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Legislative Council
Policy on Security Screening
Protocols for the Maine State House

The Legislative Council adopts this policy on security screening in the State House to enhance measures to protect the health and safety of persons working in or having occasion to enter the Maine State House, to protect the physical integrity of the State House, and to establish protocols for implementing security screening measures. The intent of these screening measures is to prevent dangerous items from being brought into the State House while still allowing access to anyone who wishes to enter.

I. State House open to public. The State House is open to the public from 7:30 AM to 5:00 PM Monday through Friday, exclusive of state-observed holidays. The building is also open to the public after regular business hours whenever the Senate or the House of Representatives is in session and whenever a joint standing or select committee of the Legislature is holding a public meeting in the State House. The State House will ordinarily remain open for 30 minutes following the end of an after-hours session or committee meeting. Access to the State House by members of the public is limited to the West entrance and the underground connector from the Cross Building.

II. Security screening required. All persons entering the State House, except as otherwise provided in this policy, shall be subject to security screening upon entering the State House. Any person who refuses to submit to screening shall be refused access to the State House. If a person refuses to submit to security screening, the on-duty security screener shall notify the on-duty law enforcement officer of the Bureau of Capitol Police who shall make all decisions to refuse entry to the building.

III. Screening measures. Except as otherwise provided in this policy, the following measures must be employed for all persons entering the State House.

A. Persons must pass through a stationary magnetometer used to detect metals. Alternatively, a person may request that a handheld magnetometer be used in lieu of passing through the stationary magnetometer. If, by reason of disability or medical condition, a person has been advised by a qualified health care provider to not be subjected to magnetometers and provides reasonable demonstration of such condition or medical advice, the person may request a hand and visual inspection ("pat down") from security personnel. Such a request may not be unreasonably denied. When requesting a pat down, the person must be afforded the opportunity for the pat down to be performed by security personnel or police officer of the same gender. However,

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when security personnel of the same gender is requested but not reasonably available, the on-duty law enforcement officer of the Bureau of Capitol Police may allow screening by means of a visual inspection and interview of the requester in lieu of a hand pat down.

B. Persons must allow packages, personal belongings and other items on his or her person to be inspected by passing them through a package screening device. A person may request a visual and hand inspection if use of the package screening device may damage the contents of a package (e.g. high speed film) or if the package is too large to pass through the device.

IV. Prohibition on certain items. The following items are prohibited in the State House or other legislative area, regardless of whether a person is required to undergo security screening measures:

- Weapons or ammunition of any kind
- Paint or pellet guns
- Fireworks, firecrackers, sparklers or other explosive or incendiary devices
- Compressed flammable or helium gases
- Flammable liquids
- Alcoholic beverages, unless unopened and in their original container and condition, and not to be consumed on-site
- Illegal drugs or substances
- Other substances or items that could reasonably, in the judgment of Capitol Police present a significant risk to people or property in the State House environment.

Notwithstanding this prohibition, a bona-fide military or law enforcement honor guard or military personnel in full dress uniform while participating in a formal military ceremony in the State House may be permitted to carry weapons provided all firearms have been disabled and are incapable of being discharged. Furthermore, an on-duty law enforcement officer is permitted to carry a weapon provided that the officer so discloses possession of the weapon and allow its inspection by the on-duty Capitol Police officer who shall keep a written log of all such exceptions to the prohibition.

V. Limitations for use of access card. A person to whom a card is issued by the Legislature for access to the State House and other legislative areas or for security purposes may not lend or otherwise transfer the access card to another person or use the access card to bring in any items for another person, and a person who is not the holder of the card may not present the card to security personnel for the purposes of misrepresenting the person's identify, avoiding security screening or accessing an area to which the person is not authorized. A photograph of the authorized holder will be visible on the card and a digital copy of the picture shall be stored in the access card system. Abuse of the access card or special access privileges will result in the confiscation of the access card by a Capitol Police officer and shall be delivered immediately to the Executive Director of the Legislative Council along with an explanation of the circumstances that gave rise to the confiscation. The Executive Director of the Legislative Council or the Chief of Capitol Police can, for cause, immediately revoke access card privileges to the State House. Any such revocations that are believed to be unjust can be appealed to the full Legislative Council, but access privileges will remain revoked unless the Council decides to restore the privileges.

VI. Persons excepted. The following persons who possess a valid access card allowing access to the State House are not required to undergo the building security measures upon presentation of the access card to the security screening personnel.

A. Legislators;
B. Legislative employees;
C. Governor and employees of the Office of the Governor whose principal work location is in the State House;
D. State law enforcement personnel who are assigned to State House detail;
E. Members of the Governor's Cabinet and their appointed deputy commissioners, Constitutional Officers and the State Auditor, State Court Administrator, Chair of the State House and Capitol Park Commission, State Controller, State Budget Officer and the Deputy State Budget Officer.

VII. Priority screening for lower-risk individuals. The following persons may be given an access card for limited duration to permit passage through the priority, lower-risk screening lane at the main entrance to the State House, after applying to the Legislative Council's executive director and upon successful completion of a satisfactory background check performed regularly as determined by the Executive Director.

A. State House maintenance, property management and State Postal Service personnel who have a regular and necessary need to enter the State House;
B. State House Press Corps members who lease offices in the Legislature's State House Press Corps suite, and other members of the media who possess bona fide State House news media credentials issued pursuant to Section VIII;
C. Vendors and contractors who have a regular and necessary need to enter the State House. Express mail and package delivery personnel and supply vendors are not eligible for exception under this section;
D. Persons authorized by the Legislative Council's executive director, for specific,-short-term Legislative operational or business.
E. Persons who have a medical condition or are disabled in a manner that prevents them from undergoing security screening and who have a regular and necessary need to enter the State House, upon documentation from a qualified medical provider that the person may not be subjected to magnetometer screening; and
F. Persons who have a regular and necessary on-going need to enter the State House as a result of their profession or employment, including registered professional lobbyists, State agency legislative liaisons, and attorneys representing clients on legislative matters. These persons are subject to an annual application fee of $100 to offset the processing and security card costs.

