

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 513

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H.P. 376

House of Representatives, February 19, 2021

**An Act Regarding the Membership of the Board of Trustees of the  
Maine Criminal Justice Academy and Its Complaint Review  
Committee**

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Received by the Clerk of the House on February 17, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT  
Clerk

Presented by Representative RECKITT of South Portland.  
Cosponsored by Senator DESCHAMBAULT of York and  
Representatives: MORALES of South Portland, PLUECKER of Warren, WARREN of  
Hallowell.

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

2 **Sec. 1. 25 MRSA §2802, first ¶**, as amended by PL 2019, c. 103, §1, is further  
3 amended to read:

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

24 **Sec. 2. 25 MRSA §2805-C, sub-§1**, as amended by PL 2013, c. 147, §37, is further  
25 amended to read:

26 **1. Committee.** The chair of the board shall appoint ~~3~~ 5 members of the board to serve  
27 on the complaint review committee. ~~One~~ Two of the members must be ~~one of the~~ citizen  
28 members of the board. ~~All~~ A majority of the members of the committee, including at least  
29 one citizen member, must be present for deliberations. A majority vote is necessary to  
30 recommend taking corrective or disciplinary action on a complaint or to order an  
31 independent investigation pursuant to subsection 3.

32 **SUMMARY**

33 This bill expands the membership of the board of trustees of the Maine Criminal Justice  
34 Academy from 18 to 19 by adding a county commissioner who is not and has never been a  
35 sworn member of a law enforcement agency. The bill also expands the total membership  
36 of the board's complaint review committee from 3 to 5 and the number of members who  
37 are citizens who have not and never have been sworn members of a law enforcement  
38 agency from one to 2. The bill further allows deliberations when a majority of the members  
39 of the committee, including at least one citizen member, is present instead of requiring that  
40 all members be present.