

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2263

H.P. 1601

House of Representatives, January 30, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative PARADIS of Augusta.

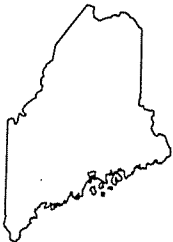
Cosponsored by Representative FARNUM of South Berwick, Representative CLARK of Millinocket, Representative MICHAUD of East Millinocket, Senator SUMMERS of York, Representative ROTONDI of Athens, and Representative TOWNSEND of Eastport.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

**An Act to Repeal Increases in Concealed Weapons Permit Fees and to
Increase the Fees Related to Arbitrations under the Lemon Law.**

(EMERGENCY)



2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, legislation passed in the First Regular Session of
6 the 115th Legislature increased the application fee for a
concealed weapon permit; and

8 Whereas, applicants are paying the new fee for permits that
10 are now being issued; and

12 Whereas, emergency enactment of this legislation will reduce
the fee for concealed weapon permits and avoid overburdening the
14 applicants requesting concealed weapon permits; and

16 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
18 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
20 safety; now, therefore,

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

24 **Sec. 1. 10 MRSA §1169, sub-§11**, as enacted by PL 1989, c. 570,
§5, is amended to read:

26 **11. New car arbitration account.** To defray the costs of
28 this program, a ~~\$1~~ \$5 arbitration fee shall must be collected by
the authorized dealer from the purchaser as part of the new motor
30 vehicle sale agreement. Pursuant to rules adopted by the
Secretary of State, this fee shall must be forwarded annually by
32 the dealer or its successor to the Secretary of State and
deposited in the General Fund. At the end of each fiscal year,
34 the Department of the Attorney General shall prepare a report
listing the annual money generated and the expenses incurred in
36 administering this arbitration program.

38 **Sec. 2. 25 MRSA §2003, sub-§1, ¶E**, as amended by PL 1991, c.
591, Pt. EE, §1, is further amended by repealing subparagraph (4)
40 and enacting the following in its place:

42 (4) Submits an application fee not to exceed \$20 for
44 an original application and \$10 for a renewal for a
resident of the State. The fee covers both the cost of
46 processing the application by the issuing authority and
the cost of the permit to carry concealed firearms
48 issued by the issuing authority; and

50 **Sec. 3. 25 MRSA §2003, sub-§13** is enacted to read:

2 13. Exempt. Upon the approval of the issuing authority,
3 law enforcement officers who are certified by the Maine Criminal
4 Justice Academy are exempt from the cost of a permit to carry a
5 concealed weapon.

6 **Emergency clause.** In view of the emergency cited in the
7 preamble, this Act takes effect when approved.
8

10 **STATEMENT OF FACT**

12 This bill increases the arbitration fees now charged on the
13 sale of automobiles from \$1 to \$5. This bill also repeals the
14 recently enacted increase in concealed weapons permit fees. The
15 bill also exempts law enforcement officers who are certified by
16 the Maine Criminal Justice Academy to carry firearms from the
17 cost of the permit to carry a concealed weapon. The issuing
18 authority must give its permission to waive the fee before a law
19 enforcement officer may be exempt from paying the fee.
20