

Sponsor request for LPC review of submitted legislation.

An Act To Allow Municipalities To Prohibit Firearms within Municipal Buildings and at Municipal Public Proceedings and Voting Places

Sponsored by Rep. Poppy Arford of Brunswick

Sec. 1. 25 MRSA §2011, sub-§3, as enacted by PL 1989, c. 359, is amended to read:

3. **Exception.** This section does not prohibit an order, ordinance, rule, or regulation of any political subdivision which, with exception of appropriate civil penalty provision, ~~conforms exactly with any applicable provision of state law~~, regulates the discharge of firearms within a jurisdiction or that conforms exactly to any applicable provision of state law authorizing a political subdivision to limit or prohibit the possession of firearms in accordance with Title 30-A, section 3015.

Sec. 2. 30-A MRSA §3015 is enacted to read:

§ 3015. Authority to limit or prohibit firearms within political subdivision buildings and at its public proceedings and voting places.

Notwithstanding any other provision of law to the contrary, a political subdivision may adopt an order, ordinance, rule, or regulation that limits or prohibits the possession of firearms within its buildings and voting places and at its public proceedings within the political subdivision and includes a civil penalty of not more than \$1,000 per occurrence.

An order, ordinance, rule, or regulation adopted pursuant to this section must provide an exception to allow a federal, state, county, or local law enforcement officer to possess firearms in the aforesaid buildings, voting places and public proceedings.

The order, ordinance, rule, or regulation must designate by common name and physical address all buildings and places to which the order, ordinance, rule, or regulation applies, which may include buildings owned, leased, rented, or otherwise occupied by the political subdivision, and buildings used temporarily as polling places or as venues for public hearings, gatherings and other events officially sponsored by and within the political subdivision. Use of such buildings, or part of such buildings, by other private or public entities does not preclude the applicability of the order, ordinance, rule, or regulation.

If a political subdivision adopts an order, ordinance, rule, or regulation pursuant to this section, it shall post, in a prominent location outside of all buildings and other places to which the order, ordinance, rule or regulation applies, notice of the limitation or prohibition against the possession of firearms, including any adopted exceptions to the limitation or prohibition.

For the purposes of this section, "political subdivision" has the same meaning as in Title 30-A section 2252; "firearms" has the same meaning as in Title 17-A, section 2, Definitions, subsection 12-A ; "law enforcement officer" has the same meaning as in Title 17-A, section 2, subsection 17; "public proceeding" has the same meaning as in Title 1, section 402, subsection 2; and "voting place" has the same meaning as in Title 21-A, section 1, subsection 49.

Resource and Reference Documents:

- Title 30-A, Chapter 141: Subpart 4: Ordinance Authority and Limitations:
<https://legislature.maine.gov/statutes/30-a/title30-Ach0sec0.html>

- Title 14, §8104-B Immunity notwithstanding waiver. 1. Undertaking of legislative act. Undertaking or failing to undertake any legislative or quasi-legislative act, including, but not limited to, the adoption or failure to adopt any statute, charter, ordinance, order, rule, policy, resolution or resolve.
[§8104-B. Immunity notwithstanding waiver - Maine State Legislature:](#)
- Title 1, section 402, subsection 2, Public Proceedings:
<https://www.mainelegislature.org/legis/statutes/1/title1sec402.html>
- §2011. State preemption. The State intends to occupy and preempt the entire field of legislation concerning the regulation of firearms, components, ammunition, and supplies. Except as provided in [subsection 3](#), any existing or future order, ordinance, rule, or regulation in this field of any political subdivision of the State is void.
<https://legislature.maine.gov/statutes/25/title25sec2011.html>
- In Maine it is illegal to possess a firearm in the following places, with some very limited exceptions:
<https://www.maine.gov/dps/msp/licenses-permits/concealed-carry-maine>