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Bridgton
LD 2086
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Esteemed members of the Committee:

Please oppose LD 2086. It "Ought Not To Pass."

The bill serves only to create injustice and does nothing useful to increase the safety of Mainers.

When a crime is committed with a firearm, the bill removes the ability to have the firearm returned IF the firearm was innocently lent to the perpetrator. Please note existing law already prohibits return of the firearm if the lender "knew or should have known that the person was a prohibited person" or lent the firearm "knowingly or recklessly".

First, this statute, literally, explicitly, punishes only the innocent.

Second, the bill requires destruction of any forfeited firearm. Again, this is utterly pointless. Apparently, it's based on the irrational fear that the mere existence of a firearm is, in itself, harmful. All it does is remove either a firearm or parts thereof from the hand of the law abiding citizen to whom it or they would be sold, while depriving the state of the income thereof.

This is literal lunacy. As has been proven repeatedly over the past few decades, firearms are used far, far, more often in defense of life than in the taking of it. Also, the right to keep and bear arms is enshrined in both the US and Maine constitutions.

The cultural dysfunction that removes from a criminal the responsibility for his or her actions and places it on the firearm, while ignoring multitude of ways that the government has failed in enforcing its existing laws, resulting in the vast majority of mass killings is, in itself, damaging to our society.

This bill only seeks to stamp that dysfunction into our laws.

Also, there is additional language in some drafts of this bill that redefines and broadens the definition of a "machine gun", noting that existing Maine law makes it illegal to own a machine gun without "permission".

That provision, if it still exists, is legislatively deficient, because such "permission" is only available at a Federal level, and only based on Federal law and rules as promulgated by the ATF.

To the extent that a state definition is more narrow, it is moot. And, to the extent that a state definition is broader, it unjustly removes legal firearms from the hands of law abiding Maine citizens without recourse, as there is no such "permission" available or planned to be available at a state level.

I would also note that the provision also bans any "semi-automatic" firearm that "has been modified in any way that (1) Materially increases the rate of fire of the semi-automatic firearm; or (2) Approximates the action or rate of fire of a machine gun." This definition is also fatally flawed, as it is impermissably vague and includes numerous every-day firearm accessories, a partial list of which includes larger magazines, anything that allows a more rapid changing of magazines, or anything that makes it easier to hold a firearm more securely, allowing for faster trigger pull.

Whether or not the redefinition of "machine gun" is included, this proposed legislation is fatally flawed, ineffective, and unjust.