

# MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 633, L.D. 915, Bill, "An Act To Update and Clarify Statutes Related to or Administered by the Department of Public Safety"

Amend the bill in Part E by inserting before section 1 the following:

'Sec. E-1. 25 MRSA §2803-A, sub-§8-A, as amended by PL 2005, c. 331, §12, is further amended to read:

8-A. Training of police officers of the Bureau of Capitol Police. To establish certification standards and a training program for security police officers appointed by the Commissioner of Public Safety pursuant to section 2908. This program must include:

- A. The preservice law enforcement training under section 2804-B;
B. An additional 120-hour field training program developed and approved by the board that is specific to the duties of a security Capitol Police officer; and
C. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E.

Security Capitol Police officers are exempt from section 2804-C;

Sec. E-2. 25 MRSA §2804-J, as enacted by PL 2001, c. 559, Pt. KK, §3, is amended to read:

§2804-J. Law enforcement training for police officers of the Bureau of Capitol Police

The following provisions govern the training and certification of security police officers appointed pursuant to section 2908.

1. Security officers hired or appointed before March 1, 2002. A security officer hired or appointed before March 1, 2002 must successfully complete, before July 1, 2003, the requirements established in section 2803-A, subsection 8-A in order to have the power to make arrests or to carry a firearm.

COMMITTEE AMENDMENT

1           **2. Police officers hired or appointed on or after March 1, 2002.** A security police  
2 officer hired or appointed on or after March 1, 2002 must have successfully completed, at  
3 the time the person is hired or within the first 12 months of employment, the requirements  
4 established in section 2803-A, subsection 8-A in order to have the power to make arrests  
5 or to carry a firearm.'

6           Amend the bill in Part E by striking out all of section 4 and inserting the following:

7           '**Sec. E-4. 25 MRSA §2902, sub-§8,** as enacted by PL 2001, c. 559, Pt. KK, §4,  
8 is amended to read:

9           **8. Bureau of Capitol Police.** The Bureau of Capitol Security Police, which is under  
10 the direction of the Director Chief of the Bureau of Capitol Security Police. Security  
11 Police officers of this bureau are those appointed by the Commissioner of Public Safety  
12 pursuant to section 2908.'

13           Amend the bill in Part E by striking out all of section 12 and inserting the following:

14           '**Sec. E-12. 25 MRSA §2908,** as repealed and replaced by PL 1989, c. 857, §59, is  
15 repealed and the following enacted in its place:

16           **§2908. Police officers; powers and duties; cooperation**

17           **1. Appointment of police officers.** The Commissioner of Public Safety may  
18 appoint and employ police officers, subject to the Civil Service Law. The specific duties  
19 and powers of police officers appointed and employed are to patrol the public ways and  
20 parking areas, to provide security for all parks, grounds, buildings and appurtenances  
21 maintained by the State in the capitol area and other state-controlled locations designated  
22 by the commissioner and to enforce any rules adopted pursuant to this chapter. The  
23 commissioner may expand the duties and powers of police officers in the capitol area,  
24 other state-controlled locations and public ways designated by the commissioner beyond  
25 the duties and powers enumerated in this section to investigate, prosecute, serve process  
26 on and arrest violators of any law of this State. Police officers may issue summons in the  
27 course of their duty to enforce this section. The commissioner may grant statewide  
28 power of enforcement of any law of this State to police officers described in this  
29 subsection. That power may be granted only to police officers who have completed a  
30 basic training course at the Maine Criminal Justice Academy or for whom the basic  
31 training course has been waived by the board of trustees of the academy because of  
32 equivalent training, as provided in section 2804-C, subsection 1 or 5. The commissioner  
33 shall provide forms and standard operating procedures to police officers to carry out their  
34 functions under this section.

35           **2. Cooperation of other law enforcement agencies.** The State Police, sheriffs,  
36 deputy sheriffs, constables and municipal police officers shall, as much as possible,  
37 cooperate with the police officers appointed and employed under this section in the  
38 enforcement of rules adopted pursuant to this chapter and any law of this State.

