

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1164

H.P. 807

House of Representatives, March 8, 2005

An Act Regarding the Bureau of State Police, Licensing Division

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative BLANCHETTE of Bangor.
Cosponsored by Senator CLUKEY of Aroostook and
Representative: PATRICK of Rumford, Senator: GAGNON of Kennebec.

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

2 **Sec. 1. 15 MRSA §393, sub-§6**, as enacted by PL 1977, c. 225,
4 §2, is amended to read:

6 **6. Filing fee.** The commissioner may establish a reasonable
filing fee not to exceed ~~\$25~~ \$50 to defray costs of processing
8 applications.

10 **Sec. 2. 17 MRSA §314, 2nd ¶**, as amended by PL 1997, c. 684,
12 §1, is further amended to read:

The fee for such a license to any nonprofit organization is
14 ~~\$12.00~~ \$14.25 for each calendar week, or portion thereof, that
the amusement is to be operated, or the license may be issued for
16 a calendar month for a fee of ~~\$36.00~~ \$42.50 or a calendar year
for a fee of ~~\$400~~ \$472. A special per-game license may be issued
18 to any qualified nonprofit organization for the purposes of
operating a game of "beano" or "bingo" for a fee of \$5.00. The
20 special per-game license may not be issued more than 6 times to
any one organization in a calendar year. All license fees must
22 be paid to the Treasurer of State to be credited to the General
Fund. A license is not assignable or transferable. Nothing
24 contained in this section may be construed to prohibit any
volunteer fire department or any agricultural fair association or
26 bona fide nonprofit charitable, educational, political, civic,
recreational, fraternal, patriotic, religious, or veterans'
28 organization or auxiliary of any of them from obtaining licenses
for a period not to exceed 6 months on one application. No more
30 than one license may be issued to any organization for any one
period. No more than one licensee may operate or conduct a game
32 of "beano" or "bingo" on the same premises on the same date.

34 **Sec. 3. 17 MRSA §339, sub-§1**, as amended by PL 1991, c. 591,
Pt. H, §2, is further amended to read:

36 **1. Original application fee.** The original application for a
38 license to operate a game of chance must be accompanied by a fee
of ~~\$7.50~~ \$15. This is not a fee for a license and is not
40 refundable.

42 **Sec. 4. 17 MRSA §339, sub-§2**, as amended by PL 1997, c. 684,
44 §6, is further amended to read:

46 **2. Operation of games of chance.** Except as provided in
subsection 3, the fee for a license to operate a game of chance
is ~~\$15~~ \$17.50 for each week computed on a Monday to Sunday basis
48 or portion thereof. The license may be issued for a calendar
month for a fee of ~~\$60~~ \$70 or for a calendar year for a fee of
50 ~~\$700~~ \$820.

2 Any combination of monthly or weekly licenses may be issued.
3 Except as provided in subsection 3, licenses to conduct any
4 authorized game of chance may be issued for a period not to
5 exceed 6 months on one application.

6
7 **Sec. 5. 17 MRSA §339, sub-§§2-A to 5**, as amended by PL 1991, c.
8 591, Pt. H, §2, are further amended to read:

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10 **2-A. Operation of electronic video machines.** The fee for a
11 game of chance license to operate an electronic video machine is
12 ~~\$15~~ \$30 for each week computed on a Monday to Sunday basis or
13 portion of a week. The license may be issued for a calendar
14 month for a fee of ~~\$60~~ \$120.

15 Any combination of monthly or weekly licenses may be issued.
16 Licenses to operate an authorized electronic video machine may be
17 issued for a period not to exceed 6 months on one application.

18
19 **3. Games of cards.** The fee for a license issued to an
20 organization to operate a game of cards, when the organization
21 charges no more than \$1 daily entry fee for participation in the
22 games of cards and when no money or valuable thing other than the
23 \$1 daily entry fee is gambled by any person in connection with
24 the game of cards, is ~~\$7.50~~ \$15 for each calendar year or portion
25 thereof.

26
27 **4. Distributors.** The fee for a license issued to a
28 distributor is ~~\$625~~ \$750 for each calendar year or portion
29 thereof.

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31 **5. Printers.** The fee for a license issued to a printer is
32 ~~\$15~~ \$500 for each calendar year or portion thereof.

