

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 222

H.P. 183

House of Representatives, February 5, 2013

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

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARKS of Pittston.

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

2 **Sec. 1. 25 MRSA §2002, sub-§9**, as amended by PL 2011, c. 366, §5, is repealed
3 and the following enacted in its place:

4 **9. Issuing authority.** "Issuing authority" means the Chief of the State Police.

5 **Sec. 2. 25 MRSA §2002-A**, as amended by PL 1993, c. 524, §4, is repealed.

6 **Sec. 3. 25 MRSA §2003, sub-§1, ¶E**, as amended by PL 2011, c. 298, §7, is
7 further amended to read:

8 E. Does the following:

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

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

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

18 (c) Section 2005;

19 (2) If a photograph is an integral part of the permit to carry concealed handguns
20 adopted by ~~an~~ the issuing authority, submits to being photographed for that
21 purpose;

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

24 (4) Submits an application fee along with the written application to the ~~proper~~
25 issuing authority pursuant to the following schedule:

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

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

33 (5) Demonstrates to the issuing authority a knowledge of handgun safety. The
34 applicant may fully satisfy this requirement by submitting to the issuing
35 authority, through documentation in accordance with this subparagraph, proof
36 that the applicant has within 5 years prior to the date of application completed a
37 course that included handgun safety offered by or under the supervision of a
38 federal, state, county or municipal law enforcement agency or a firearms

1 instructor certified by a private firearms association recognized as knowledgeable
2 in matters of handgun safety by the issuing authority or by the state in which the
3 course was taken. A course completion certificate or other document, or a
4 photocopy, is sufficient if it recites or otherwise demonstrates that the course
5 meets all of the 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~~ the issuing authority,
8 if the issuing authority is willing to evaluate an applicant's personal
9 demonstration of such knowledge. The issuing authority is not required to offer
10 this 2nd option.

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

16 **Sec. 4. 25 MRSA §2003, sub-§3-A**, as amended by PL 2011, c. 298, §7, is
17 further amended to read:

18 **3-A. Model forms.** The Attorney General shall develop model forms for the
19 following:

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

29 ~~Each~~ The issuing authority shall utilize only the model forms.

30 **Sec. 5. 25 MRSA §2003, sub-§13**, as enacted by PL 1991, c. 865, §4, is further
31 amended to read:

32 **13. Fee waiver.** ~~A~~ The issuing authority may waive the permit fee for a permit
33 issued to a law enforcement officer certified by the Maine Criminal Justice Academy.

34 **Sec. 6. 25 MRSA §2003, sub-§15**, as enacted by PL 1993, c. 524, §12, is
35 repealed.

36 **Sec. 7. 25 MRSA §2003, sub-§17**, as enacted by PL 2011, c. 298, §7, is amended
37 to read:

