

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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 securitypolice 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 securityCapitol Police officer; and

C. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E.

SecurityCapitol 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 securitypolice 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.~~

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

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

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

**8. Bureau of Capitol Police.** The Bureau of Capitol SecurityPolice, which is under the direction of the DirectorChief of the Bureau of Capitol SecurityPolice. SecurityPolice officers of this bureau are those appointed by the Commissioner of Public Safety pursuant to section 2908.’

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

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 E-12. 25 MRSA §2908**, as repealed and replaced by PL 1989, c. 857, §59, is repealed and the following enacted in its place:

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

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

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

**Sec. E-13. Maine Revised Statutes amended; revision clause.** Wherever in the Maine Revised Statutes the words "capital security officer" appear or reference is made to a security officer appointed by the Commissioner of Public Safety pursuant to the Maine Revised Statutes, Title 25, section 2908, they are amended to read or mean, as appropriate, "Capitol Police officer" or "police officer appointed by the Commissioner of Public Safety pursuant to Title 25, section 2908," and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

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

**PART F**

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

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

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

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

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

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

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

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

,

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

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

### **SUMMARY**

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

### **FISCAL NOTE REQUIRED**

**(See attached)**