

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1737

S.P. 666

In Senate, January 14, 2010

An Act To Clarify Safety Requirements in Acadia National Park

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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 DAMON of Hancock.

Cosponsored by Representative FLEMINGS of Bar Harbor and

Representatives: EATON of Sullivan, MAZUREK of Rockland, Speaker PINGREE of North Haven.

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

2 **Sec. 1. 12 MRSA §756** is enacted to read:

3 **§756. National parks**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 **A. "Firearm"** has the same meaning as in section 10001, subsection 21.

7 **B. "Residential dwelling"** means a fixed housing structure that either is the principal
8 residence of its occupants or is occupied on a regular and recurring basis by its
9 occupants as an alternate residence or vacation home.

10 **2. Possession of firearms.** A person may not possess a firearm in any unit of the
11 United States National Park System located in the State except:

12 **A. Within a residential dwelling;**

13 **B. To the extent the firearm is used in connection with hunting when and where**
14 **authorized by state or federal law;**

15 **C. Within a mechanical mode of conveyance as long as the firearm is rendered**
16 **temporarily inoperable or is packed, cased or stored in a manner that prevents its**
17 **ready use; or**

18 **D. When the firearm is carried by an authorized federal, state or local law**
19 **enforcement officer in the performance of the officer's official duties.**

20 **Sec. 2. Maine Revised Statutes headnote amended; revision clause.** In the
21 Maine Revised Statutes, Title 12, chapter 209, in the chapter headnote, the words
22 "national forests" are amended to read "national forests and parks" and the Revisor of
23 Statutes shall implement this revision when updating, publishing or republishing the
24 statutes.

25 **SUMMARY**

26 The federal Credit Card Accountability Responsibility and Disclosure Act of 2009,
27 Public Law 111-24, Section 512 protects the states' right to set policy regarding the
28 possession of firearms in units of the United States National Park System located within
29 their borders. This bill promotes public safety and the preservation of wildlife and
30 maintains consistency with the State's laws governing the possession of firearms in state
31 parks by prohibiting, subject to certain exceptions, the possession of firearms in all units
32 of the United States National Park System within the State.