

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

**RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
2013**

**CHAPTER 1
S.P. 214 - L.D. 576**

**Resolve, To Protect Concealed
Handgun Permit Information
on a Temporary Basis**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the list of all holders of concealed handgun permits in the State is public, which includes personal information of the permit holders such as name, full current address and date of birth; and

Whereas, this resolve places a temporary moratorium on public access to such permanent records pending the Legislature's consideration of the issue; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Moratorium on access. Resolved: That, notwithstanding the Maine Revised Statutes, Title 25, section 2006, until April 30, 2013, a permanent record that is created by an issuing authority of a concealed handgun permit is confidential and may not be made available for public inspection or copying. Notwithstanding any provision of law to the contrary, this section applies to requests for information under the Freedom of Access Act that are pending on the effective date of this resolve. Notwithstanding this section, confidential information may be disclosed to law enforcement officers and issuing authorities for criminal justice and permitting purposes. After April 30, 2013, an application for a permit filed or granted on or after the effective date of this resolve and on or before April 30, 2013 will be governed by the law in effect on and after April 30, 2013; and be it further

Sec. 2. Repeal. Resolved: That this resolve is repealed on April 30, 2013.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective February 19, 2013.

**CHAPTER 2
H.P. 4 - L.D. 2**

**Resolve, Regarding Legislative
Review of Portions of Chapter
252: Rules Governing
Certification of Seed Potatoes
in the State of Maine, a Major
Substantive Rule of the
Department of Agriculture,
Conservation and Forestry**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.