



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 658

H.P. 488

House of Representatives, February 17, 2011

### **An Act To Modify the Requirement of a Permit To Carry a Concealed Weapon**

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative CRAFTS of Lisbon.  
Cosponsored by Senator MASON of Androscoggin and  
Representatives: AYOTTE of Caswell, BLACK of Wilton, CEBRA of Naples, CLARK of  
Millinocket, DAVIS of Sangerville, FREDETTE of Newport, SARTY of Denmark,  
TIMBERLAKE of Turner.

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

2 **Sec. 1. 25 MRSA §2001-A, sub-§1**, as enacted by PL 2003, c. 452, Pt. N, §2 and  
3 affected by Pt. X, §2, is amended to read:

4 **1. Display or carrying prohibited.** A person may not, unless excepted by ~~a~~ another  
5 provision of law:

6 A. Display in a threatening manner a firearm, slungshot, knuckles, bowie knife,  
7 dirk, stiletto or other dangerous or deadly weapon usually employed in the attack on  
8 or defense of a person; or

9 B. Wear under the person's clothes or conceal about the person's person a firearm,  
10 slungshot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon  
11 usually employed in the attack on or defense of a person- when the person is in or  
12 entering:

13 (1) A structure, vehicle or craft owned, leased or operated by the State or a  
14 political subdivision of the State after a reasonable request by the operator of the  
15 structure, vehicle or craft to remove the dangerous or deadly weapon and place it  
16 in the custody of the operator for temporary and secure storage;

17 (2) An event of limited duration that is either operated or sponsored by a public  
18 entity or a private entity subject to a permit or license granted by a public entity  
19 after a reasonable request by the operator or sponsor of the event to remove the  
20 dangerous or deadly weapon and place it in the custody of the operator or sponsor  
21 for temporary and secure storage;

22 (3) A polling place on the day of an election;

23 (4) The grounds or buildings of a school;

24 (5) A nuclear power plant or hydroelectric facility; or

25 (6) An establishment licensed under Title 28-A, chapter 43 for the sale of spirits,  
26 wine or malt liquor to be consumed on the premises if the licensee has posted a  
27 sign visible to the public that clearly prohibits the possession of weapons on the  
28 licensed premises.

29 **Sec. 2. 25 MRSA §2003, sub-§1, ¶E**, as amended by PL 1993, c. 524, §8 and PL  
30 2005, c. 236, §§3 and 4, is further amended to read:

31 E. Does the following:

32 (1) At the request of the issuing authority, takes whatever action is required by  
33 law to allow the issuing authority to obtain from the Department of Health and  
34 Human Services, limited to records of patient committals to Riverview  
35 Psychiatric Center and Dorothea Dix Psychiatric Center, the courts, law  
36 enforcement agencies and the military information relevant to the following:

37 (a) The ascertainment of whether the information supplied on the application  
38 or any documents made a part of the application is true and correct;

1 (b) The ascertainment of whether each of the additional requirements of this  
2 section has been met; and

3 (c) Section 2005;

4 (2) If a photograph is an integral part of the permit to carry concealed firearms  
5 adopted by an issuing authority, submits to being photographed for that purpose;

6 (3) If it becomes necessary to resolve any questions as to identity, submits to  
7 having fingerprints taken by the issuing authority;

8 (4) Submits an application fee along with the written application to the proper  
9 issuing authority pursuant to the following schedule:

10 (a) Resident of a municipality or unorganized territory, ~~\$35~~ \$10 for an  
11 original application and ~~\$20~~ \$5 for a renewal, except that a person who paid  
12 \$60 for a concealed firearms permit or renewal during 1991 or 1992 is  
13 entitled to a credit toward renewal fees in an amount equal to \$30 for a  
14 person who paid \$60 for an original application and \$45 for a person who  
15 paid \$60 for a permit renewal. The credit is valid until fully utilized; and

16 (b) Nonresident, \$60 for an original or renewal application, except that a  
17 person who paid \$80 for a concealed firearms permit during 1991 or 1992 is  
18 entitled to a \$20 credit toward permit renewal fees. The credit is valid until  
19 fully utilized; and

20 (5) Demonstrates to the issuing authority a knowledge of handgun safety. The  
21 applicant may fully satisfy this requirement by submitting to the issuing  
22 authority, through documentation in accordance with this subparagraph, proof  
23 that the applicant has ~~within 5 years~~ prior to the date of application completed a  
24 course that included handgun safety offered by or under the supervision of a  
25 federal, state, county or municipal law enforcement agency or a firearms  
26 instructor certified by a private firearms association recognized as knowledgeable  
27 in matters of firearms safety by the issuing authority or by the state in which the  
28 course was taken. A course completion certificate or other document, or a  
29 photocopy, is sufficient if it recites or otherwise demonstrates that the course  
30 meets all of the requirements of this subparagraph.

31 As an alternative way of fully satisfying this requirement, an applicant may  
32 personally demonstrate knowledge of handgun safety to an issuing authority, if  
33 the issuing authority is willing to evaluate an applicant's personal demonstration  
34 of such knowledge. The issuing authority is not required to offer this 2nd option.

35 The demonstration of knowledge of handgun safety to the issuing authority may  
36 not be required of any applicant who holds a valid ~~State~~ state permit to carry a  
37 concealed firearm as of April 15, 1990 or of any applicant who was or is in any  
38 of the Armed Forces of the United States and has received at least basic firearms  
39 training.

40 **Sec. 3. 25 MRSA §2003, sub-§8**, as amended by PL 1993, c. 289, §1, is further  
41 amended to read:



1 It changes the term of a concealed weapons permit from 4 years to 7 years.