

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)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 778

S.P. 238

February 15, 2007

An Act To Enhance the Qualifications for a Concealed Firearms Permit

Reference to the Committee on Criminal Justice and Public Safety 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 TURNER of Cumberland.
Cosponsored by Senator: STRIMLING of Cumberland, Representatives: FLOOD of Winthrop,
WOODBURY of Yarmouth.

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

2 **Sec. 1. 25 MRSA §2003, sub-§1, ¶E**, as amended by PL 1993, c. 524, §8 and PL
3 2005, c. 236, §§3 and 4, is further amended to read:

4 E. Does the following:

5 (1) At the request of the issuing authority, takes whatever action is required by
6 law to allow the issuing authority to obtain from the Department of Health and
7 Human Services, limited to records of patient committals to Riverview
8 Psychiatric Center and Dorothea Dix Psychiatric Center, the courts, law
9 enforcement agencies and the military information relevant to the following:

10 (a) The ascertainment of whether the information supplied on the application
11 or any documents made a part of the application is true and correct;

12 (b) The ascertainment of whether each of the additional requirements of this
13 section has been met; and

14 (c) Section 2005;

15 (2) If a photograph is an integral part of the permit to carry concealed firearms
16 adopted by an issuing authority, submits to being photographed for that purpose;

17 (3) If it becomes necessary to resolve any questions as to identity, submits to
18 having fingerprints taken by the issuing authority;

19 (4) Submits an application fee along with the written application to the proper
20 issuing authority pursuant to the following schedule:

21 (a) Resident of a municipality or unorganized territory, \$35 for an original
22 application and \$20 for a renewal, except that a person who paid \$60 for a
23 concealed firearms permit or renewal during 1991 or 1992 is entitled to a
24 credit toward renewal fees in an amount equal to \$30 for a person who paid
25 \$60 for an original application and \$45 for a person who paid \$60 for a
26 permit renewal. The credit is valid until fully utilized; and

27 (b) Nonresident, \$60 for an original or renewal application, except that a
28 person who paid \$80 for a concealed firearms permit during 1991 or 1992 is
29 entitled to a \$20 credit toward permit renewal fees. The credit is valid until
30 fully utilized; and

31 (5) Demonstrates to the issuing authority a knowledge of ~~handgun~~ minimal
32 firearms safety by completing a firearms safety course. The applicant ~~may fully~~
33 ~~satisfy this requirement by submitting~~ shall submit to the issuing authority,
34 through documentation in accordance with this subparagraph, proof that the
35 applicant has ~~within 5 years prior to the date of application~~ completed a course
36 that included ~~handgun~~ firearms safety offered by or under the supervision of a
37 federal, state, county or municipal law enforcement agency or a firearms
38 instructor certified by a private firearms association recognized as knowledgeable
39 in matters of firearms safety by the issuing authority or by the state in which the
40 course was taken. The course must be at least 6 hours in length and include
41 relevant state and federal law, basic defensive marksmanship, gun safety, civic

1 responsibility, appropriate conduct while carrying a firearm and the moral and
2 ethical issues surrounding the potential use of firearms as a means of self-
3 defense. A course completion certificate or other document, or a photocopy, is
4 sufficient if it recites or otherwise demonstrates that the course meets all of the
5 requirements of this subparagraph.

6 ~~As an alternative way of fully satisfying this requirement, an applicant may~~
7 ~~personally demonstrate knowledge of handgun safety to an issuing authority, if~~
8 ~~the issuing authority is willing to evaluate an applicant's personal demonstration~~
9 ~~of such knowledge. The issuing authority is not required to offer this 2nd option.~~

10 ~~The demonstration of knowledge of handgun safety to the issuing authority may~~
11 ~~not be required of any applicant who holds a valid State permit to carry a~~
12 ~~concealed firearm as of April 15, 1990 or of any applicant who was or is in any~~
13 ~~of the Armed Forces of the United States and has received at least basic firearms~~
14 ~~training.~~

15 **Sec. 2. Concealed firearms permit renewal.** Upon the effective date of this
16 Act, a holder of a concealed firearms permit issued under the Maine Revised Statutes,
17 Title 25, chapter 252 must meet the requirements of Title 25, section 2003, subsection 1,
18 paragraph E upon renewal of the holder's concealed firearms permit.

19 **Sec. 3. Criteria for firearms safety course.** The Department of Public Safety
20 shall adopt major substantive rules pursuant to the Maine Revised Statutes, Title 5,
21 chapter 375, subchapter 2-A to establish criteria for a firearms safety course required
22 under Title 25, section 2003, subsection 1, paragraph E, subparagraph 5, that, along with
23 any requirement listed, must include a minimum of 6 hours total of the following
24 instruction:

25 1. Two hours of basic defensive handgun skills employing real firearms and
26 using either electronic marksmanship targets or live-fire at an established range. Lesson
27 content must include basic defensive marksmanship skills, safe firearms handling and
28 safe firearms storage;

29 2. One hour of strategies for effectively responding to or avoiding a violent
30 confrontation;

31 3. One hour of emotional and physiological responses to a confrontation, including
32 understanding and accommodating stress factors when engaged in a confrontational
33 situation;

34 4. One half hour of firearms selection criteria applicable to firearms commonly
35 employed in self-defense situations, with emphasis on firearms reliability and proper
36 cleaning and maintenance techniques;

37 5. One hour of state and federal firearms law that must be taught by either a licensed
38 attorney or qualified law enforcement officer concerning the possession and ownership of
39 firearms, the legal parameters governing the use of deadly force and exercising the right
40 of self-defense responsibly; and

