

MAINE STATE LEGISLATURE

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Date: 4/27/17 majority

L.D. 351
(Filing No. H-89)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 257, L.D. 351, Bill, "An Act To Allow Municipalities To Prohibit Weapons at Municipal Public Proceedings and Voting Places"

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

'An Act To Allow Municipalities To Prohibit Weapons within Municipal Buildings and at Municipal Public Proceedings and Voting Places'

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 30-A MRSA §3015 is enacted to read:

§3015. Regulation of weapons within municipal buildings and at municipal public proceedings and voting places

Notwithstanding any other provision of law to the contrary, a municipality may adopt an ordinance that prohibits the carrying of a dangerous weapon within municipal buildings and at municipal public proceedings and voting places within the municipality. A municipal ordinance adopted pursuant to this section must provide an exception to allow the carrying of a handgun by a federal, state, county or local law enforcement officer. A municipal ordinance adopted pursuant to this section must designate by common name and physical address all municipal buildings and other places within the municipality subject to the ordinance, which may include, but is not limited to, buildings owned, leased, rented or otherwise occupied by the municipality on a regular and ongoing basis. Use of a building, or part of a building, by a nonmunicipal entity does not preclude the building from being designated a municipal building under an ordinance adopted pursuant to this section. A municipal ordinance adopted pursuant to this section may provide exceptions to allow the carrying of certain dangerous weapons within municipal buildings and at municipal public proceedings and voting places, including, but not limited to, an exception allowing the carrying of kitchen knives and other common bladed tools with a blade length of less than 8 inches. If a municipality adopts an ordinance pursuant to this section, the municipality shall post, in a prominent location outside of all municipal buildings and at other places within the municipality subject to the ordinance,

COMMITTEE AMENDMENT

1 notice of the prohibition against the carrying of dangerous weapons, including any
2 municipally adopted exceptions to the prohibition.

3 For the purposes of this section, "dangerous weapon" has the same meaning as in
4 Title 17-A, section 2, subsection 9, paragraph C, "law enforcement officer" has the same
5 meaning as in Title 17-A, section 2, subsection 17, "public proceeding" has the same
6 meaning as in Title 1, section 402, subsection 2 and "voting place" has the same meaning
7 as in Title 21-A, section 1, subsection 49.'

8 **SUMMARY**

9 This amendment, which is the majority report of the committee, allows a
10 municipality to prohibit the carrying of dangerous weapons within municipal buildings
11 and at municipal public proceedings and voting places. The amendment also:

12 1. Provides that a municipal ordinance adopted under this provision of law must
13 provide an exception for the carrying of a handgun by a federal, state, county or local law
14 enforcement officer;

15 2. Clarifies that a municipal ordinance adopted under this provision of law may
16 provide exceptions to allow the carrying of certain dangerous weapons, including, but not
17 limited to, an exception allowing the carrying of kitchen knives and other common bladed
18 tools with a blade length of less than 8 inches; and

19 3. Requires a municipality that has adopted such an ordinance to post notice of the
20 prohibition against the carrying of dangerous weapons outside of all municipal buildings
21 and other places within the municipality subject to the ordinance.