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34 **Sec. 6. 25 MRSA §2003, sub-§1, ¶E**, as amended by PL 1993, c.
35 524, §8 and PL 2003, c. 689, Pt. B, §6, is further amended to
36 read:

37
38 E. Does the following:

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40 (1) At the request of the issuing authority, takes
41 whatever action is required by law to allow the issuing
42 authority to obtain from the Department of Health and
43 Human Services, limited to records of patient
44 committals to Augusta Mental Health Institute and
45 Bangor Mental Health Institute, the courts, law
46 enforcement agencies and the military information
47 relevant to the following:
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(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 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~~ \$60 for an original or renewal 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

(b) Nonresident, ~~\$60~~ \$120 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

2 instructor certified by a private firearms association
3 recognized as knowledgeable in matters of firearms
4 safety by the issuing authority or by the state in
5 which the course was taken. A course completion
6 certificate or other document, or a photocopy, is
7 sufficient if it recites or otherwise demonstrates that
8 the course meets all of the requirements of this
subparagraph.

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

18 The demonstration of knowledge of handgun safety to the
19 issuing authority may not be required of any applicant
20 who holds a valid ~~State~~ state permit to carry a
21 concealed firearm as of April 15, 1990 or of any
22 applicant who was or is in any of the Armed Forces of
23 the United States and has received at least basic
24 firearms training.

26 **Sec. 7. 32 MRSA §8117, sub-§1**, as amended by PL 2003, c. 620,
27 §4, is further amended to read:

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29 **1. Amount.** The fee for an original biennial license is ~~\$400~~
30 ~~\$600~~, of which ~~\$50~~ ~~\$100~~ must be submitted with the application
31 and ~~\$350~~ ~~\$500~~ must be submitted upon issuance of the license.
32 The fee for a 4-year renewal is ~~\$400~~ ~~\$600~~, which is refundable
33 upon denial of renewal. The fee for an investigative assistant's
34 license is \$600, of which \$200 must be submitted with the
35 application and \$400 must be submitted upon issuance of the
36 license.

38 **Sec. 8. 32 MRSA §9407, sub-§1**, as amended by PL 1983, c. 221,
39 §3, is further amended to read:

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41 **1. Application; fee.** Applications for original licenses
42 shall ~~must~~ be made to the commissioner on forms prescribed by him
43 ~~the commissioner~~ with respect to the requirements of section
44 9405. The fee for a license application is ~~\$400~~ ~~\$750~~, of which
45 \$100 must be submitted with the application and ~~\$300~~ ~~\$650~~ must be
46 submitted upon issuance of the license. In addition to the
47 remainder of the fee for the license application, the applicant
48 shall submit \$10 for each employee on the list required to be
49 submitted pursuant to section 9405, subsection 1-A, paragraph F,
50 subparagraph (6), upon issuance of the license. If the
previously issued license has expired and has not been renewed

2 within a period of 60 days, the application shall must be
3 considered the original application and the same fees and all
4 requirements of an original application shall apply.

5 **Sec. 9. 32 MRSA §9408**, as amended by PL 1983, c. 221, §4, is
6 further amended to read:

7 **§9408. Renewal of license**

8 Each contract security company license shall ~~be~~ is issued
9 for a term of one year and is, unless revoked or suspended,
10 renewable annually. The fee for a license renewal is ~~\$200~~ \$500,
11 which is refundable upon denial of renewal. In addition to the
12 fee for the license renewal, the applicant shall submit \$10 for
13 each employee employed on the date of the license renewal who
14 performs security guard functions within the State.
15

16 **Sec. 10. 32 MRSA §9410-A, sub-§2**, as enacted by PL 1987, c.
17 170, §12, is amended to read:

18 **2. Reporting new security guards to commissioner.** A
19 licensee shall notify the commissioner of all employees who will
20 perform security guard functions in the State and who were not
21 listed in the application for a contract security company license
22 before the date that the employee begins to perform security
23 guard functions in the State. The notice shall must be made on
24 forms prescribed by the commissioner and accompanied by \$10 for
25 each employee listed on the notice. The forms shall must
26 contain, but are not be limited to, the following information:
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28 A. The employee's full name;

29 B. The employee's full current address and addresses for
30 the prior 5 years; and

31 C. The employee's date and place of birth, height, weight
32 and color of eyes.

33 **SUMMARY**

34 This bill adjusts fees collected for issuance of licenses
35 and permits for games of chance and beano, contract security
36 guard companies, private investigators and firearms. The
37 Department of Public Safety, Bureau of State Police, Licensing
38 Division issues these licenses and permits.
39