

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 874

H.P. 624

House of Representatives, February 22, 2005

An Act To Amend the Laws Governing Concealed Firearms Permits

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CEBRA of Naples.
Cosponsored by Representative VAUGHAN of Durham and
Representatives: BERUBE of Lisbon, CRESSEY of Cornish, FLETCHER of Winslow,
HAMPER of Oxford, LANSLEY of Sabattus, ROBINSON of Raymond, Senator: SNOWE-
MELLO of Androscoggin.

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

Sec. 1. 25 MRSA §2001-A, sub-§2, ¶F, as enacted by PL 2003, c. 452, Pt. N, §2 and affected by Pt. X, §2, is amended to read:

F. A firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued by another state if a permit to carry a concealed firearm issued from that state has been granted reciprocity. The Chief of the State Police ~~may~~ shall enter into ~~reciprocity~~ reciprocity agreements with 2 other states. ~~---Reciprocity---may---be---granted to grant reciprocity~~ to a permit to carry a concealed firearm issued from another state if:

(1) The other state that issued the permit to carry a concealed firearm has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed firearm; and

(2) The other state that issued the permit to carry a concealed firearm observes the same rules of reciprocity in regards to a person issued a permit to carry a concealed firearm under this chapter.

Sec. 2. 25 MRSA §2003, sub-§1, as amended by PL 2003, c. 341, §§3 and 4 and c. 689, Pt. B, §6, is further amended by amending the first paragraph to read:

1. Criteria for issuing permit. The issuing authority shall, upon written application, issue a permit to carry concealed firearms to an applicant over whom it has issuing authority and who ~~has demonstrated good moral character and who~~ meets the following requirements:

Sec. 3. 25 MRSA §2003, sub-§2, ¶A-2, as enacted by PL 2003, c. 341, §6, is amended to read:

A-2. That the applicant understands that an affirmative answer to subsection 1, paragraph D, subparagraph (5), division (p) is cause for refusal if the order of the court meets the preconditions contained in Title 15, section 393, subsection 1, paragraph D. ~~---If the order of the court does not meet the preconditions, the conduct underlying the order may be used by the issuing authority, along with other information, in judging good moral character under subsection 4;~~

Sec. 4. 25 MRSA §2003, sub-§2, ¶B, as amended by PL 2003, c. 341, §7, is further amended to read:

2 B. That the applicant understands that an affirmative
3 answer to one or more of the questions in subsection 1,
4 paragraph D, subparagraph (5), divisions (a), (k), (n) or
5 (q) to (x) is cause for refusal; and

6
7 **Sec. 5. 25 MRSA §2003, sub-§2, ¶B-1**, as amended by PL 2003, c.
8 341, §8, is repealed.

9
10 **Sec. 6. 25 MRSA §2003, sub-§4**, as amended by PL 1995, c. 694,
11 Pt. D, §51 and affected by Pt. E, §2, is repealed.

12
13 **Sec. 7. 25 MRSA §2003, sub-§5**, as amended by PL 1995, c. 694,
14 Pt. D, §52 and affected by Pt. E, §2, is further amended to read:

15 **5. Access to confidential records.** Notwithstanding that
16 certain records retained by governmental entities are by law made
17 confidential, the records pertaining to patient committals to
18 ~~Augusta Mental Health Institute~~ Riverview Psychiatric Center and
19 Bangor Mental Health Institute, and records compiled pursuant to
20 Title 19-A, section 4012, subsection 1, that are necessary to the
21 issuing authority's determination of the applicant's ~~good-moral~~
22 ~~character~~ and compliance with the additional requirements of this
23 section and of section 2005 must, at the request of the issuing
24 authority, be made available for inspection by and dissemination
25 to the issuing authority.

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SUMMARY

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31 This bill amends the concealed firearms permit requirements
32 in the following ways.

33 1. Under current law, the Chief of the State Police is
34 permitted to enter into a reciprocity agreement with 2 other
35 states regarding the carrying of a concealed firearm. This bill
36 removes the limit and requires the Chief of the State Police to
37 enter into a reciprocity agreement with another state if that
38 other state has equal or stricter concealed firearms permit
39 requirements and the other state grants reciprocity to concealed
40 firearms permits issued in the State.

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43 2. This bill removes the requirement that the applicant for
44 a concealed firearms permit be of "good moral character."