

# MAINE STATE LEGISLATURE

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Date: 3/24/14

Majority

L.D. 222  
(Filing No. H-730)

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 183, L.D. 222, Bill, "An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun"

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding the Issuance of a Permit To Carry a Concealed Handgun'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 25 MRSA §2002, sub-§9, ¶A,** as enacted by PL 1993, c. 524, §2, is amended to read:

A. To a legal resident of a municipality:

- (1) ~~The mayor and municipal officers or councilors of a city, the municipal officers or councilors of a town or the assessors of a plantation or, if they so choose, their full-time chief of police as their designee~~ full-time chief of police of a municipality; or
- (2) ~~The Chief of the State Police as the designee of the municipal officers under section 2002-A;~~
- (3) The Chief of the State Police if the municipality does not have a full-time chief of police unless the municipality designates the county sheriff of the county where the municipality is primarily located as its designee under section 2002-A;

**Sec. 2. 25 MRSA §2002-A,** as amended by PL 1993, c. 524, §4, is further amended to read:

**§2002-A. Assignment of authority**

The municipal officers of a municipality without a full-time chief of police may designate, if the ~~Chief of the State Police~~ county sheriff agrees, the ~~State Police~~ county sheriff of the county where the municipality is primarily located as the issuing authority

**COMMITTEE AMENDMENT**

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1 for that municipality. The designation must be made by written agreement with the Chief  
2 of the State Police county sheriff. The agreement must include provisions for termination  
3 of the agreement. During the term of an agreement, the State Police county sheriff shall  
4 perform all the functions of the issuing authority, including suspension and revocation of  
5 permits. The State Police are county sheriff is entitled to receive any fees authorized for  
6 performing the functions of an issuing authority. The Chief of the State Police county  
7 sheriff continues to serve as the issuing authority until the chief county sheriff receives  
8 from the municipal officers written notice of cancellation or revocation of the  
9 designation.

10 Sec. 3. 25 MRSA §2003, sub-§1, ¶B-1 is enacted to read:

11 B-1. If a nonresident, has a valid concealed handgun permit from that nonresident's  
12 state of residency. This paragraph does not apply to a nonresident whose state of  
13 residency does not require a permit to carry a concealed handgun;

14 Sec. 4. 25 MRSA §2003, sub-§1, ¶¶D and E, as amended by PL 2011, c. 298,  
15 §7, are further amended to read:

16 D. Submits an application that contains the following:

- 17 (1) Full name;
- 18 (2) Full current address and addresses for the prior 5 years;
- 19 (3) The date and place of birth, height, weight, color of eyes, color of hair, sex  
20 and race;
- 21 (4) A record of previous issuances of, refusals to issue and revocations of a  
22 permit to carry concealed firearms, handguns or other concealed weapons by any  
23 issuing authority in the State or any other jurisdiction. The record of previous  
24 refusals alone does not constitute cause for refusal and the record of previous  
25 revocations alone constitutes cause for refusal only as provided in section 2005;  
26 and
- 27 (5) Answers Subject to subsection 2-A, answers to the following questions:
  - 28 (a) Are you less than 18 years of age?
  - 29 (b) Is there a formal charging instrument now pending against you in this  
30 State for a crime under the laws of this State that is punishable by  
31 imprisonment for a term of one year or more?
  - 32 (c) Is there a formal charging instrument now pending against you in any  
33 federal court for a crime under the laws of the United States that is  
34 punishable by imprisonment for a term exceeding one year?
  - 35 (d) Is there a formal charging instrument now pending against you in another  
36 state for a crime that, under the laws of that state, is punishable by a term of  
37 imprisonment exceeding one year?

