

MAINE STATE LEGISLATURE

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L.D. 2494

DATE: 3-23-00

(Filing No. H-923)

**MINORITY
CRIMINAL JUSTICE**

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1780, L.D. 2494, "Resolve, to Create a Commission to Study the Regulation of Firearms in Maine"

Amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, this resolve creates the Commission to Study the Regulation of Firearms in Maine; and

Whereas, enforcement of existing laws regarding the manufacture, sale and possession of handguns requires review and evaluation to ensure the safety of Maine's citizens, especially children; and

Whereas, identifying effective handgun education and resources to adequately provide such education is also important to ensure safety; 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

Sec. 1. Commission established. Resolved: That the Commission to Study the Regulation of Firearms in Maine, referred to in this resolve as the "commission," is established; and be it further

COMMITTEE AMENDMENT

2 **Sec. 2. Commission membership. Resolved:** That the commission
consists of 15 members as follows:

4 1. Three members of the Senate appointed by the President
6 of the Senate;

8 2. Four members of the House of Representatives appointed
by the Speaker of the House;

10 3. The Attorney General or the Attorney General's designee;

12 4. The President of the Maine Education Association or the
14 president's designee;

16 5. The President of the Maine Emergency Physicians
Association or the president's designee;

18 6. The northeast regional representative of the National
20 Rifle Association or the representative's designee;

22 7. The Executive Director of the Sportsman's Alliance of
Maine or the executive director's designee;

24 8. The Chair of the Maine Commission on Domestic Abuse or
26 the chair's designee;

28 9. The President of the Maine Citizens Against Handgun
Violence or the president's designee; and

30 10. The President of the Maine Chiefs of Police or the
32 president's designee; and be it further

34 **Sec. 3. Chairs. Resolved:** That the first Senate member named
is the Senate chair and the first House member named is the House
36 chair; and be it further

38 **Sec. 4. Appointments. Resolved:** That appointments of members
of the commission must be made no later than 30 days after the
40 effective date of this resolve. Appointing authorities shall
notify the Executive Director of the Legislative Council once the
42 selections have been made. The chairs of the commission shall
call and convene the first meeting of the commission no later
44 than July 1, 2000; and be it further

46 **Sec. 5. Duties. Resolved:** That the commission shall invite the
participation of experts and interested parties, gather
48 information and request necessary data from public and private
entities in order to:

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1. Review existing federal and state laws regarding the manufacture, sale, possession and use of handguns; identify barriers to enforcement of those laws in Maine; and propose changes to those laws if necessary;

2. Use the principles of responsible gun ownership to identify methods to improve safety and protect citizens from unintended, as well as intended, injury; and

3. Identify effective handgun-related educational programs that prevent misuse and abuse of handguns for all age groups and identify a sustainable funding source to ensure that these programs are available to all; and be it further

Sec. 6. Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 7. Expenses. Resolved: That the legislative members of the commission are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at the authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the commission; and be it further

Sec. 8. Report. Resolved: That the commission shall submit a report with any implementing legislation to the First Regular Session of the 120th Legislature by November 1, 2000. If the commission requires a limited extension of time to conclude its study and make its report, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 9. Budget. Resolved: That the chairs of the commission, with assistance from commission staff, shall administer the commission budget. The commission may not incur expenses that would result in the commission exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall provide the commission chairs and staff with a status report of the commission budget, expenditures incurred and paid and available funds; and be it further

Sec. 10. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

2000-01

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SUMMARY

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6 This amendment replaces the bill and is the minority report
of the Joint Standing Committee on Criminal Justice. The
8 amendment creates a 15-member study commission to review existing
federal and state laws regarding the manufacture, sale,
10 possession and use of handguns; to identify barriers to
enforcement of those laws in Maine; to propose changes to those
12 laws if necessary; to use the principles of responsible gun
ownership to identify methods to improve safety and protect
14 citizens from unintended, as well as intended, injury; and to
identify effective handgun-related educational programs that
16 prevent misuse and abuse of handguns for all age groups and
identify a sustainable funding source to ensure that these
18 programs are available to all. The commission shall report its
findings and any recommended legislation to the First Regular
20 Session of the 120th Legislature by November 1, 2000. The
amendment also adds an appropriation and a fiscal note.