

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in §756 in the first line in the headnote (page 1, line 3 in L.D.) by striking out the following: "**National parks**" and inserting the following: '**Acadia National Park**'

Amend the bill in section 1 in §756 in subsection 2 in the first and 2nd lines (page 1, lines 10 and 11 in L.D.) by striking out the following: "possess a firearm in any unit of the United States National Park System located in the State" and inserting the following: 'use or possess a firearm in Acadia National Park'

Amend the bill in section 1 in §756 in subsection 2 in paragraph C in the last line (page 1, line 17 in L.D.) by striking out the following: "or"

Amend the bill in section 1 in §756 in subsection 2 in paragraph D in the last line (page 1, line 19 in L.D.) by striking out the following: "duties." and inserting the following: 'duties;'

Amend the bill in section 1 in §756 in subsection 2 by inserting after paragraph D the following:

'E. When the firearm is a concealed firearm carried by a qualified law enforcement officer pursuant to 18 United States Code, Section 926B. The law enforcement officer must have in the law enforcement officer's possession photographic identification issued by the law enforcement agency by which the person is employed as a law enforcement officer;

F. When the firearm is a concealed firearm carried by a qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C. The retired law enforcement officer must have in the retired law enforcement officer's possession:

(1) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer that indicates that the person has, not less recently than one year before the date the person is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

(2) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer and a certification issued by the state in which the person resides that indicates that the person has, not less recently than one year before the date the person is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

G. When the firearm is a concealed firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued as provided in Title 25, chapter 252. The person must have in that person's possession the permit as required in Title 25, section 2003.'

Amend the bill in section 1 in §756 by adding at the end the following:

**3. Violations.** The following penalties apply to violations of this section.

A. A person who possesses or uses a firearm in violation of subsection 2, paragraphs A to D commits a Class E crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

B. A person who possesses or uses a firearm in violation of subsection 2, paragraphs E to G commits a Class D crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

C. A person who is authorized to use or possess a firearm under subsection 2, paragraphs E to G who does not have the required identification or permit in that person's possession at all times when possessing or using the firearm commits a civil violation for which a fine of not more than \$100 may be adjudged.'

## **SUMMARY**

This amendment is the majority report of the Joint Standing Committee on Criminal Justice and Public Safety and amends the bill to apply only to Acadia National Park. In addition to the exceptions to the prohibition for possession of a firearm provided in the bill, the amendment authorizes possession of a firearm when the firearm is a concealed firearm carried by a qualified law enforcement officer pursuant to 18 United States Code, Section 926B who possesses photographic identification; when the firearm is a concealed firearm carried by a qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C who possesses photographic identification; or when the firearm is a concealed firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued as provided in the Maine Revised Statutes, Title 25, chapter 252. This amendment also establishes penalties for violations of this prohibition.

## **FISCAL NOTE REQUIRED**

**(See attached)**