- 1 (e) If your answer to the question in division (d) is "yes," is that charged  
2 crime classified under the laws of that state as a misdemeanor punishable by  
3 a term of imprisonment of 2 years or less?
- 4 (f) Is there a formal charging instrument pending against you in another state  
5 for a crime punishable in that state by a term of imprisonment of 2 years or  
6 less and classified by that state as a misdemeanor, but that is substantially  
7 similar to a crime that under the laws of this State is punishable by  
8 imprisonment for a term of one year or more?
- 9 (g) Is there a formal charging instrument now pending against you under the  
10 laws of the United States, this State or any other state or the Passamaquoddy  
11 Tribe or Penobscot Nation in a proceeding in which the prosecuting authority  
12 has pleaded that you committed the crime with the use of a firearm against a  
13 person or with the use of a dangerous weapon as defined in Title 17-A,  
14 section 2, subsection 9, paragraph A?
- 15 (h) Is there a formal charging instrument now pending against you in this or  
16 any other jurisdiction for a juvenile offense that, if committed by an adult,  
17 would be a crime described in division (b), (c), (d) or (f) and involves bodily  
18 injury or threatened bodily injury against another person?
- 19 (i) Is there a formal charging instrument now pending against you in this or  
20 any other jurisdiction for a juvenile offense that, if committed by an adult,  
21 would be a crime described in division (g)?
- 22 (j) Is there a formal charging instrument now pending against you in this or  
23 any other jurisdiction for a juvenile offense that, if committed by an adult,  
24 would be a crime described in division (b), (c), (d) or (f), but does not  
25 involve bodily injury or threatened bodily injury against another person?
- 26 (k) Have you ever been convicted of committing or found not criminally  
27 responsible by reason of mental disease or defect of committing a crime  
28 described in division (b), (c), (f) or (g)?
- 29 (l) Have you ever been convicted of committing or found not criminally  
30 responsible by reason of mental disease or defect of committing a crime  
31 described in division (d)?
- 32 (m) If your answer to the question in division (l) is "yes," was that crime  
33 classified under the laws of that state as a misdemeanor punishable by a term  
34 of imprisonment of 2 years or less?
- 35 (n) Have you ever been adjudicated as having committed a juvenile offense  
36 described in division (h) or (i)?
- 37 (o) Have you ever been adjudicated as having committed a juvenile offense  
38 described in division (j)?
- 39 (p) Are you currently subject to an order of a Maine court or an order of a  
40 court of the United States or another state, territory, commonwealth or tribe  
41 that restrains you from harassing, stalking or threatening your intimate

- 1 partner, as defined in 18 United States Code, Section 921(a), or a child of
- 2 your intimate partner, or from engaging in other conduct that would place
- 3 your intimate partner in reasonable fear of bodily injury to that intimate
- 4 partner or the child?
- 5 (q) Are you a fugitive from justice?
- 6 (r) Are you a drug abuser, drug addict or drug dependent person?
- 7 (s) Do you have a mental disorder that causes you to be potentially
- 8 dangerous to yourself or others?
- 9 (t) Have you been adjudicated to be an incapacitated person pursuant to Title
- 10 18-A, Article 5, Parts 3 and 4 and not had that designation removed by an
- 11 order under Title 18-A, section 5-307, subsection (b)?
- 12 (u) Have you been dishonorably discharged from the military forces within
- 13 the past 5 years?
- 14 (v) Are you an illegal alien?
- 15 (w) Have you been convicted in a Maine court of a violation of Title 17-A,
- 16 section 1057 within the past 5 years?
- 17 (x) Have you been adjudicated in a Maine court within the past 5 years as
- 18 having committed a juvenile offense involving conduct that, if committed by
- 19 an adult, would be a violation of Title 17-A, section 1057?
- 20 (y) To your knowledge, have you been the subject of an investigation by any
- 21 law enforcement agency within the past 5 years regarding the alleged abuse
- 22 by you of family or household members?
- 23 (z) Have you been convicted in any jurisdiction within the past 5 years of 3
- 24 or more crimes punishable by a term of imprisonment of less than one year or
- 25 of crimes classified under the laws of a state as a misdemeanor and
- 26 punishable by a term of imprisonment of 2 years or less?
- 27 (aa) Have you been adjudicated in any jurisdiction within the past 5 years to
- 28 have committed 3 or more juvenile offenses described in division (o)?
- 29 (bb) To your knowledge, have you engaged within the past 5 years in
- 30 reckless or negligent conduct that has been the subject of an investigation by
- 31 a governmental entity?
- 32 (cc) Have you been convicted in a Maine court within the past 5 years of any
- 33 Title 17-A, chapter 45 drug crime?
- 34 (dd) Have you been adjudicated in a Maine court within the past 5 years as
- 35 having committed a juvenile offense involving conduct that, if committed by
- 36 an adult, would have been a violation of Title 17-A, chapter 45?