VIII. News media credentials.

A. Definition
1. For the purposes of this section, a "person" means an individual, or an organization with whom a person seeking news media credentials is affiliated by virtue of employment, contractual relationship or other means.

B. Eligibility and application

1. In order for a person to be eligible for "news media credentials" in the Legislature, the person must:
   i. be a bona fide news gatherer or reporter whose principal attention is given to or more than ½ of the person's earned income is derived from the gathering or reporting of news;
   ii. not be engaged in the prosecution of judicial or administrative claims or appeals or the promotion or advocacy of legislation pending before the Maine Legislature, State or federal departments or agencies or independent agencies of the federal or State government;
   iii. not be employed by any legislative or executive department or independent agency of federal or State government, or by any foreign government or representative thereof; and
   iv. not be engaged in any lobbying activities, advertising, publicity or political advocacy for any individual or organization.

2. An application for news media credentials must be accompanied by a signed and dated statement by the senior news director of the news organization with whom the person is affiliated or, if a the person is a freelancer or works for a production company, the news director of the person's primary news clients, attesting to his or her use of the person's news services and period during which the services have been used along with satisfactory evidence of such news services.

3. Approval of applications may be subject to additional criteria established by the Speaker of the House or the President of the Senate for news gathering or reporting in the chamber of the House of Representatives or the Senate Chamber.

4. Approval of news media credentials shall be for a fixed period not greater than one year but may be renewed, and shall be revoked immediately when the person no longer meets the eligibility requirements or fails to comply with any rule, policy or procedure of the legislature.

C. Limited access privileges

1. If the Legislative Council's executive director grants news media credentials to a person, the executive director will issue a STATE HOUSE NEWS MEDIA CARD to the person attesting to the person's approval of news media credentialing. Furthermore, the person shall wear and prominently display the card at all times while in the House and Senate chambers. The card must be returned immediately upon a change in affiliation

2. Only a person possessing State House news media credentials is eligible to occupy an office in the Legislature's State House Press Corps suite of offices.

IX. Screening at discretion of Capitol Police. Notwithstanding the above exceptions, the Bureau of Capitol Police may require security screening of any of the above persons (in Sections VI,

VII and VIII) if in the judgment of the Bureau of Capitol Police such screening is reasonably necessary to protect the immediate health and safety of an individual or the public or to prevent immediate harm to the building. In addition, the Bureau of Capitol Police may at their discretion, require persons listed as exceptions in Section VII paragraph F and Section VIII to undergo the screening of packages, personal belongings and other items and, on a periodic or random basis, full security screening. All access card holders who are allowed to regularly or periodically bypass the screening process shall be given a written reminder at the time of issue or renewal, that they are prohibited from bringing weapons or dangerous items into the State House regardless of whether or not they are subject to screening.

X. Personal recognizance. Upon their personal recognizance, the following individuals shall be allowed to enter the State House without undergoing the building screening measures: Governor and the Governor's spouse, Chief Justice of the Maine Supreme Judicial Court, members of the Legislative Council and those legislative employees who are elected to office by the Legislature or appointed to office by the Legislative Council. If security personnel are uncertain of the person's identity, they may request photo identification.

XI. Personally-escorted persons. Persons who are personally known to and accompanied by the Governor, Chief Justice of the Maine Supreme Judicial Court or a member of the Legislative Council and are so identified to security screening personnel are not required to undergo security screening when entering the State House. In addition, by prior arrangement with the Chief of Capitol Police, a person who is personally escorted by a State or federal law enforcement protection detail is not required to undergo security screening when entering the State House.

XII. Special considerations for Maine school groups and bands. Security screening personnel are authorized to limit security screening measures to visual inspections of an organized group of youth entering for a tour of the State House or to play musical instruments during a legislative function if the youth are in a Maine elementary or middle school program, are accompanied by adult chaperones, and building tour or event arrangements were made with the authorizing legislative office at least 48 hours in advance of their arrival. Adult chaperones must undergo security screening measures.

XIII. Special considerations for persons in certain age-related categories. Security screening personnel are authorized to limit security screening measures to visual inspections, or modified pat-downs if a pat-down is determined to be necessary, of children 12 years of age or younger and adults 75 years of age or older.

XIV. Legislative Conference Room and Welcome Center. Legislators and legislative employees are authorized to transport equipment, supplies and other materials to and from the Legislative Conference Room and the Welcome Center on the first floor without first undergoing security screening measures for the equipment, supplies and materials.

XV. Modification. The Legislative Council reserves all rights to modify this policy at any time as it deems necessary or appropriate. Nothing in this policy shall be construed to limit the authority of the Legislative Council to establish, revise and enforce policies relating to Legislators or legislative employees at any time.

Pursuant to 25 MRSA, §2904(2), the Legislative Council consulted the Commissioner of Public Safety and the commissioner was provided an opportunity to review and comment on the content and enforcement of this policy and this revision.

THIS REVISED POLICY IS ADOPTED BY THE LEGISLATIVE COUNCIL AT AUGUSTA, MAINE ON JUNE 24, 2015.

BY: _____
Executive Director of the Legislative Council

Authority: 3 MRSA, §162 and 25 MRSA, §2904

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