

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-96)

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 204,
L.D. 264, Bill, "AN ACT to Transfer Regulations Regarding the
Security of Certain Parks, Grounds, Buildings and Appurtenances
Maintained by the State from the Department of Finance and
Administration to the Department of Public Safety."

Amend the Amendment by striking out in the 8th line the
underlined words "the use, occupancy and security of all"
and inserting in their place the following: 'the security
regarding use and occupancy of all'

Further amend the Amendment by striking out in the 4th line
of subsection 2 of that part designated "§2903." the underlined
words "and security"

Further amend the Amendment by inserting at the end before
the statement of fact, the following:

'§2905. Definitions

The words "public way" or "public ways," when used in this
chapter, or regulations issued thereunder, shall be held to
mean all roads and driveways on lands maintained for the State
Government at the capital area or other state controlled locations
in Augusta.

The words "parking area" or "parking areas," when used in
this chapter, or regulations issued thereunder, shall be held
to mean all lands maintained by the State at the seat of government
which may be designated as parking areas by the State Director
of Public Improvements.

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§2906. Rules and regulations

The Commissioner of Public Safety is authorized and empowered to make and enforce rules, subject to the approval of the Governor, governing the use of public ways and parking areas maintained by the State at the seat of government. Said rules and regulations shall become effective upon deposit of a copy thereof with the Secretary of State, who shall forward a copy thereof attested under the Great Seal of the State to the District Court for Southern Kennebec.

The Commissioner of Public Safety may by rule establish a method by which persons charged with the violation of parking regulations may waive all court action by payment of specified fees within specified periods of time. Said regulations may provide that a vehicle unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name such vehicle is registered.

§2907. User fees

The Commissioner of Public Safety shall establish and charge user fees for any or all parking facilities within the legally designated capitol complex, if considered feasible and with the approval of the Governor.

All user fees shall be credited to the General Fund.

§2908. Special officers; powers and duties; cooperation

The Commissioner of Public Safety is authorized and empowered to appoint and employ, subject to the Personnel Law, security officers who shall have the powers of arrest of a sheriff in the Capitol Area, parks, grounds, buildings and appurtenances owned or leased by the State at the seat of government.

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The powers and duties of the special police officers so appointed and employed shall be to patrol all of the public ways and parking areas subject to this chapter, enforce rules made under sections 2904 to 2907, arrest any violator thereof and prosecute any offender against the same.

The State Police, sheriffs and deputy sheriffs, constables and police officers of the City of Augusta shall, so far as possible, cooperate with the special police officers appointed and employed under this section in the enforcement of rules made pursuant to sections 2904 to 2907.

§2909. Jurisdiction

The District Court for Southern Kennebec shall have jurisdiction in all proceedings brought under sections 2904 to 2907, which court shall take judicial notice of all rules adopted pursuant to sections 2904 to 2907. In any prosecution for violation of any rule, the complaint may allege the offense as in prosecutions under a general statute and need not recite the rule.

§2910. Fines and costs of court

Any person found guilty of violating any rule made pursuant to sections 2904 to 2907 shall, upon conviction, pay a fine as follows:

1. First offense. For the first offense in any calendar year, a fine of not more than \$5;
2. Second offense. For the 2nd offense in any calendar year, a fine of not more than \$7;
3. Subsequent offense. For each offense in excess of 2 in

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any calendar year, a fine of not more than \$10.'

Statement of Fact

The purpose of this amendment is to clarify the transfer of responsibility for security for the capitol complex area from the Bureau of Public Improvements to the Commissioner of Public Safety.

D.
(Collins)
NAME:

D. Collins

COUNTY: Aroostook