

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SIXTH LEGISLATURE

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## Legislative Document

No. 1830

H. P. 1374

House of Representatives, April 3, 1973

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Stillings of Berwick.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### AN ACT to Clarify Municipal Authority to Regulate Public Safety.

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

**Sec. 1. R. S., T. 25, § 2031, amended.** The first 2 sentences of section 2031 of Title 25 of the Revised Statutes, as amended by chapter 368 of the public laws of 1967, are further amended to read as follows:

No person shall in a threatening manner display, or shall wear under his clothes, or conceal about his person any firearm, slungshot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon; except that the chief of police ~~or city marshal~~ of any city ~~or the selectmen~~, municipal officers of any town ~~or the chief of police of any town if authorized by the municipal officers~~ may upon written application therefor issue to any legal resident of such city or town of good moral character, a certificate setting forth that such person has been duly licensed to carry such weapon mentioned in the certificate. If such applicant is a resident of the State and is domiciled in unorganized territory, such certificate may be issued by the chief of police ~~or city marshal~~ of any city ~~or the selectmen~~, the municipal officers of any town ~~or the chief of police of any town if authorized by the municipal officers~~ nearest to the unorganized territory.

**Sec. 2. R. S., T. 25, § 2031, amended.** The 5th sentence of section 2031 of Title 25 of the Revised Statutes, as amended by chapter 368 of the public laws of 1967, is further amended to read as follows:

All licenses shall continue in effect to the end of the calendar year in which issued and for one year thereafter unless sooner revoked by the Chief of the Maine State Police, chief of police ~~city marshal~~ or by the ~~selectmen~~ municipi-

pal officers of the town in which said license was issued or by the authorized chief of police of any town who issued said license.

Sec. 3. R. S., T. 25, § 2031, amended. Section 2031 of Title 25 of the Revised Statutes, as amended, is further amended by adding after the 7th sentence 2 new sentences to read as follows:

Th chief of police of any city, the municipal officers of any town or the chief of police of any town if authorized by the municipal officers may adopt written criteria for the issuance of such licenses. In addition, any municipality may, by vote of its legislative body, enact an ordinance governing the issuance of such licenses.

#### STATEMENT OF FACT

The issuance or nonissuance of concealed weapons licenses occurs inconsistently and capriciously in Maine. In some instances, most or all applicants are rejected out-of-hand; while in other instances most or all applicants are accepted routinely. The present statute appears to require the satisfaction of only 2 conditions; legal residency and good moral character. This bill would affirm the authority of Maine towns and cities to formally adopt other criteria for the issuance of concealed weapons licenses. It would also clarify who has the authority and responsibility to issue concealed weapons licenses in municipalities.