

# MAINE STATE LEGISLATURE

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MAJORITY

L.D. 1737

Date: 3-16-10

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CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 666, L.D. 1737, Bill, "An Act To Clarify Safety Requirements in Acadia National Park"

Amend the bill in section 1 in §756 in the first line in the headnote (page 1, line 3 in L.D.) by striking out the following: "National parks" and inserting the following: 'Acadia National Park'

Amend the bill in section 1 in §756 in subsection 2 in the first and 2nd lines (page 1, lines 10 and 11 in L.D.) by striking out the following: "possess a firearm in any unit of the United States National Park System located in the State" and inserting the following: 'use or possess a firearm in Acadia National Park'

Amend the bill in section 1 in §756 in subsection 2 in paragraph C in the last line (page 1, line 17 in L.D.) by striking out the following: "or"

Amend the bill in section 1 in §756 in subsection 2 in paragraph D in the last line (page 1, line 19 in L.D.) by striking out the following: "duties." and inserting the following: 'duties;'

Amend the bill in section 1 in §756 in subsection 2 by inserting after paragraph D the following:

'E. When the firearm is a concealed firearm carried by a qualified law enforcement officer pursuant to 18 United States Code, Section 926B. The law enforcement officer must have in the law enforcement officer's possession photographic identification issued by the law enforcement agency by which the person is employed as a law enforcement officer;

F. When the firearm is a concealed firearm carried by a qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C. The retired law enforcement officer must have in the retired law enforcement officer's possession:

(1) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer that indicates that the person has, not less recently than one year before the date the person is carrying the concealed firearm, been tested or otherwise found by the agency to

COMMITTEE AMENDMENT

1 meet the standards established by the agency for training and qualification for  
2 active law enforcement officers to carry a firearm of the same type as the  
3 concealed firearm; or

4 (2) Photographic identification issued by the law enforcement agency from  
5 which the person retired from service as a law enforcement officer and a  
6 certification issued by the state in which the person resides that indicates that the  
7 person has, not less recently than one year before the date the person is carrying  
8 the concealed firearm, been tested or otherwise found by the state to meet the  
9 standards established by the state for training and qualification for active law  
10 enforcement officers to carry a firearm of the same type as the concealed firearm;  
11 or

12 G. When the firearm is a concealed firearm carried by a person to whom a valid  
13 permit to carry a concealed firearm has been issued as provided in Title 25, chapter  
14 252. The person must have in that person's possession the permit as required in Title  
15 25, section 2003.'

16 Amend the bill in section 1 in §756 by adding at the end the following:

17 '3. Violations. The following penalties apply to violations of this section.

18 A. A person who possesses or uses a firearm in violation of subsection 2, paragraphs  
19 A to D commits a Class E crime, which is a strict liability crime as defined in Title  
20 17-A, section 34, subsection 4-A.

21 B. A person who possesses or uses a firearm in violation of subsection 2, paragraphs  
22 E to G commits a Class D crime, which is a strict liability crime as defined in Title  
23 17-A, section 34, subsection 4-A.

24 C. A person who is authorized to use or possess a firearm under subsection 2,  
25 paragraphs E to G who does not have the required identification or permit in that  
26 person's possession at all times when possessing or using the firearm commits a civil  
27 violation for which a fine of not more than \$100 may be adjudged.'

28 **SUMMARY**

29 This amendment is the majority report of the Joint Standing Committee on Criminal  
30 Justice and Public Safety and amends the bill to apply only to Acadia National Park. In  
31 addition to the exceptions to the prohibition for possession of a firearm provided in the  
32 bill, the amendment authorizes possession of a firearm when the firearm is a concealed  
33 firearm carried by a qualified law enforcement officer pursuant to 18 United States Code,  
34 Section 926B who possesses photographic identification; when the firearm is a concealed  
35 firearm carried by a qualified retired law enforcement officer pursuant to 18 United States  
36 Code, Section 926C who possesses photographic identification; or when the firearm is a  
37 concealed firearm carried by a person to whom a valid permit to carry a concealed  
38 firearm has been issued as provided in the Maine Revised Statutes, Title 25, chapter 252.  
39 This amendment also establishes penalties for violations of this prohibition.

40 **FISCAL NOTE REQUIRED**

41 (See attached)



# 124th MAINE LEGISLATURE

LD 1737

LR 2527(03)

**An Act To Clarify Safety Requirements in Acadia National Park**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Establishes new civil violations and new Class D and Class E crimes.  
The collection of additional fines may also increase General Fund revenue by minor amounts.