

James Savage  
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LD 1109

I am writing to ask for your opposition to LD 1109, a bill that seeks to impose significant restrictions on firearms and magazines in Maine. While the bill is presented as a measure to improve public safety, I believe it is incongruous with both the Constitution and the recent Bruen decision, which reaffirms the individual's right to bear arms under the Second Amendment. The implementation of such legislation, which is likely to be challenged and overturned, is a waste of resources that could be better spent on solutions that have a real impact on safety.

As a prior service Army Infantryman with combat experience, a former firearms instructor, and a lifelong gun owner, I can speak to the real-world implications of such legislation. I've seen firsthand the importance of training, preparedness, and efficiency, especially in high-stress situations. A person who takes the time to plan an event where they intend to cause harm will not be deterred by a ban on firearms or magazines. Such individuals can either acquire banned items through illegal channels or easily train to change magazines more efficiently. These individuals are working without the burden of surprise and are prepared for the situation at hand and can swap a magazine in as little as 1.5 seconds. In contrast, a homeowner or citizen acting in self-defense, who may be in a life-threatening situation, would be left fumbling through an adrenaline-fueled moment. If burdened with the very same magazine change this legislation would impose, they would likely fall short in a situation where every second counts.

The bill targets common firearms and accessories widely owned by law-abiding Mainers, including firearms like my Mossberg 802 bolt action .22 rifle, with a capacity of 11 rounds and the venerable Winchester Model 77, introduced in 1955, was available with either an eight-round detachable magazine or a 15-round fixed tubular magazine, where most people purchased the tubular magazine, and innumerable Maine kids took their first shots with one of those old Winchesters and hundreds of them still adorn Maine homes today. These firearms are not "high-risk" weapons but are instead part of the fabric of responsible gun ownership in Maine. In the context of Bruen, the Supreme Court emphasized the importance of examining whether a firearm or accessory is in "common use" for lawful purposes when determining constitutionality. The court specifically referenced that weapons commonly used by law-abiding citizens must be afforded constitutional protection.

Further, in line with the Heller decision, which established that the Second Amendment protects arms that are "typically possessed by law-abiding citizens for lawful purposes," magazines capable of holding more than 10 rounds are undeniably in common use. There are currently an estimated 717,900,000 such magazines in circulation in the United States, far outnumbering those with fewer than 10 rounds. This statistic underscores that these magazines are indeed commonly possessed by law-abiding citizens for lawful purposes, reinforcing the argument that restrictions on them are inconsistent with constitutional protections. In fact, a report from the National Shooting Sports Foundation (NSSF) points out that magazines greater than 10 rounds are in fact the national standard. You can review the NSSF Report - NSSF "Report Reveals Firearm Magazines with Capacity Over 10 Rounds is National Standard".

As we have seen with the 72-hour waiting period law, which has already been stayed by the courts, poorly drafted laws are not only ineffective but are often subject to legal challenges. Passing legislation like LD 1109, which is unlikely to survive

judicial scrutiny, would be a waste of time and resources.

I encourage you to review the data presented by the RAND Corporation in their research on the effects of gun policies. You can find the key findings reviewing their collective resource, What Science Tells Us About the Effects of Gun Policies. In reviewing this, I hope you will draw your own conclusions. However, I don't see any strong correlations or findings that suggest this kind of legislation will have a positive impact on the people of Maine.

I urge you to oppose LD 1109 and vote it "ought not to pass". This bill will not make Maine safer; it will only limit the rights of law-abiding gun owners. Thank you for considering my opinion on this important matter.

Sincerely,  
James Savage