

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2002

PUBLIC LAWS OF THE STATE OF MAINE
AS PASSED AT
THE SECOND REGULAR SESSION OF THE
ONE HUNDRED AND TWENTIETH
LEGISLATURE
2001

CHAPTER 472

H.P. 1573 - L.D. 2079

**An Act to Clarify the Law
Enforcement Authority of Capital
Security Personnel**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain security officers whose authority has been expanded pursuant to the Maine Revised Statutes, Title 25, section 2908 to include law enforcement duties and powers do not meet the training requirements of Title 25, section 2804-C; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 25 MRSA §2801-B, sub-§1, ¶¶E and F, as enacted by PL 1999, c. 682, §4, are amended to read:

E. Harbor masters; ~~or~~

F. Municipal shellfish conservation wardens; ~~or~~

Sec. 2. 25 MRSA §2801-B, sub-§1, ¶G is enacted to read:

G. Security officers appointed by the Commissioner of Public Safety and whose duties and powers have been expanded pursuant to section 2908. This paragraph is repealed December 31, 2002.

Sec. 3. 25 MRSA §2904, sub-§2, as amended by PL 1993, c. 361, Pt. E, §1, is further amended to read:

2. Officials of governmental units. The officials of the governmental units listed in paragraphs A to E are authorized and empowered to adopt rules governing the access, use and occupancy of buildings

or parts of buildings and of other public property that are under their respective supervisions. Rules adopted by the Legislative Council may include provisions governing security at legislative offices. Prior to adopting any such rule, the official shall consult with the Commissioner of Public Safety; the commissioner must be given an opportunity to review the rule and to comment upon its content and enforcement. These rules 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. These rules are 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, except that the commissioner may not suspend the rules governing the legislative offices without the consent of the Legislative Council. The Commissioner of Public Safety shall enforce rules adopted 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, as established by Title 3, section 162;

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.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective January 22, 2002.

CHAPTER 473

H.P. 1402 - L.D. 1841

**An Act to Allow Sharing of
Information to Facilitate Interstate
Cooperation Between Toll Agencies**