

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2192

H.P. 1537

House of Representatives, April 13, 1999

**An Act to Prohibit Law Suits by Municipalities Against Firearm or
Ammunition Manufacturers.**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: BROOKS of Winterport, DUGAY of Cherryfield, JOY of Crystal,
SCHNEIDER of Durham, SHERMAN of Hodgdon, Senators: KIEFFER of Aroostook,
KILKELLY of Lincoln.

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

Whereas, the authority of municipalities to bring certain civil actions against firearm or ammunition manufacturers needs to be addressed; and

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

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

Sec. 1. 30-A MRSA §2005 is enacted to read:

\$2005. Civil action against firearm and ammunition manufacturers

A municipality may not commence a civil action against any firearm or ammunition manufacturer for damages, abatement or injunctive relief resulting from or relating to the lawful design, manufacture, marketing or sale of firearms or ammunition to the public. This section does not prohibit a municipality from bringing an action against a firearm or ammunition manufacturer or dealer for breach of contract or warranty for firearms or ammunition purchased by a municipality.

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

SUMMARY

This bill prohibits a municipality from bringing certain civil actions against firearm or ammunition manufacturers.