

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 electronic originals
(may include minor formatting differences from printed original)



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1370

H.P. 949

House of Representatives, April 11, 2017

**An Act To Enhance Safety on College and University Campuses by
Allowing Firearms To Be Carried on the Campuses of Public
Colleges and Universities**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CEBRA of Naples.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: ESPLING of New Gloucester, HARRINGTON of Sanford, KINNEY of
Knox, LOCKMAN of Amherst, O'CONNOR of Berwick, SANDERSON of Chelsea,
TIMBERLAKE of Turner, Senator: DAVIS of Piscataquis.

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

2 **Sec. 1. 20-A MRSA §10009, sub-§1**, as enacted by PL 2009, c. 170, §1, is
3 amended to read:

4 **1. Definitions.** As used in this section the following terms have the following
5 meanings.

6 A. "College or university" means any postsecondary educational institution,
7 including:

- 8 (1) Any degree-granting educational institution regulated under chapter 409;
9 (2) Any university in the University of Maine System;
10 (3) Any college in the Maine Community College System; and
11 (4) The Maine Maritime Academy.

12 B. "Public entertainment facility" means an arena, stadium, amphitheater,
13 auditorium, theater or similar facility with a seating capacity of at least 1,000 persons
14 that is owned or operated by the Board of Trustees of the University of Maine
15 System, the Board of Trustees of the Maine Community College System or the Board
16 of Trustees of the Maine Maritime Academy and that is primarily designed and used
17 for artistic, theatrical, cultural, charitable, musical, sporting or entertainment events
18 but does not include publicly accessible outdoor grounds or rights-of-way
19 appurtenant to the facility, including parking lots within the facility used for the
20 parking of motor vehicles.

21 C. "Student dormitory or residence hall" means a building owned or operated by the
22 Board of Trustees of the University of Maine System, the Board of Trustees of the
23 Maine Community College System or the Board of Trustees of the Maine Maritime
24 Academy located on or within the campus area owned by the university or college to
25 house persons residing on campus as students. "Student dormitory or residence hall"
26 does not include off-campus housing or publicly accessible outdoor grounds or
27 rights-of-way appurtenant to the building, including parking lots within the building
28 used for the parking of motor vehicles.

29 **Sec. 2. 20-A MRSA §10009, sub-§3** is enacted to read:

30 **3. Rules.** The Board of Trustees of the University of Maine System, the Board of
31 Trustees of the Maine Community College System and the Board of Trustees of the
32 Maine Maritime Academy may adopt rules and establish policies relating to firearms.

33 A. Notwithstanding any other provision of law, rules adopted and policies
34 established pursuant to this subsection may not regulate or prohibit the otherwise
35 lawful possession, carrying or transporting of firearms or ammunition by a person
36 issued a permit to carry a concealed handgun under Title 25, chapter 252 or a person
37 who may carry a concealed handgun under Title 25, section 2001-A, subsection 2,
38 paragraph A-1.

1 B. Notwithstanding paragraph A, a person issued a permit to carry a concealed
2 handgun under Title 25, chapter 252 or a person who may carry a concealed handgun
3 under Title 25, section 2001-A, subsection 2, paragraph A-1 may not carry a
4 concealed weapon:

5 (1) Within a student dormitory or residence hall; or

6 (2) Within any building of a public entertainment facility, as long as signs are
7 conspicuously posted at each point of public ingress to the facility notifying
8 attendees of any restriction on the possession of firearms in the facility during a
9 game or event.

10 C. The provisions of paragraph B do not apply to the following persons:

11 (1) A person or persons complying with the provisions of Title 17-A, section
12 108;

13 (2) A person or an employee who is authorized to carry a firearm by the Board
14 of Trustees of the University of Maine System, the Board of Trustees of the
15 Maine Community College System or the Board of Trustees of the Maine
16 Maritime Academy or a person or entity with authority over the building or
17 facility;

18 (3) A person who possesses a firearm for authorized use in an approved
19 program, event, activity or other circumstance approved by a person or entity
20 with authority over the building or facility;

21 (4) A person who possesses a firearm in a private motor vehicle while delivering
22 students, employees or other persons to and from a university, college or public
23 entertainment facility; and

24 (5) An on-duty or off-duty law enforcement officer.

25 D. A rule or policy that is contrary to this subsection is void.

26 **SUMMARY**

27 This bill provides that the Board of Trustees of the University of Maine System, the
28 Board of Trustees of the Maine Community College System and the Board of Trustees of
29 the Maine Maritime Academy may adopt rules and establish policies relating to firearms
30 except that these rules and policies may not regulate or prohibit the otherwise lawful
31 possession, carrying or transporting of firearms or ammunition by a person issued a
32 permit to carry a concealed handgun under the Maine Revised Statutes, Title 25, chapter
33 252 or a person who may carry a concealed handgun under Title 25, section 2001-A,
34 subsection 2, paragraph A-1. The bill also provides, with certain exceptions, that a
35 person issued a permit to carry a concealed handgun under Title 25, chapter 252 or a
36 person who may carry a concealed handgun under Title 25, section 2001-A, subsection 2,
37 paragraph A-1 may not carry a concealed weapon within a student dormitory or residence
38 hall or within a building of a public entertainment facility at which signs are
39 conspicuously posted at entrances notifying attendees of any restriction on the possession
40 of firearms in the facility during a game or event.