

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1122

H.P. 794

House of Representatives, March 21, 2013

An Act Allowing Municipalities To Enact Firearms Policies in Local Government Buildings

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MOONEN of Portland.

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

2 **Sec. 1. 25 MRSA §2011, sub-§3**, as enacted by PL 1989, c. 359, is amended to
3 read:

4 **3. Exception.** This section does not prohibit an order, ordinance, rule or regulation
5 of any political subdivision ~~which that~~, with the exception of appropriate civil penalty
6 provisions, conforms exactly with any applicable provision of state law or ~~which that~~
7 regulates the discharge of firearms within a jurisdiction. This section does not prohibit the
8 legislative body of any municipality from adopting an ordinance that restricts the carrying
9 of firearms in that municipality's essential municipal offices and places of legislative
10 assembly in the same manner and with the same effect as those restrictions are applied by
11 law or rule in the State's capitol area. For the purpose of this subsection, "essential
12 municipal offices" means the customary office facilities of a municipality's clerk,
13 treasurer, tax collector, assessor, manager or administrator, and "places of legislative
14 assembly" means the town or city hall or other municipal building where the town
15 meeting or town or city council assembles for the purpose of enacting or adopting
16 municipal budgets, laws and ordinances. If the legislative body of a municipality adopts
17 an ordinance that restricts the carrying of firearms in that municipality's essential
18 municipal offices or places of legislative assembly, or both, the municipality shall post, in
19 a prominent location outside the affected offices and places, notice of the existence of
20 that restriction.

21 **SUMMARY**

22 This bill provides a municipal legislative body with the authority to adopt an
23 ordinance that restricts the carrying of firearms in the municipality's essential municipal
24 offices and places of legislative assembly just as the State imposes those restrictions in its
25 capitol area. It requires a municipality, if the legislative body of that municipality adopts
26 an ordinance that restricts the carrying of firearms in that municipality's essential
27 municipal offices or places of legislative assembly, to post in a prominent location
28 outside the affected offices and places a notice of the existence of that restriction.