1 (ee) Have you been adjudged in a Maine court to have committed the civil  
2 violation of possession of a useable amount of marijuana, butyl nitrite or  
3 isobutyl nitrite in violation of Title 22, section 2383 within the past 5 years?

4 (ff) Have you been adjudicated in a Maine court within the past 5 years as  
5 having committed the juvenile crime defined in Title 15, section 3103,  
6 subsection 1, paragraph B of possession of a useable amount of marijuana, as  
7 provided in Title 22, section 2383?; and

8 E. Does the following:

9 (1) At the request of the issuing authority or the State Police, takes whatever  
10 action is required by law to allow the issuing authority or the State Police to  
11 obtain ~~from the Department of Health and Human Services, limited to records of~~  
12 ~~patient committals to Riverview Psychiatric Center and Dorothea Dix Psychiatric~~  
13 ~~Center or any other state mental health institute or nonstate mental health~~  
14 ~~institution within the State~~, the courts, law enforcement agencies and the military  
15 information relevant to the following:

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

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

20 (c) Section 2005;

21 (2) ~~If a photograph is an integral part of the permit to carry concealed handguns~~  
22 ~~adopted by an issuing authority, submits~~ At the request of the issuing authority,  
23 submits to being photographed for that purpose a permit to carry a concealed  
24 handgun;

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

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

29 (a) Resident of a municipality or unorganized territory, ~~\$35~~ \$52.50 for an  
30 original application and ~~\$20~~ \$52.50 for a renewal, except that a person who  
31 paid \$60 for a concealed firearms permit or renewal during 1991 or 1992 is  
32 entitled to a credit toward renewal fees in an amount equal to \$30 for a  
33 person who paid \$60 for an original application and \$45 for a person who  
34 paid \$60 for a permit renewal. The credit is valid until fully utilized; ~~and~~

35 (b) Nonresident, ~~\$60~~ \$120 for an original or renewal application; and

36 (c) Resident, \$15 to replace a valid concealed handgun permit issued on or  
37 before January 1, 2016 with a permit issued under subsection 9; and

38 (5) Demonstrates to the issuing authority a knowledge of handgun safety. The  
39 applicant may fully satisfy this requirement by submitting to the issuing  
40 authority, through documentation in accordance with this subparagraph, proof

1 that the applicant has within 5 years prior to the date of application completed a  
2 course that included handgun safety offered by or under the supervision of a  
3 federal, state, county or municipal law enforcement agency or a firearms  
4 instructor certified by a private firearms association recognized as knowledgeable  
5 in matters of handgun safety by the issuing authority or by the state in which the  
6 course was taken. A course completion certificate or other document, or a  
7 photocopy, is sufficient if it recites or otherwise demonstrates that the course  
8 meets all of the requirements of this subparagraph.

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

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

18 **Sec. 5. 25 MRSA §2003, sub-§2**, as amended by PL 2003, c. 341, §§5 to 8, is  
19 further amended to read:

20 **2. Complete application; certification by applicant.** The requirements set out in  
21 subsection 1, constitute a complete application. By affixing the applicant's signature to  
22 the application, the applicant certifies the following:

23 A. That the statements the applicant makes in the application and any documents the  
24 applicant makes a part of the application are true and correct;

25 A-1. That the applicant understands that an affirmative answer to the question in  
26 subsection 1, paragraph D, subparagraph (5), division (l) or (o) is cause for refusal  
27 unless the applicant is nonetheless authorized to possess a firearm under Title 15,  
28 section 393;

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

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

38 B-1. That the applicant understands that an affirmative answer to one or more of the  
39 questions in subsection 1, paragraph D, subparagraph (5), divisions (b) to (j), (m), (y),  
40 (z) or (aa) to (ff) is used by the issuing authority, along with other information, in  
41 judging good moral character under subsection 4; and

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1 C. That the applicant understands any false statements made in the application or in  
2 any document made a part of the application may result in prosecution as provided in  
3 section 2004.

4 An applicant may provide the applicant's signature by an electronic means approved by  
5 the State Police.

6 **Sec. 6. 25 MRSA §2003, sub-§2-A** is enacted to read:

7 **2-A. Modification of questions.** The Attorney General may modify or reword the  
8 questions in subsection 1, paragraph D, subparagraph (5) to improve readability and  
9 clarity as long as the subject matter of the questions is retained. The Attorney General  
10 shall submit any proposed changes to those questions to the joint standing committee of  
11 the Legislature having jurisdiction over criminal justice and public safety matters for  
12 review.