39           **Sec. E-13. Maine Revised Statutes amended; revision clause.** Wherever in  
40 the Maine Revised Statutes the words "capital security officer" appear or reference is  
41 made to a security officer appointed by the Commissioner of Public Safety pursuant to  
42 the Maine Revised Statutes, Title 25, section 2908, they are amended to read or mean, as  
43 appropriate, "Capitol Police officer" or "police officer appointed by the Commissioner of

1 Public Safety pursuant to Title 25, section 2908," and the Revisor of Statutes shall  
2 implement this revision when updating, publishing or republishing the statutes.

3 **Sec. E-14. Maine Revised Statutes amended; revision clause.** Wherever in  
4 the Maine Revised Statutes the words "Bureau of Capital Security" appear or reference is  
5 made to that entity or those words, those words are amended to read or mean, as  
6 appropriate, "Bureau of Capitol Police," and the Revisor of Statutes shall implement this  
7 revision when updating, publishing or republishing the statutes.

8 **PART F**

9 **Sec. F-1. 29-A MRSA §2054, sub-§1, ¶B,** as amended by PL 2007, c. 348, §18,  
10 is further amended to read:

11 B. "Authorized emergency vehicle" means any one of the following vehicles:

- 12 (1) An ambulance;
- 13 (2) A Baxter State Park Authority vehicle operated by a Baxter State Park  
14 ranger;
- 15 (3) A Bureau of Marine Patrol vehicle operated by a coastal warden;
- 16 (4) A Department of Conservation vehicle operated by a forest ranger;
- 17 (5) A Department of Conservation vehicle used for forest fire control;
- 18 (6) A Department of Corrections vehicle used for responding to the escape of or  
19 performing the high-security transfer of a prisoner, juvenile client or juvenile  
20 detainee;
- 21 (7) A Department of Inland Fisheries and Wildlife vehicle operated by a warden;
- 22 (8) A Department of Public Safety vehicle operated by a ~~capital security~~ police  
23 officer appointed pursuant to Title 25, section 2908, a state fire investigator or a  
24 Maine Drug Enforcement Agency officer;
- 25 (9) An emergency medical service vehicle;
- 26 (10) A fire department vehicle;
- 27 (11) A hazardous material response vehicle, including a vehicle designed to  
28 respond to a weapon of mass destruction;
- 29 (12) A railroad police vehicle;
- 30 (13) A sheriff's department vehicle;
- 31 (14) A State Police or municipal police department vehicle;
- 32 (15) A vehicle operated by a chief of police, a sheriff or a deputy sheriff when  
33 authorized by the sheriff;

1 (16) A vehicle operated by a municipal fire inspector, a municipal fire chief, an  
2 assistant or deputy chief or a town forest fire warden;

3 (17) A vehicle operated by a qualified deputy sheriff or other qualified  
4 individual to perform court security-related functions and services as authorized  
5 by the State Court Administrator pursuant to Title 4, section 17, subsection 15;

6 (18) A Federal Government vehicle operated by a federal law enforcement  
7 officer;

8 (19) A vehicle operated by a municipal rescue chief, deputy chief or assistant  
9 chief;

10 (20) An Office of the Attorney General vehicle operated by a detective  
11 appointed pursuant to Title 5, section 202; and

12 (21) A Department of the Secretary of State vehicle operated by a motor vehicle  
13 investigator.

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
15 section number to read consecutively.

16 **SUMMARY**

17 This amendment changes the name of the Bureau of Capitol Security to the Bureau of  
18 Capitol Police and the name of those security officers to police officers.

**FISCAL NOTE REQUIRED**

(See attached)



# 124th MAINE LEGISLATURE

LD 915

LR 489(02)

**An Act To Update and Clarify Statutes Related to or Administered by the Department of Public Safety**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**  
**Committee: Criminal Justice and Public Safety**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Public Safety associated with changing the name of the Bureau of Capitol Security to the Bureau of Capitol Police can be absorbed within existing budgeted resources.