



132nd MAINE LEGISLATURE

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Legislative Document

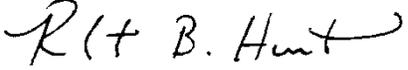
No. 2165

H.P. 1454

House of Representatives, January 13, 2026

An Act to Change Supervisory Authority over the Capitol Police

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Speaker FECTEAU of Biddeford. (GOVERNOR'S BILL)
Cosponsored by President DAUGHTRY of Cumberland.

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

2 **Sec. 1. 25 MRSA §1502**, as amended by PL 2005, c. 519, Pt. Q, §1, is further
3 amended by enacting at the end a new paragraph to read:

4 There is established in the Bureau of State Police one permanent State Police
5 Lieutenant position to supervise the Bureau of Capitol Police under the direction of the
6 Chief of the State Police.

7 **Sec. 2. 25 MRSA §2902, sub-§8**, as amended by PL 2009, c. 317, Pt. E, §6, is
8 further amended to read:

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

12 **Sec. 3. 25 MRSA §2904**, as amended by PL 2009, c. 317, Pt. E, §12, is further
13 amended to read:

14 **§2904. Security at capitol area and other state-controlled locations**

15 **1. Commissioner of Public Safety or designee.** Except as provided in subsection 2,
16 the Commissioner of Public Safety ~~is authorized and empowered to~~ or the commissioner's
17 designee may adopt rules, including a schedule of parking violation fees, subject to the
18 approval of the Governor, governing the security regarding use and occupancy of all parks,
19 grounds, buildings and appurtenances maintained by the State at the capitol area or other
20 state-controlled locations in Augusta. Prior to adoption of new or amended rules, the
21 commissioner shall provide notice of rulemaking to the Legislative Council. Rules adopted
22 pursuant to this subsection are routine technical rules as described in Title 5, chapter 375,
23 subchapter 2-A.

24 **2. Officials of governmental units.** The officials of the governmental units listed in
25 paragraphs A to E are authorized ~~and empowered~~ to adopt rules governing the access, use
26 and occupancy of buildings or parts of buildings and of other public property that are under
27 their respective supervisions. Rules adopted by the Legislative Council may include
28 provisions governing security at legislative offices. Prior to adopting any such rule, the
29 official shall consult with the Commissioner of Public Safety; ~~the commissioner must be~~
30 ~~given~~ and shall give the Chief of the State Police an opportunity to review the rule and to
31 comment upon its content and enforcement. These rules become effective upon deposit of
32 a copy with the Secretary of State, who shall forward a copy attested under the Great Seal
33 of the State to the District Court for Southern Kennebec. These rules are suspended to the
34 extent necessary at any time when the Commissioner of Public Safety or the
35 commissioner's designee determines that an emergency exists within the facilities to which
36 they apply, except that the commissioner or the commissioner's designee may not suspend
37 the rules governing the legislative offices without the consent of the Legislative Council.
38 The Commissioner of Public Safety or the commissioner's designee shall enforce rules
39 adopted pursuant to this subsection, consistent with available resources and funding.

40 The governmental officials authorized ~~and empowered~~ by this subsection are:

41 A. The Legislative Council, for all legislative offices, including the Law and
42 Legislative Reference Library, as established by Title 3, section 162;

43 C. The State Librarian, for the State Library;

1 D. The Director of the State Museum, for the State Museum; and

2 E. The State Archivist, for the State Archives.

3 **Sec. 4. 25 MRSA §2908**, as repealed and replaced by PL 2009, c. 317, Pt. E, §14,
4 is amended to read:

5 **§2908. Police officers and state police officers; powers and duties; cooperation;**
6 **assignment to Bureau of Capitol Police; absorption of Capitol Police**

7 **1. Appointment of police officers and state police officers.** The ~~Commissioner of~~
8 ~~Public Safety~~ commissioner may appoint and employ police officers, subject to the Civil
9 Service Law and, for purposes of this section, state police officers assigned pursuant to
10 subsection 3. The specific duties and powers of police officers and state police officers
11 appointed and employed are to patrol the public ways and parking areas, to provide security
12 for all parks, grounds, buildings and appurtenances maintained by the State in the capitol
13 area and other state-controlled locations designated by the commissioner and to enforce
14 any rules adopted pursuant to this chapter. The commissioner may expand the duties and
15 powers of police officers and state police officers in the capitol area, other state-controlled
16 locations and public ways designated by the commissioner beyond the duties and powers
17 enumerated in this section to investigate, prosecute, serve process on and arrest violators
18 of any law of this State. Police officers and state police officers may issue summons in the
19 course of their duty to enforce this section. The commissioner may grant statewide power
20 of enforcement of any law of this State to police officers and state police officers described
21 in this subsection. That power may be granted only to police officers and state police
22 officers who have completed a basic training course at the Maine Criminal Justice
23 Academy or for whom the basic training course has been waived by the board of trustees
24 of the academy because of equivalent training, as provided in section 2804-C, subsection
25 1 or 5. The commissioner shall provide forms and standard operating procedures to police
26 officers and state police officers to carry out their functions under this section.

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

32 **3. Assignment of state police officers to Bureau of Capitol Police.** The
33 commissioner may assign one or more state police officers to a command position within
34 the Bureau of Capitol Police or any other position within the bureau, as necessary for the
35 operation of the bureau. The Chief of the State Police shall maintain supervision and
36 direction over any state police officer assigned to the bureau pursuant to this subsection.

37 **4. Absorption of Capitol Police by attrition.** Beginning September 1, 2026, when a
38 Capitol Police officer position is vacated, the Chief of the State Police shall replace that
39 position with a state police officer position, subject to the approval of the Department of
40 Administrative and Financial Services, Bureau of Human Resources and the funding of the
41 reclassification of that position.

42 **Sec. 5. Reclassification of Chief of Capitol Police position to create State**
43 **Police Lieutenant position.** Pursuant to the Maine Revised Statutes, Title 25, section

1 1502, as amended by this Act, the Chief of the Bureau of Capitol Police position is
2 reclassified to a State Police Lieutenant position.

3 **SUMMARY**

4 This bill transfers the supervision duties of the Chief of the Bureau of Capitol Police
5 within the Department of Public Safety to the Chief of the State Police and replaces the
6 position of Chief of the Bureau of Capitol Police with a State Police Lieutenant position.
7 The bill provides rule-making authority regarding security at the capitol area to a designee
8 of the Commissioner of Public Safety and requires that rules adopted governing security at
9 the legislative offices and other offices within the capitol complex include consultation
10 with both the Commissioner of Public Safety and the Chief of the State Police. The bill
11 also requires that the Chief of the State Police replace a Capitol Police officer position that
12 is vacated with a state police officer position, contingent upon the funding of the
13 reclassification of that position.