

May 14, 2023

**Testimony in Opposition to LD 1696**

**An Act to Create a Civil Cause of Action for Persons Suffering Damages Arising from the Sale of Abnormally Dangerous Firearms**

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary:

My name is Nathan Gould. I live in Winterport. I am submitting this testimony in opposition to LD 1696, "An Act to Create a Civil Cause of Action for Persons Suffering Damages Arising from the Sale of Abnormally Dangerous Firearms."

It is clear that this is another attempt to maneuver around the Second Amendment and harm firearms manufacturers. "The firearm-related product's features render the product most suitable for assaultive purposes instead of lawful self-defense, hunting or other legitimate sport and recreational activities;" raises the question: what are "assaultive" purposes? Where is the line drawn between "assaultive" and "lawful self-defense"? This creates ambiguity, which opens avenues for stricter definitions that further shrink our unalienable rights. Looking back at many of the bills set before this Committee and the Joint Standing Committee on Criminal Justice and Public Safety this legislative session, it becomes apparent that such is the desired result.

You, distinguished members of the Judiciary Committee, may avail yourselves of much future work quite easily. Let me keep it simple: the Second Amendment to the Constitution of the United States of America reads:

**"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."**

Article I, Section 16 of the Constitution of the State of Maine reads:

**"Every citizen has a right to keep and bear arms and this right shall never be questioned."**

Note there is no mention of "assaultive" purposes. It states "arms," pure and simple.

Let me be clear: you all as legislators swore an oath on December 7, 2022 to uphold our State and Federal constitutions. If this was followed, it would serve to save the Committee a fair amount of time, it would prevent businesses from being unfairly hassled through bad legislation, and it would protect the rights of those citizens you all serve from being infringed upon. Please do not create more difficulties for law-aiding citizens to exercise their rights through laws that criminals will not follow. Please do not create yet another opportunity for our rights to be eroded. Please provide the protections that a limited government affords to its people through a close adherence to our foundational documents. Please perform the objective of good government established by consent of the people: protecting our Natural Rights. Please uphold the Constitution of our Republic and that of our State, as you all swore.

I ask the Committee to vote Ought Not to Pass, and I thank you for your time.

Respectfully,

Nathan C Gould

Winterport