

# 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)

Minority

50M9  
H. 10

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

Date: 3/24/14

Minority

L.D. 222  
(Filing No. H-731)

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT "B" 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 To Amend the Concealed Handgun Permit Requirements'**

Amend the bill by inserting after the enacting clause the following:

**'Sec. 1. 25 MRSA §2001-A, sub-§2,** as repealed and replaced by PL 2011, c. 691, Pt. A, §24, is amended to read:

**2. Exceptions.** The provisions of this section concerning the carrying of concealed weapons do not apply to:

A. ~~A handgun carried by a person to whom a valid permit to carry a concealed handgun has been issued as provided in this chapter~~ who is not otherwise prohibited from possessing a firearm;

B. Disabling chemicals as described in Title 17-A, section 1002;

C. Knives used to hunt, fish or trap as defined in Title 12, section 10001; or

~~D. A handgun carried by a law enforcement officer, a corrections officer or a corrections supervisor as permitted in writing by the officer's or supervisor's employer;~~

E. A firearm carried by a person engaged in conduct for which a state-issued hunting or trapping license is required and possessing the required license, or a firearm carried by a resident person engaged in conduct expressly authorized by Title 12, section 11108 and section 12202, subsection 1. This paragraph does not authorize or permit the carrying of a concealed or loaded firearm in a motor vehicle;

~~F. A handgun carried by a person to whom a valid permit to carry a concealed handgun has been issued by another state if a permit to carry a concealed handgun issued from that state has been granted reciprocity. The Chief of the State Police may~~

**COMMITTEE AMENDMENT**

1 ~~enter into reciprocity agreements with any other states that meet the requirements of~~  
2 ~~this paragraph. Reciprocity may be granted to a permit to carry a concealed handgun~~  
3 ~~issued from another state if:~~

4 ~~(1) The other state that issued the permit to carry a concealed handgun has~~  
5 ~~substantially equivalent or stricter requirements for the issuance of a permit to~~  
6 ~~carry a concealed handgun; and~~

7 ~~(2) The other state that issued the permit to carry a concealed handgun observes~~  
8 ~~the same rules of reciprocity regarding a person issued a permit to carry a~~  
9 ~~concealed handgun under this chapter;~~

10 ~~G. A handgun carried by an authorized federal, state or local law enforcement officer~~  
11 ~~in the performance of the officer's official duties;~~

12 ~~H. A handgun carried by a qualified law enforcement officer pursuant to 18 United~~  
13 ~~States Code, Section 926B. The qualified law enforcement officer must have in the~~  
14 ~~law enforcement officer's possession photographic identification issued by the law~~  
15 ~~enforcement agency by which the person is employed as a law enforcement officer;~~  
16 ~~and~~

17 ~~I. A handgun carried by a qualified retired law enforcement officer pursuant to 18~~  
18 ~~United States Code, Section 926C. The qualified retired law enforcement officer must~~  
19 ~~have in the retired law enforcement officer's possession:~~

20 ~~(1) Photographic identification issued by the law enforcement agency from~~  
21 ~~which the person retired from service as a law enforcement officer that indicates~~  
22 ~~that the person has, not less recently than one year before the date the person~~  
23 ~~carries the concealed handgun, been tested or otherwise found by that agency to~~  
24 ~~meet the standards established by that agency for training and qualification for an~~  
25 ~~active law enforcement officer to carry a handgun of the same type as the~~  
26 ~~concealed handgun; or~~

27 ~~(2) Photographic identification issued by the law enforcement agency from~~  
28 ~~which the person retired from service as a law enforcement officer and a~~  
29 ~~certification issued by the state in which the person resides that indicates that the~~  
30 ~~person has, not less recently than one year before the date the person carries the~~  
31 ~~concealed handgun, been tested or otherwise found by that state to meet the~~  
32 ~~standards established by that state for training and qualification for an active law~~  
33 ~~enforcement officer to carry a handgun of the same type as the concealed~~  
34 ~~handgun.~~

35 **Sec. 2. 25 MRSA §2001-A, sub-§3 is enacted to read:**

36 **3. Reciprocity. The Chief of the State Police may enter into reciprocity agreements**  
37 **with any other state to permit a person holding a valid Maine concealed handgun permit**  
38 **to carry a concealed handgun in the other state.'**

39 Amend the bill by inserting after section 2 the following:

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

H. 48

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

4 Amend the bill by inserting after section 7 the following:

5 **'Sec. 8. Appropriations and allocations.** The following appropriations and  
6 allocations are made.

7 **PUBLIC SAFETY, DEPARTMENT OF**

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

9 Initiative: Eliminates 2 Office Associate II positions and one State Police Detective  
10 position and related costs as a result of eliminating concealed handgun permits.

11	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2013-14</b>	<b>2014-15</b>
12	Personal Services	\$0	(\$230,300)
13	All Other	\$0	(\$20,136)
14			
15	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$250,436)</b>
16			

17 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
18 section number to read consecutively.

19 **SUMMARY**

20 This amendment is the minority report and allows a person who is not otherwise  
21 prohibited from possessing a handgun to carry a concealed handgun without a permit. It  
22 also allows the Chief of the State Police to enter into reciprocity agreements with another  
23 state to permit a person holding a Maine concealed handgun permit to carry a concealed  
24 handgun in the other state. This amendment requires a nonresident to have a valid  
25 concealed handgun permit in that person's state of residence before that person is eligible  
26 for a Maine concealed handgun permit unless that person's state of residence does not  
27 require a permit to carry a concealed handgun.

28 The amendment also adds an appropriations and allocations section.

29 **FISCAL NOTE REQUIRED**

30 **(See attached)**



# 126th MAINE LEGISLATURE

LD 222

LR 697(04)

## 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 "B" (H-731)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

### 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	(\$250,436)	(\$250,436)	(\$250,436)
<b>Revenue</b>				
General Fund	\$0	(\$157,175)	(\$157,175)	(\$157,175)
Other Special Revenue Funds	\$0	(\$237,180)	(\$237,180)	(\$237,180)

### Fiscal Detail and Notes

This amendment eliminates concealed handgun permits except in the case of issuance of a permit for reciprocity and would result in a reduction of Other Special Revenue Funds revenue to the Department of Public Safety and to the General Fund of \$237,180 and \$157,175, respectively, in fiscal year 2014-15. The bill includes the elimination of 2 Office Associate II positions, one State Police Detective and related costs with an Other Special Revenue Funds saving of \$250,436 in fiscal year 2014-15.