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Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 183, L.D. 222, Bill, “An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun”

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Concealed Handgun Permit Requirements'

Amend the bill by inserting after the enacting clause the following:

'Sec. 1. 25 MRSA §2001-A, sub-§2, as repealed and replaced by PL 2011, c. 691, Pt. A, §24, is amended to read:

2. Exceptions. The provisions of this section concerning the carrying of concealed weapons do not apply to:

- A. A handgun carried by a person ~~to whom a valid permit to carry a concealed handgun has been issued as provided in this chapter~~ who is not otherwise prohibited from possessing a firearm;
- B. Disabling chemicals as described in Title 17-A, section 1002;
- C. Knives used to hunt, fish or trap as defined in Title 12, section 10001; or
- ~~D. A handgun carried by a law enforcement officer, a corrections officer or a corrections supervisor as permitted in writing by the officer's or supervisor's employer;~~
- E. A firearm carried by a person engaged in conduct for which a state-issued hunting or trapping license is required and possessing the required license, or a firearm carried by a resident person engaged in conduct expressly authorized by Title 12, section 11108 and section 12202, subsection 1. This paragraph does not authorize or permit the carrying of a concealed or loaded firearm in a motor vehicle;
- ~~F. A handgun carried by a person to whom a valid permit to carry a concealed handgun has been issued by another state if a permit to carry a concealed handgun issued from that state has been granted reciprocity. The Chief of the State Police may~~

COMMITTEE AMENDMENT

1 enter into reciprocity agreements with any other states that meet the requirements of
2 this paragraph. Reciprocity may be granted to a permit to carry a concealed handgun
3 issued from another state if:

4 (1) ~~The other state that issued the permit to carry a concealed handgun has~~
5 ~~substantially equivalent or stricter requirements for the issuance of a permit to~~
6 ~~carry a concealed handgun; and~~

7 (2) ~~The other state that issued the permit to carry a concealed handgun observes~~
8 ~~the same rules of reciprocity regarding a person issued a permit to carry a~~
9 ~~concealed handgun under this chapter;~~

10 ~~G. A handgun carried by an authorized federal, state or local law enforcement officer~~
11 ~~in the performance of the officer's official duties;~~

12 ~~H. A handgun carried by a qualified law enforcement officer pursuant to 18 United~~
13 ~~States Code, Section 926B. The qualified law enforcement officer must have in the~~
14 ~~law enforcement officer's possession photographic identification issued by the law~~
15 ~~enforcement agency by which the person is employed as a law enforcement officer;~~
16 ~~and~~

17 ~~I. A handgun carried by a qualified retired law enforcement officer pursuant to 18~~
18 ~~United States Code, Section 926C. The qualified retired law enforcement officer must~~
19 ~~have in the retired law enforcement officer's possession:~~

20 (1) ~~Photographic identification issued by the law enforcement agency from~~
21 ~~which the person retired from service as a law enforcement officer that indicates~~
22 ~~that the person has, not less recently than one year before the date the person~~
23 ~~carries the concealed handgun, been tested or otherwise found by that agency to~~
24 ~~meet the standards established by that agency for training and qualification for an~~
25 ~~active law enforcement officer to carry a handgun of the same type as the~~
26 ~~concealed handgun; or~~

27 (2) ~~Photographic identification issued by the law enforcement agency from~~
28 ~~which the person retired from service as a law enforcement officer and a~~
29 ~~certification issued by the state in which the person resides that indicates that the~~
30 ~~person has, not less recently than one year before the date the person carries the~~
31 ~~concealed handgun, been tested or otherwise found by that state to meet the~~
32 ~~standards established by that state for training and qualification for an active law~~
33 ~~enforcement officer to carry a handgun of the same type as the concealed~~
34 ~~handgun.~~

35 **Sec. 2. 25 MRSA §2001-A, sub-§3** is enacted to read:

36 **3. Reciprocity.** The Chief of the State Police may enter into reciprocity agreements
37 with any other state to permit a person holding a valid Maine concealed handgun permit
38 to carry a concealed handgun in the other state.'

39 Amend the bill by inserting after section 2 the following:

40 '**Sec. 3. 25 MRSA §2003, sub-§1, ¶B-1** is enacted to read:

1 B-1. If a nonresident, has a valid concealed handgun permit from that person’s state
2 of residency. This paragraph does not apply to a nonresident whose state of residency
3 does not require a permit to carry a concealed handgun;'

4 Amend the bill by inserting after section 7 the following:

5 **'Sec. 8. Appropriations and allocations.** The following appropriations and
6 allocations are made.

7 **PUBLIC SAFETY, DEPARTMENT OF**

8 **Licensing and Enforcement - Public Safety 0712**

9 Initiative: Eliminates 2 Office Associate II positions and one State Police Detective
10 position and related costs as a result of eliminating concealed handgun permits.

11	OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
12	Personal Services	\$0	(\$230,300)
13	All Other	\$0	(\$20,136)
14			
15	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$250,436)

16
17 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
18 section number to read consecutively.

19 **SUMMARY**

20 This amendment is the minority report and allows a person who is not otherwise
21 prohibited from possessing a handgun to carry a concealed handgun without a permit. It
22 also allows the Chief of the State Police to enter into reciprocity agreements with another
23 state to permit a person holding a Maine concealed handgun permit to carry a concealed
24 handgun in the other state. This amendment requires a nonresident to have a valid
25 concealed handgun permit in that person’s state of residence before that person is eligible
26 for a Maine concealed handgun permit unless that person’s state of residence does not
27 require a permit to carry a concealed handgun.

28 The amendment also adds an appropriations and allocations section.

29 **FISCAL NOTE REQUIRED**

30 **(See attached)**