

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

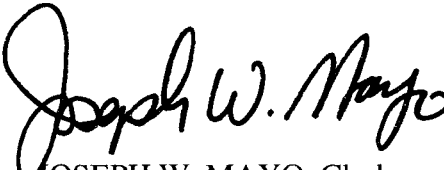
No. 839

H.P. 599

House of Representatives, January 28, 1999

**An Act to Ensure Proper Identification of Nonresident Concealed
Firearms Permit Applicants.**

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative POVICH of Ellsworth.
Cosponsored by Senator CAREY of Kennebec and
Representatives: CHIZMAR of Lisbon, McALEVEY of Waterboro, MUSE of South Portland.

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

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

Sec. 1. 25 MRSA §2003, sub-§1, ¶E, as amended by PL 1995, c. 560, Pt. K, §82 and affected by §83 is further amended to read:

E. Does the following:

(1) At the request of the issuing authority, takes whatever action is required by law to allow the issuing authority to obtain from the Department of Mental Health, Mental Retardation and Substance Abuse Services, limited to records of patient committals to Augusta Mental Health Institute and Bangor Mental Health Institute, the courts, law enforcement agencies and the military information relevant to the following:

(a) The ascertainment of whether the information supplied on the application or any documents made a part of the application is true and correct;

(b) The ascertainment of whether each of the additional requirements of this section has been met; and

(c) Section 2005;

(2) If a photograph is an integral part of the permit to carry concealed firearms adopted by an issuing authority, submits to being photographed for that purpose;

(3) If the applicant is a resident and it becomes necessary to resolve any questions as to identity, submits to having fingerprints taken by the issuing authority;

(4) Submits an application fee along with the written application to the proper issuing authority pursuant to the following schedule:

(a) Resident of a municipality or unorganized territory, \$35 for an original application and \$20 for a renewal, except that a person who paid \$60 for a concealed firearms permit or renewal during 1991 or 1992 is entitled to a credit toward renewal fees in an amount equal to \$30 for a person who paid \$60 for an original application and \$45 for a person who paid \$60 for a permit renewal. The credit is valid until fully utilized; and

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

(b) Nonresident, \$60 for an original or renewal application, except that a person who paid \$80 for a concealed firearms permit during 1991 or 1992 is entitled to a \$20 credit toward permit renewal fees. The credit is valid until fully utilized; and

(5) Demonstrates to the issuing authority a knowledge of handgun safety. The applicant may fully satisfy this requirement by submitting to the issuing authority, through documentation in accordance with this subparagraph, proof that the applicant has within 5 years prior to the date of application completed a course that included handgun safety offered by or under the supervision of a federal, state, county or municipal law enforcement agency or a firearms instructor certified by a private firearms association recognized as knowledgeable in matters of firearms safety by the issuing authority or by the state in which the course was taken. A course completion certificate or other document, or a photocopy, is sufficient if it recites or otherwise demonstrates that the course meets all of the requirements of this subparagraph.

As an alternative way of fully satisfying this requirement, an applicant may personally demonstrate knowledge of handgun safety to an issuing authority, if the issuing authority is willing to evaluate an applicant's personal demonstration of such knowledge. The issuing authority is not required to offer this 2nd option.

The demonstration of knowledge of handgun safety to the issuing authority may not be required of any applicant who holds a valid State Maine permit to carry a concealed firearm as of April 15, 1990 or of any applicant who was or is in any of the Armed Forces of the United States and has received at least basic firearms training; and

(6) If the applicant is a nonresident, the applicant submits:

(a) To having that applicant's fingerprints taken for the purpose of obtaining state and national criminal history record information at a location in the State and time designated by the Chief of the State Police; and

2 (b) The fee required by the Federal Bureau of
3 Investigation to perform a national criminal
4 history record check.

6 **Sec. 2. 25 MRSA §2003, sub-§17 is enacted to read:**

8 17. Applicant's access to criminal history record check.
9 The subject of a Federal Bureau of Investigation criminal history
10 record check may obtain a copy of a criminal history record check
11 by following the procedures outlined in 28 Code of Federal
12 Regulations, 16.32 to 16.33(1998). The subject of a state
13 criminal record check may inspect and review criminal record
14 information pursuant to Title 16, section 620.

16

SUMMARY

18

19 This bill requires a nonresident applicant for a concealed
20 firearms permit to submit fingerprints at a location in the State
21 and at a time specified by the Chief of the State Police for the
22 purpose of conducting fingerprint-based state and national
 criminal record information checks.