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THE MAINE SENATE
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**Joint Standing Committee on Judiciary on
LD 829, An Act to Standardize the Laws Regarding the Carrying of
Concealed Handguns in State Parks
March 26, 2025**

Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on Judiciary: I am David Haggan and I have the honor of representing the people of Senate District 10, which includes three municipalities in Hancock County and nine municipalities in Penobscot County. I am pleased to present LD 829, "An Act to Standardize the Laws Regarding the Carrying of Concealed Handguns in State Parks."

Maine's Constitutional Carry law (Public Law 2015, Chapter 327) allows non-prohibited individuals aged 21 and older to exercise their Constitutional rights to carry a concealed firearm without obtaining permission from the government. It also allows those aged 18-20 who are on active duty, been honorably discharged, or possess a permit to carry a firearm to do so.

This bill seeks to clarify and standardize language to make it clear that any person who is not otherwise prohibited may carry a concealed firearm in state parks. It also removes the requirement for an optional handgun permit to carry a concealed firearm in Acadia National Park. The prohibition on firearms in certain sensitive areas, such as courthouses, federal buildings, and the State Capitol areas, were unaffected by the change in law and are not the subject of this bill.

Section 1 of the bill deals with Acadia National Park where a person may only possess a firearm if they hold a Maine permit to carry concealed handguns under state law. This is inconsistent with Maine's constitutional carry provisions and federal law.

The National Park Service states that visitors may possess firearms within national park boundaries provided they comply with federal, state, and local laws. Replacing the permit requirement with language allowing the carrying of a concealed handgun by any individual "who is not otherwise prohibited from possessing a firearm" creates consistency. Federal law uses this language; it does not expressly require a permit unless the state does (54 U.S.C. 104906). The federal prohibition on firearms in National Park Services facilities—such as visitor centers—remains unaffected.

There is also significant confusion about Maine's current laws regarding carrying concealed handguns in Maine State Parks without a concealed carry permit. Sections 2 and 3 of the bill seek to clean up and clarify this language. The Department of Agriculture, Conservation and Forestry (ACF) has made it clear that Maine State Parks and the Allagash Wilderness Waterway allows for the carrying of firearms, including handguns, as long as they are concealed. However, the language and interplay between the rules and statute have created unnecessary confusion.

The rules for State Parks and Historic Sites state:

- 20 (b.)** A concealed handgun may be carried by qualifying individuals consistent with the provisions of 12 M.R.S.A. §1803, (7). Open carry is not permitted under this provision.
- 20 (a.)** The possession and/or use of firearms or weapons is prohibited in all areas between June 1 and Labor Day, except in accordance with 20b above.

These rules direct the reader to a section of statute that predates Maine's constitutional carry provisions. This section merely prohibits ACF from introducing rules restricting the carrying of a concealed firearm by certain individuals, including individuals with a Maine concealed carry permit; a concealed carry license from states with reciprocity; law enforcement performing official duties; or a current or retired qualified law enforcement officer.

Additionally, Rule 1 (12) for public lands limits the carrying of firearms to only those who possess a valid Maine concealed handgun permit and prohibits loaded firearms in campsites, on marked hiking trails, or at boat launches and picnic sites. This is inconsistent with the state law and the park rules.

12 MRSA section 1803 (general powers and duties of the bureau of parks and lands), subsection 7 reads (in part):

- 7. Exceptions.** Notwithstanding subsection 6 or any other rule-making authority, the bureau may not adopt rules that prohibit the following persons from carrying a concealed handgun in the buildings or parts of buildings and other public property that are under the bureau's jurisdiction:

A simple reading of the rules and statute appear to authorize the carrying of a concealed firearm only by the individuals listed. However, that is not actually the case.

The current statutory language is not only unnecessary but actually creates confusion by not including constitutional carry as one of the qualifying conditions in subsection 7 or, as this bill proposes, simply eliminating the list and cleaning up the language.

As a result, even the "summary" of this bill incorrectly describes this clarification as a change by removing the requirement that a person have a valid permit to carry a concealed handgun in this area. There is no statutory requirement that a person have a valid permit in order to carry a concealed handgun in state parks and the proposed change to the language removes ambiguity. Additionally, ACF should also amend its rules to clearly affirm this is the case and eliminate language that is inconsistent with constitutional carry rather than point to an ambiguous statute.

This bill simply reflects Mainer's current right to constitutional carry and we need to ensure that the laws are standardized to reflect that fact.

Thank you for your time and consideration today. I urge you to vote "ought to pass" on LD 829.