maine criminal laws, a
16 representative of a federal law enforcement agency, 3 citizens each of whom are not and
17 have never been sworn members of a law enforcement agency, a municipal official who
18 is not and has never been a sworn member of a law enforcement agency and one
19 nonsupervisory corrections officer representing a state or county correctional facility.
20 The law enforcement official representing the 5 Wabanaki tribal governments must be
21 appointed by the tribal governments by a process determined by those governments that
22 provides for rotating membership 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 chosen for a 2-year term by a process determined by the tribal
35 governments. The process must require that the position rotate among the 5 tribal
36 governments.