

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)



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 885

S.P. 255

In Senate, February 15, 2001

**An Act to Prohibit Issuance of a Concealed Firearms Permit to the
Subject of a Permanent Protection from Abuse Order.**

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DOUGLASS of Androscoggin.
Cosponsored by Senators: BROMLEY of Cumberland, EDMONDS of Cumberland.

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

2
3 **Sec. 1. 25 MRSA §2003, sub-§1, ¶D**, as amended by PL 1993, c.
4 524, §§6 and 7, is further amended by amending subparagraph (5),
5 division (s) to read:

6
7 (s) Have you been adjudicated within the past 5
8 years as having committed the juvenile crime
9 defined in Title 15, section 3103, subsection 1,
10 paragraph B of possession of a useable amount of
11 marijuana, as provided in Title 22, section 2383?;
12 and

13
14 **Sec. 2. 25 MRSA §2003, sub-§1, ¶E**, as amended by PL 1993, c.
15 524, §8 and PL 1995, c. 560, Pt. K, §82 and affected by §83, is
16 further amended by amending subparagraph (5) to read:

17 (5) Demonstrates to the issuing authority a knowledge
18 of handgun safety. The applicant may fully satisfy
19 this requirement by submitting to the issuing
20 authority, through documentation in accordance with
21 this subparagraph, proof that the applicant has within
22 5 years prior to the date of application completed a
23 course that included handgun safety offered by or under
24 the supervision of a federal, state, county or
25 municipal law enforcement agency or a firearms
26 instructor certified by a private firearms association
27 recognized as knowledgeable in matters of firearms
28 safety by the issuing authority or by the state in
29 which the course was taken. A course completion
30 certificate or other document, or a photocopy, is
31 sufficient if it recites or otherwise demonstrates that
32 the course meets all of the requirements of this
33 subparagraph.

34
35 As an alternative way of fully satisfying this
36 requirement, an applicant may personally demonstrate
37 knowledge of handgun safety to an issuing authority, if
38 the issuing authority is willing to evaluate an
39 applicant's personal demonstration of such knowledge.
40 The issuing authority is not required to offer this 2nd
41 option.

42
43 The demonstration of knowledge of handgun safety to the
44 issuing authority may not be required of any applicant
45 who holds a valid State state permit to carry a
46 concealed firearm as of April 15, 1990 or of any
47 applicant who was or is in any of the Armed Forces of
48 the United States and has received at least basic
49 firearms training; and

2
4
6
8
10
12
14
16

Sec. 3. 25 MRSA §2003, sub-§1, ¶F is enacted to read:

F. Has not been the subject of a permanent protection from abuse order under Title 19-A, chapter 101 within 2 years of the date of the application.

SUMMARY

This bill prohibits the issuance of concealed firearms permits to those who have recently demonstrated a propensity for violent behavior. Specifically, the bill requires that an applicant not have been ordered by a judge within the previous 2 years to cease potentially violent behavior toward another family or household member.