

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

An Act To Enhance the Qualifications for a Concealed Firearms Permit

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

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

E. Does the following:

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

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

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

(c) Section 2005;

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

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

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

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

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

(5) Demonstrates to the issuing authority a knowledge of ~~handgun~~minimal firearms safety ~~by completing a firearms safety course~~. The applicant ~~may fully satisfy this requirement by submitting~~shall submit to the issuing authority, through documentation in accordance with this subparagraph, proof that the applicant has ~~within 5 years prior to the date of application~~ completed a course that included ~~handgun~~firearms safety offered by or under the supervision of a federal, state, county or municipal law enforcement agency or a firearms instructor certified by a private firearms association recognized as knowledgeable in matters of firearms safety by the issuing authority or by the state in which the course was taken. The course must be at least 6 hours in length and include relevant state and federal law, basic defensive marksmanship, gun safety, civic responsibility, appropriate conduct while carrying a firearm and the moral and ethical issues surrounding the potential use of firearms as a means of self-defense. A course completion certificate or other document, or a photocopy, is sufficient if it recites or otherwise demonstrates that the course meets all of the requirements of this subparagraph.

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

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

Sec. 2. Concealed firearms permit renewal. Upon the effective date of this Act, a holder of a concealed firearms permit issued under the Maine Revised Statutes, Title 25, chapter 252 must meet the requirements of Title 25, section 2003, subsection 1, paragraph E upon renewal of the holder's concealed firearms permit.

Sec. 3. Criteria for firearms safety course. The Department of Public Safety shall adopt major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to establish criteria for a firearms safety course required under Title 25, section 2003, subsection 1, paragraph E, subparagraph 5, that, along with any requirement listed, must include a minimum of 6 hours total of the following instruction:

1. Two hours of basic defensive handgun skills employing real firearms and using either electronic marksmanship targets or live-fire at an established range. Lesson content must include basic defensive marksmanship skills, safe firearms handling and safe firearms storage;

2. One hour of strategies for effectively responding to or avoiding a violent confrontation;
3. One hour of emotional and physiological responses to a confrontation, including understanding and accommodating stress factors when engaged in a confrontational situation;
4. One half hour of firearms selection criteria applicable to firearms commonly employed in self-defense situations, with emphasis on firearms reliability and proper cleaning and maintenance techniques;
5. One hour of state and federal firearms law that must be taught by either a licensed attorney or qualified law enforcement officer concerning the possession and ownership of firearms, the legal parameters governing the use of deadly force and exercising the right of self-defense responsibly; and
6. One half hour discussing area training opportunities where a student may receive continuing education, training and practice in firearms use.

SUMMARY

This bill requires all new applicants and renewing holders of a concealed firearms permit to show documentation they have completed a firearms safety course that includes relevant state and federal law, basic defensive marksmanship, gun safety, civic responsibility, appropriate conduct while carrying a firearm and the moral and ethical issues surrounding the potential use of firearms as a means of self-defense. This bill also removes exemptions to current handgun safety course requirements for an applicant or holder of a concealed firearms permit who can personally demonstrate knowledge of the subject matter of the course requirements and a person who received basic firearms training as a member of the Armed Forces of the United States. Finally, this bill directs the Department of Public Safety to adopt rules to establish requirements with specific components for a 6-hour instruction course in firearms safety.