

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1183, Bill, "An Act Establishing Weapons License Reciprocity"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 25 MRSA §2001, sub-§4, as amended by PL 1989, c. 917, §4, is repealed and the following enacted in its place:

4. Full-time law enforcement officers. Full-time law enforcement officers of this State, another state or the United States, on or off duty, subject to limitations imposed by their employers;

Sec. 2. 25 MRSA §2001, sub-§4-A is enacted to read:

4-A. Maine corrections officers and part-time law enforcement officers. Maine corrections officers and law enforcement officers, other than full-time law enforcement officers, of this State, another state or the United States, on or off duty, as permitted in writing by their employers;

Sec. 3. 25 MRSA §2001, sub-§5, as amended by PL 1989, c. 917, §5, is further amended to read:

5. Private investigators. Firearms carried by private investigators licensed under Title 32, chapter 89, while performing the duties of a private investigator unless the licensee's right to carry a concealed firearm has been suspended;

2 **Sec. 4. 25 MRSA §2001, sub-§6**, as enacted by PL 1989, c. 917,
§6, is amended to read:

4 **6. Licensed hunters and trappers.** Firearms carried by any
6 person engaged in conduct for which a state-issued hunting or
trapping license is required and possessing the required license,
8 or firearms carried by a resident person engaged in conduct
expressly authorized by Title 12, section 7377, subsections 1 and
2. This subsection does not authorize or permit the carrying of
10 a concealed or loaded firearm in a motor vehicle; or

12 **Sec. 5. 25 MRSA §2001, sub-§7** is enacted to read:

14 **7. Holder of valid concealed firearm permit.** A person to
whom a valid permit to carry a concealed firearm has been issued
16 by a New England state provided:

18 A. The New England state issuing the permit reciprocally
exempts holders of valid Maine-issued concealed firearm
20 permits from having to apply for and obtain a permit from
that state to carry a concealed firearm in that state;

22 B. The New England state issuing the permit has adopted
statutory requirements for the issuance of that state's
24 permits to carry concealed firearms no less stringent than
required by this chapter; and

26 C. The Chief of the Maine State Police certifies both that
the issuing New England state meets the requirements of
28 paragraphs A and B and that the investigative process used
30 by an issuing agency of that state to determine whether an
applicant meets that state's statutory requirements is
32 adequate.

34 **Sec. 6. 25 MRSA §2002, sub-§8-A** is enacted to read:

36 **8-A. Full-time law enforcement officer.** "Full-time law
38 enforcement officer" has the same meaning as set forth in section
2801-A, subsection 4 for Maine law enforcement officers. A
40 "full-time law enforcement officer" of a jurisdiction other than
Maine is as defined by the law of the jurisdiction in which the
42 officer is sworn.

FISCAL NOTE

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1993-94 1994-95

REVENUES

General Fund (\$20,767) (\$27,690)

Establishing weapons license reciprocity will reduce the firearms license and permit fee collections of the Department of Public Safety. The estimated reductions of General Fund revenues are \$20,767 and \$27,690 in fiscal years 1993-94 and 1994-95, respectively.

The Department of Public Safety will incur some minor additional costs to monitor the permit process used by other issuing authorities. These costs can be absorbed within the department's existing budgeted resources.

STATEMENT OF FACT

This amendment modifies the current law that allows law enforcement officers and corrections officers of this State and from another jurisdiction to carry concealed firearms inside the State of Maine without first obtaining a permit as long as carrying a concealed firearm is permitted in writing by their employer. The amendment removes the "in writing" requirement for any full-time law enforcement officer of this State, another state or the United States but makes it subject to limitations actually imposed by the officer's employer.

The amendment retains the "in writing" requirement relative to part-time Maine law enforcement officers and Maine corrections officers, but precludes corrections officers and part-time law enforcement officers from other jurisdictions from carrying a concealed firearm in Maine without having a valid Maine permit.

The amendment defines "full-time law enforcement officer."

The amendment allows a person who has been issued a valid permit by a New England state to carry a concealed firearm in the State of Maine without having obtained a Maine permit if that New England state extends the same courtesy to Maine permit holders, utilizes statutory requirements for the issuance of its own permits to carry concealed firearms that are at least as stringent as those Maine uses and ensures that an adequate

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2 investigation process is in place and being utilized by the
issuing agency so that the statutory requirements are actually
being enforced.

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This amendment also adds a fiscal note.

REported by the Majority for the Committee on Legal Affairs.
Reproduced and Distributed Pursuant to Senate Rule 12.
(5/25/93) (Filing No. S-209)