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TO: Senator Anne Carney
Representative Amy Kuhn
Joint Standing Committee on Judiciary

FROM: Becky Smith, Director of Government and Community Relations,
Maine Community College System

RE: *L.D. 2150, An Act to Establish Procedures for Restricting Access to State Property, Access to State Services and Communication with or Through State Entities*

DATE: February 5, 2026

Senator Carney, Representative Kuhn, and Members of the Joint Standing Committee on Judiciary, please accept this memorandum on behalf of the Maine Community College System (“MCCS”) regarding *L.D. 2150, An Act to Establish Procedures for Restricting Access to State Property, Access to State Services and Communication with or Through State Entities*. As an instrumentality of the State, MCCS is implicated by this bill and offers this input to share legal, compliance, and operational concerns relevant to the colleges of MCCS.

We appreciate the sponsors’ desire to ensure safe and appropriate public access to state owned properties and reduce unnecessary barriers. MCCS shares those goals, and we recognize that our campuses, with their outdoor recreation space, event space, wellness centers and dining halls, serve as important community assets in addition to serving our students and staff. Members of the public regularly visit and use our campuses for a range of activities, such as hosting or attending events or simply walking around our campuses for exercise; subject however to our policies which address campus safety and operational priorities in addition to applicable state and federal law requirements.

As educational institutions, the colleges of MCCS already operate in a highly regulated environment, including both federal and state laws and regulations designed to protect our students and staff and to ensure that our students can pursue their education in a safe environment. These laws include: Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; the Jeanne Clery Act of 1990, incorporating the Violence Against Women Act (VAWA); as well as Maine statutes (5 M.R.S. Ch. 337; 20-A M.R.S. Ch. 445), all of which require institutions of higher education to follow

detailed processes in instances of alleged discrimination, harassment, or when the safety of one of our community members is at risk.

Given this existing and detailed framework, the added processes under L.D. 2150, such as requiring the filing of a complaint in district court through the Bureau of State Police, may, at times, create conflicts with existing legal requirements and established practices, as well create uncertainty for campus administrators.

Currently, since no MCCS college has its own police force, when senior leadership at a college determines, following its proscribed process, to seek a no-trespass order for the safety of its community members, the college works in cooperation with local law enforcement. The circumstances and procedures followed are provided to the local law enforcement so that they may assess the circumstances and, when appropriate, issue a no-trespass order.

In instances where our colleges secure a no trespass order, it is done to protect either the entire campus community or a particular student or staff member who is at risk. Sometimes these orders may last for the remainder of a semester, other times they remain in place for the entirety of a particular student's education or while an employee is employed by MCCS. On rare occasions, a no-trespass order issued by local law enforcement may last years due to the severity or pervasive nature of a subject's harassment or threats.

In short, MCCS takes access and safety issues seriously, and L.D. 2150, as written, would create potential conflict with existing federal and state law requirements and well-established policies and practices and therefore could jeopardize campus safety.

Conclusion

Should the Committee choose to advance L.D. 2150, **we respectfully request that the Maine Community College System and the other public higher education institutions be expressly exempted from the bill** given the existing and complex federal and state landscape, and existing policies and practices, which includes cooperation with local law enforcement, which seek to keep our communities safe and individual rights respected.

Thank you for your consideration. Should you have any questions, please contact me at bsmith@mainecc.edu or (207) 629-4105.