

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 293

H. P. 253

House of Representatives, January 19, 1981

Referred to the Committee Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. J. Mitchell of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Transfer the Power to Issue Concealed Weapon Permits to the Commissioner of Public Safety.

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

25 MRSA § 2031, as last amended by PL 1975, c. 449, §§ 1 and 2, is repealed and the following enacted in its place:

§ 2031. **Threatening display of or carrying concealed weapons; licenses**

No person may in a threatening manner display, or may wear under his clothes, or conceal about his person any firearm, sling shot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon; except that the Commissioner of Public Safety may upon written application therefor issue to any legal resident, of the State, of good moral character, a certificate setting forth that the person has been duly licensed to carry such weapon mentioned in the certificate. The commissioner may upon written application therefor, issue to a nonresident, not falling within the local licensing authority, who is in the employ of a public utility corporation, or a person, firm or corporation engaged in the business of transferring money or in a business of a similar nature and who is of good moral character and whose application is endorsed by his employer, a certificate setting forth that the person has been duly licensed to carry any weapon or weapons mentioned in this section during the working hours he is so employed. The foregoing certificate shall cease to be valid when the employee leaves the

employment of the employer who endorsed the application and shall be subject to termination as provided in this section. 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 commissioner. The commissioner shall make a permanent record of it in a suitable book or file kept for that purpose. That record shall include the date of issuance, the name, age, sex and street address of licensee, together with a complete description of the weapon, and in case of firearms, the caliber, make and number and a description of the licensee, and the descriptions shall be placed on the certificate. This section shall not be construed as prohibiting the carrying or wearing of such weapons by United States marshals, sheriffs and their deputies, constables, police officers, licensed private detectives and other officers charged with the enforcement of law. All licenses issued in accordance with this section shall authorize the person so licensed to carry such weapons throughout the State. Every licensee shall have his license in his immediate possession at all times when carrying a concealed weapon and shall display the same upon demand of any law enforcement officer. No person charged with failure to have his license in his immediate possession while carrying a concealed weapon may be convicted if he produces in court that license issued to him and valid at the time of the issuance of a court summons. If the person so charged exhibits the license to a law enforcement officer designated by the officer issuing the summons not later than 24 hours before the time set for the court appearance, then the complaint shall not be issued. Whoever violates any of the provisions of this section is guilty of a Class E crime.

Any certificate issued pursuant to this section is valid throughout the State.

STATEMENT OF FACT

The purpose of this bill is to transfer the power to issue concealed weapon permits to the Commissioner of Public Safety.