



March 9, 2023

Testimony in Opposition to LD 629, An Act to Improve, Protect and Defend the Individual Civil Right to Bear Arms Through Exemption of Firearms and Ammunition from Taxation

Good afternoon Senate Chair Grohoski, House Chair Perry and Taxation Committee Members:

I am Lynn Ellis, a retired social worker and Brunswick resident, and I am the Legislative Director for the Maine Gun Safety Coalition. We are a grassroots organization with a focus on education and advocacy regarding firearm related tragedies in Maine. We raise awareness about gun violence, specifically related to domestic violence, suicide and safe storage. We advocate for gun safety legislation that addresses gun violence in our state and country.

I speak today on behalf of the Coalition to oppose this bill. There is no public policy or constitutional basis for exempting firearms and ammunition from the State sales tax. The legislation passed in 2021 exempting gun lockboxes and trigger locks was to advance the cause of gun safety, to make lockboxes more affordable and thus help keep guns out of the hands of children and people dangerous to themselves or others.

There is no comparable need to make guns more affordable, so more people will buy guns in Maine. In 2020, an estimated 78,998 guns were sold in Maine. In 2021, an estimated 125,921 guns were sold in Maine. See *Guns in the U.S. – 2021 Second-Highest Year for Gun Sales since 2000* (safehome.org). See *also* FBI National Instant Background Check System, reporting 114,090 background checks in Maine in 2022, a number that is an underestimate of total gun sales in Maine because guns can be bought from private sellers in Maine without background checks.) The sale of guns in Maine is already robust without a sales tax exemption.

The State would lose substantial revenue should it exempt guns and ammunition from its sales taxes. Assuming an \$800 average price of guns (at Cabela's the price range for a handgun is \$200-\$2500 and for a rifle is \$500-\$10,000), the sales tax revenue from the sale of 125,921 guns at the 5.5% tax rate is \$5,540,524, and this is without accounting for sales tax on ammunition.

If Maine were to exempt guns from taxes, it would attract more out-of-state gun buyers to Maine. Maine is already a destination gun-sale state, as no gun permit or background check or waiting period is required in Maine for anyone to buy guns from private sellers (such as at gun shows). Canada's worst mass shooting, where 23 people were killed in 2020, was with guns the shooter bought in Maine. See 13WGME (Jan. 26, 2021). Maine does not need to provide more incentive to violent shooters to come to Maine to buy guns, by exempting guns from sales tax.

Instead, there are legislators who are proposing in the U.S. Congress and state legislatures, to tax guns even more heavily, as a disincentive to gun buyers. After the tragedy of the shooting of children at the Uvalde school in Texas, a U.S. Representative submitted a bill to Congress to impose a 1000% excise

tax on semi-automatic weapons, entitled the Assault Weapon Excise Tax Act. The Massachusetts legislature is considering a 36% excise tax on guns and ammunition, and the Texas legislature is similarly considering taxing firearms and assault weapons. Maine itself has imposed greater taxes on items to discourage their purchase, such as with cigarettes (\$2.00 per 20-pack cigarette tax and 43% smoking tobacco tax).

There is no constitutional right to sell or buy guns and ammunition tax-free. L.D. 629's title that a tax exemption of guns and ammunition is needed to "improve, protect and defend the individual civil right to bear arms" is a misnomer. Gun buyers should be willing to pay their share of sales taxes for their gun and ammunition purchases, just as every Maine citizen does for all kinds of other goods, from snow shovels to boots to burgers.

Thank you for considering this Maine Gun Safety Coalition testimony opposing L.D. 629.

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