13 **Sec. 7. 25 MRSA §2003, sub-§3-A**, as amended by PL 2011, c. 298, §7, is  
14 further amended to read:

15 **3-A. Model forms.** The Attorney General shall develop model forms for the  
16 following:

- 17 A. An application for a resident permit to carry concealed handguns;
- 18 B. An application for a nonresident permit to carry concealed handguns; and
- 19 ~~C. A resident permit to carry concealed handguns of which a photograph is an~~  
20 ~~integral part;~~
- 21 ~~D. A resident permit to carry concealed handguns of which a photograph is not an~~  
22 ~~integral part;~~
- 23 ~~E. A nonresident permit to carry concealed handguns; and~~
- 24 F. Authority to release information to the issuing authority for the purpose of  
25 evaluating information supplied on the application.

26 ~~Each~~ An issuing authority shall utilize only the model forms.

27 **Sec. 8. 25 MRSA §2003, sub-§5**, as amended by PL 1995, c. 694, Pt. D, §52 and  
28 affected by Pt. E, §2 and amended by PL 2005, c. 236, §§3 and 4, is further amended to  
29 read:

30 **5. Access to confidential records.** Notwithstanding that certain records retained by  
31 governmental entities are by law made confidential, the records pertaining to patient  
32 committals to any state mental health institute or nonstate mental health institution,  
33 including, but not limited to, Riverview Psychiatric Center and Dorothea Dix Psychiatric  
34 Center, and records compiled pursuant to Title 19-A, section 4012, subsection 1, that are  
35 necessary to the issuing authority's determination of the applicant's good moral character  
36 and compliance with the additional requirements of this section and of section 2005 must,  
37 at the request of the issuing authority, be made available for inspection by and  
38 dissemination to the issuing authority.

39 **Sec. 9. 25 MRSA §2003, sub-§§8 and 9**, as amended by PL 2011, c. 298, §7, are  
40 further amended to read:



1           **8. Term of permit.** All concealed handgun permits are valid for 4- 6 years from the  
2 date of issue, unless sooner revoked for cause by the issuing authority. If a permit  
3 renewal is issued before the expiration date of the permit being renewed or within 6  
4 months of the expiration date of the permit being renewed, the permit renewal is valid for  
5 4- 6 years from the expiration date of the permit being renewed.

6           **9. Permit form.** ~~Each permit to carry concealed handguns issued must contain~~ By  
7 January 1, 2016, the State Police shall develop and make available a concealed handgun  
8 permit that contains the following components: The name, the address, a recent  
9 photograph and a physical description of the permit holder; the holder's signature; the  
10 date of issuance; and the date of expiration. ~~A permit to carry concealed handguns may~~  
11 ~~additionally contain a photograph of the permit holder if the issuing authority makes a~~  
12 ~~photograph an integral part of the permit to carry concealed handguns.~~ An issuing  
13 authority shall use this form and every issued permit must include the designated  
14 information. At the request of an issuing authority, the Secretary of State may provide a  
15 photograph of the applicant to be incorporated into that applicant's permit to carry a  
16 concealed handgun.

17           **Sec. 10. 25 MRSA §2003, sub-§15,** as enacted by PL 1993, c. 524, §12, is  
18 amended to read:

19           **15. Duty of issuing authority; application fees.** The application fees submitted by  
20 the applicant as required by subsection 1, paragraph E, subparagraph (4) are subject to the  
21 following.

22           A. If the issuing authority is other than the Chief of the State Police, ~~\$25~~ \$42.50 of  
23 the fee for an original application and ~~\$15~~ of the fee for a renewal and \$10 of the fee  
24 for an application to replace a valid permit with a permit issued by the State Police on  
25 or after January 1, 2016 must be paid over to the Treasurer of State.

