

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE (Filing No. H-153)
FIRST REGULAR SESSION

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 bill in section 3 by striking out everything in that part designated "§2903." and inserting in its place the following:

§2903. Bureau of Capital Security

1. Commissioner of Public Safety. Except as provided in subsection 2, the Commissioner of Public Safety is authorized and empowered to promulgate rules, subject to the approval of the Governor, governing the use, occupancy and security of all parks, grounds, buildings and appurtenances maintained by the State at the seat of government. These rules shall become effective upon deposit of a copy with the Secretary of State, who shall forward a copy attested under the Great Seal of the State to the District Court for Southern Kennebec.

2. Officials of governmental units. The officials of the governmental units listed in the 2nd paragraph are authorized and empowered to promulgate rules governing the access, use,

occupancy and security of buildings or parts of buildings and of other public property which are under their respective super-visions. Prior to promulgating any such rule, such official shall consult with the Commissioner of Public Safety; the commissioner shall be given an opportunity to review such rule and to comment upon its content and enforcement. These rules shall become effective upon deposit of a copy with the Secretary of State, who shall forward a copy attested under the Great Seal of the State to the District Court for Southern Kennebec. Such rules shall be suspended to the extent necessary at any time when the Commissioner of Public Safety determines that an emergency exists within the facilities to which they apply; provided, the Commissioner shall not suspend such rules governing the legislative offices without the consent of the Legislative Council. The Commissioner of Public Safety shall enforce rules promulgated pursuant to this subsection, consistent with available resources and funding.

The governmental officials authorized and empowered by this subsection are:

- A. The Legislative Council, for all legislative offices;
- B. The State Law Librarian, for the Law Library;
- C. The State Librarian, for the State Library;
- D. The Director of the State Museum, for the State Museum; and
- E. The State Archivist, for the State Archives.

Statement of Fact

The purposes of this amendment are to:

1. Identify several legislative and executive branch offices

← which need to be used during non regular state agency office
← hours or which have unusual security requirements:

2. Permit officials of these offices to promulgate rules govern-

← ing their access, use, occupancy and security. These rules will
← be in force except during emergencies and will be enforced by
← the Commissioner of Public Safety.

↳ The word "access" is added to the authority for these of-

← fices since most of them are contained within buildings, access
← to which will be controlled by the Commissioner of Public Safety.
← Addition of the word is intended simply to assure that appropri-
← ate individuals will be able to enter and leave these offices:
and

3. Continue the authorization contained in the LD for the

← Commissioner of Public Safety to promulgate rules for other
← State facilities at the seat of government and for the above
← excepted offices during an emergency.

Reported by the Committee on State Government.

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