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LD 2086

Please oppose LD 2086.
 "An Act to Amend the Law Governing the Disposition of Forfeited Firearms"
I am submitting additional testimony on LD 2086 as the bill has been amended. I find it problematic that the legislature would allow the sponsor to amend the bill without any official publication to the public and no possible chance for the average person to be able to comment in time for the original public hearing.

The drafting in this amendment is particularly bad. While trying to sweep in everything under the sun the amendment has dragged in lots of thing that are not firearms. For example a typical roofing nailer or construction nail gun would absolutely fall under the scope of 2A.

 The millions of legal aftermarket parts for guns that don't in any way make them machine guns might fall in under 2D. The 'or' in 2D at a minimum should be an 'and' and of course the testing to determine that would need definition.

Since the passage of the NFA in the 1930's the definition of a machine gun has been a Federal issue. There has been no need for any State to tackle that. The ATF provides a mechanism to test existing, new and revised commercial parts to see if they have issues under the NFA (via the ATF Technical Branch) and issue rulings on that. Those rulings provide a mechanism for someone to know what is legal and what is not. The ATF has vigorously enforced Federal law nationwide against actual non registered machine guns. The State of Maine can't even use existing laws to stop a mass shooter in Lewiston and now you want them to undertake additional enforcement actions to determine which devices might be a machine gun under a new State law but not Federal law.

To the extent that the State through this bill has decided to diverge from Federal law is there funding for the State Police to test various products to determine if they are now machine guns? The most fundamental tenet of our legal system is that liability and punishment can only be predicated on an offense that is described in a precise and clear manner. Commonly used language and existing statutory definitions give no help on what that many of the terms mean in this bill and some words are just silly like "approximates". What is that? This whole language is sufficiently nebulous that it fails to define that which is supposed to be an illegal machine gun. Its vague and if its vague its void as a matter of legal construction. No reasonable person could know what it means and no court should enforce it.

Please vote ought not to pass on this incompetently drafted bill.