26           ~~B. If the Chief of the State Police is the issuing authority as the designee of a~~  
27 ~~municipality under section 2002 A, \$25 of the fee for an original application and \$15~~  
28 ~~of the fee for a renewal must be paid over to the Treasurer of State.~~

29           C. If the Chief of the State Police is the issuing authority because the applicant is  
30 either a resident of an unorganized territory or a nonresident, the application fee must  
31 be paid over to the Treasurer of State. ~~The fee must be applied to the expenses of~~  
32 ~~administration incurred by the State Police.~~

33           The fees paid over to the Treasurer of State pursuant to this subsection must be deposited  
34 in the State Police's licensing and enforcement account to be used solely to cover the  
35 costs incurred by the state police for the development and issuance of concealed handgun  
36 permits.

37           **Sec. 11. 25 MRSA §2003, sub-§16,** as amended by PL 2011, c. 298, §7, is  
38 further amended to read:

39           **16. Application fee; use.** The application fee submitted by the applicant as required  
40 by subsection 1, paragraph E, subparagraph (4) covers the cost of processing the  
41 application by the issuing authority and the cost of developing the permit to carry  
42 concealed handguns issued by the issuing authority.

43           **Sec. 12. 25 MRSA §2003, sub-§§18 and 19** are enacted to read:

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1 **18. Submission of information to the State Police.** The issuing authority shall  
2 provide information received from an applicant pursuant to subsection 1 to the State  
3 Police for purposes of a criminal history record check, a mental health record check and a  
4 Department of the Secretary of State, Bureau of Motor Vehicles record check. The State  
5 Police shall provide the results of its record checks to the issuing authority for  
6 consideration before the issuing authority makes a final determination on the application.  
7 Unless the State Police is the issuing authority as provided for in section 2002, subsection  
8 9, the State Police does not have the authority to approve or deny an application for a  
9 concealed handgun permit.

10 **19. Confidential database.** The State Police shall establish and maintain a  
11 confidential database accessible only by a law enforcement agency or law enforcement  
12 officers for criminal justice and concealed handgun permit purposes or by court order  
13 containing the following information about a permit holder or an applicant for a  
14 concealed handgun permit:

- 15 A. Name;
- 16 B. Address;
- 17 C. Date of birth;
- 18 D. Permit information;
- 19 E. Status of the permit; and
- 20 F. Prior action taken on the permit.

21 The database must be accessible by a law enforcement agency or law enforcement officer  
22 at any time. Information about a permit holder or an applicant must be purged from the  
23 database within 5 years after the permit expires or after the period for an appeal on a  
24 denial or a revocation of a permit has run.

25 **Sec. 13. Application.** This Act does not apply to a valid concealed handgun  
26 permit issued before the effective date of this Act. An application for a concealed  
27 handgun permit or the renewal of a valid concealed handgun permit on or after the  
28 effective date of this Act is subject to the provisions of this Act.

29 **Sec. 14. Appropriations and allocations.** The following appropriations and  
30 allocations are made.

31 **PUBLIC SAFETY, DEPARTMENT OF**

32 **Licensing and Enforcement - Public Safety 0712**

33 Initiative: Provides an allocation of concealed handgun permit fees to establish and  
34 maintain a confidential database.

35	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2013-14</b>	<b>2014-15</b>
36	All Other	\$0	\$270,136
37			
38	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$270,136</u>

**Licensing and Enforcement - Public Safety 0712**

Initiative: Provides an allocation of concealed handgun permit fees for 2 Office Associate II positions and one State Police Detective position to maintain a confidential database of concealed handgun permits and to perform record checks on applicants.

<b>OTHER SPECIAL REVENUE FUNDS</b>		<b>2013-14</b>	<b>2014-15</b>
Personal Services		\$0	\$230,300
		\$0	\$230,300
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>		<b>\$0</b>	<b>\$230,300</b>

<b>PUBLIC SAFETY, DEPARTMENT OF</b>			
<b>DEPARTMENT TOTALS</b>		<b>2013-14</b>	<b>2014-15</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>		<b>\$0</b>	<b>\$500,436</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>		<b>\$0</b>	<b>\$500,436</b>

**Sec. 15. Effective date.** That section of this Act that amends the Maine Revised Statutes, Title 25, section 2003, subsection 3-A takes effect January 1, 2016.'

