MAINE STATE LEGISLATURE

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2	(Filing No. H-1138)
4	(riling No. m-1138)
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8	STATE OF MAINE HOUSE OF REPRESENTATIVES 115TH LEGISLATURE
10	SECOND REGULAR SESSION
12	COMMITTEE AMENDMENT "H" to H.P. 1601, L.D. 2263, Bill, "A
14	Act to Repeal Increases in Concealed Weapons Permit Fees and t Increase the Fees Related to Arbitrations under the Lemon Law"
16 18	Amend the bill by striking out the title and substitutin the following:
20	'An Act Regarding Concealed Weapons Permit Fees'
22	Further amend the bill by striking out everything after th enacting clause and before the emergency clause and inserting i
24	its place the following:
26	'Sec. 1. 25 MRSA §2003, sub-§1, ¶E, as amended by PL 1991, c 591, Pt. EE, §1, is further amended by amending subparagraph (4):
28	(4) Submits an application fee of \$60 <u>\$30</u> for a
30	original application, \$15 \$20 of which must be retaine by the municipality and \$45 \$10 of which must be pai
32	over by the municipality to the Treasurer of State, an \$60 <u>\$15</u> for a renewal, \$15 <u>\$10</u> of which must be
34	retained by the municipality and \$45 <u>\$5</u> of which mus be paid over by the municipality to the Treasurer o
36	State, for a resident of the State. A person who paid \$60 for a concealed weapons permit or renewal during
38	1991 or 1992 is entitled to a credit toward renewal fees in an amount equal to \$30 for a person who paid
40	\$60 for an original application and \$45 for a person who paid \$60 for a permit renewal. The credit is valid
42	until fully utilized. The fee covers both the cost of processing the application by the issuing authority and
14	the cost of the permit to carry concealed firearms

issued by the issuing authority; and

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- Sec. 2. 25 MRSA \$2003, sub-\$7, as amended by PL 1991, c. 591, Pt. EE, \$2, is further amended to read:
- 7. Nonresident. Any nonresident who meets the requirements of this section may make an application to the Chief of the State Police and the application, fee and permit provisions of this section apply, except that a nonresident applicant shall submit an application fee of \$80-which \$60 that must be paid to the Treasurer of State. A person who paid \$80 for a permit during 1991 or 1992 is entitled to a \$20 credit toward permit renewal fees. The fee required under this subsection must be applied to the expenses of administering this subsection.
- Sec. 3. 25 MRSA §2003, sub-§§8 and 12, as enacted by PL 1985, c. 478, §2, are amended to read:
 - 8. Term of permit. All concealed firearm permits are valid for 3 years from the date of issue, unless sooner revoked for cause by the issuing authority. If a permit renewal is issued before the expiration date of the permit being renewed, the permit renewal is valid for 3 years from the expiration date of the permit being renewed.
 - 12. Permit for a resident of 5 or more years to be issued or denied within 30 days; permit for a nonresident and resident of less than 5 years to be issued or denied within 60 days. The issuing authority, as defined in this chapter, shall issue or deny, and reply in writing as to the reason for any denial, within 30 days of the application date in the case of a resident of 5 or more years and within 60 days of the application date in the case of a nonresident or in the case of a resident of less than 5 years. If the issuing authority does not issue or deny a request for a permit renewal within the time limits specified in this subsection, the validity of the expired permit is extended until the issuing authority issues or denies the renewal.

Sec. 4. 25 MRSA §2003, sub-§13 is enacted to read:

40 <u>13. Fee waiver. An issuing authority may waive the permit</u> fee for a permit issued to a law enforcement officer certified by 42 the Maine Criminal Justice Academy.

FISCAL NOTE

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1991-92 1992-93

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year 1991-92 and \$355,000 in fiscal year 1992-93.'

REVENUES

General Fund (\$88,750) (\$355,000)

Changing the fee structure for concealed weapons permits and renewals will reduce General Fund revenue by \$88,750 in fiscal

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STATEMENT OF FACT

The amendment replaces the bill. The amendment makes it clear that an issuing authority may waive the permit fee for a concealed weapons permit issued to a law enforcement officer.

The amendment changes the fee structure for concealed weapons permits and renewals. Current law provides for a fee of \$60 for issuance or renewal for Maine residents and \$80 for nonresidents. The bill lowered the fees for residents to the level existing before passage of Public Law 1991, chapter 591, which was \$20 for initial issuance and \$10 for renewal. The amendment sets the fees at 150% of the rate existing before passage of Public Law 1991, chapter 591. The amendment provides a \$30 fee for issuance and \$15 for renewal of a permit for residents and a \$60 fee for nonresidents. The issuing authority retains \$20 for issuance and \$10 for renewal of resident permits, and the remainder of the fee is deposited in the General Fund. The amendment also grants a credit to persons who paid the higher rate, equal to the difference between the higher rate and the rate established in the amendment.

The amendment extends the term of a concealed weapons permit if the issuing authority fails to issue or deny a permit renewal application within the time limits set in law. The amendment also provides that a permit renewed before the expiration of the original permit is effective from the date of expiration of the original permit, not the date of issuance, of the renewal.

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Finally, the amendment deletes the portions of the bill that increase the lemon law arbitration fee and that exempt law enforcement officers from paying the fee for a concealed weapons permit.

Reported by the Committee on Legal Affairs
Reproduced and distributed under the direction of the Clerk of the
House
3/17/92 (Filing No. H-1138)

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