**SUMMARY**

This amendment is the majority report and replaces the bill and does the following:

1. It amends the definition of "issuing authority" to remove the authority of municipal officers and councilors and assessors of plantations to issue concealed handgun permits and makes the municipality's full-time chief of police the sole issuing authority for that municipality. If the municipality does not have a full-time chief of police, the Chief of the State Police is the issuing authority unless the municipality has an agreement with the county sheriff in the county in which the municipality is located to serve as that municipality's issuing authority;

2. It provides that a nonresident must have a valid concealed handgun permit in that person's state of residence before that person is eligible for a Maine concealed handgun permit unless that person's state of residence does not require a permit to carry a concealed handgun;

3. It provides that the State Police must conduct record checks on an applicant for a concealed handgun permit and provide that information to the issuing authority for consideration when processing the application. It expressly provides that unless the State Police is the issuing authority, the State Police does not have the power to issue or prevent the issuance of a concealed handgun permit. Only the issuing authority can make that determination;

4. It requires the State Police to establish a confidential database containing information about concealed handgun permit holders and applicants for concealed handgun permits. It provides that the database must be accessible by law enforcement

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1 agencies or law enforcement officers at any time and that information about a permit  
2 holder or an applicant must be purged from the database within 5 years after the permit  
3 expires or after the period for an appeal on a denial or a revocation of a permit has run;

4 5. It authorizes the Attorney General to modify or reword the statutory application  
5 questions for a concealed handgun permit to improve readability and clarity as long as the  
6 subject matter of those questions is retained. It also requires the Attorney General to  
7 provide the proposed changes to the wording of the questions to the joint standing  
8 committee of the Legislature having jurisdiction over criminal justice and public safety  
9 matters for review;

10 6. It increases the application fee for a concealed handgun permit for a resident from  
11 \$35 to \$52.50 and for a renewal from \$20 to \$52.50 and for a nonresident from \$60 to  
12 \$120. It also extends the period a permit is valid from 4 years to 6 years;

13 7. It allows applicants to provide signatures on concealed handgun permit  
14 applications by an electronic means approved by the State Police;

15 8. It allows the holder of a valid resident concealed handgun permit issued before  
16 January 1, 2016 to replace that permit with the new standard concealed handgun permit  
17 developed by the State Police on or before January 1, 2016 for a fee of \$15;

18 9. It provides that, by January 1, 2016, the State Police must develop and make  
19 available a uniform concealed handgun permit form, which must be used by all issuing  
20 authorities;

21 10. It provides that concealed handgun permit fees paid over to the Treasurer of State  
22 must be deposited in a special revenue account for the sole purpose of reimbursing the  
23 issuing authority for expenditures related to the development and the issuance of  
24 concealed handgun permits;

25 11. It provides that the legislation does not apply to a valid concealed handgun  
26 permit issued before the effective date of the legislation. An application for a concealed  
27 handgun permit or for renewal of a valid existing concealed handgun permit submitted on  
28 or after the effective date of the legislation is subject to the provisions of the legislation;

29 12. It makes the changes to the current types of concealed handgun model forms the  
30 Attorney General must develop effective January 1, 2016 to coincide with the date the  
31 State Police must produce a uniform concealed handgun permit;

32 13. It expands the issuing authority's access to records pertaining to patient  
33 committals to include all state mental health institutes and nonstate mental health  
34 institutions; and

35 14. It adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**



# 126th MAINE LEGISLATURE

LD 222

LR 697(03)

## An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun

Fiscal Note for Bill as Amended by Committee Amendment  
 Committee: Criminal Justice and Public Safety  
 Fiscal Note Required: Yes

*A (H-730)*

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### Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$157,175	\$157,175	\$157,175
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$500,436	\$240,436	\$240,136
<b>Revenue</b>				
General Fund	\$0	(\$157,175)	(\$157,175)	(\$157,175)
Other Special Revenue Funds	\$0	\$740,557	\$740,557	\$740,557

#### Fiscal Detail and Notes

This amendment increases concealed handgun permit fees and dedicates all the revenue received. It would result in an increase in Other Special Revenue Funds revenue in the Department of Public Safety of \$740,557 and a reduction in General Fund revenue of \$157,175 in fiscal year 2014-15. The amendment also requires the State Police to perform all record checks on applicants and to create and maintain a confidential database of all concealed handgun permit holders and applicants. The bill includes an Other Special Revenue Funds allocation of \$500,436 in fiscal year 2014-15 for 2 Office Associate II positions, one State Police Detective position, one-time computer programming costs (\$260,000) and related costs.