

LD 953 - An Act to Change the Definition of "Machine Gun" in the Maine Criminal Code

Memorandum of Opposition

Date: March 26, 2025

To: Honorable Members of the Judiciary Committee Members,

From: Jonathan Martell

RE: LD 953 - An Act to Change the Definition of "Machine Gun" in the Maine Criminal Code

Members of the committee, I would like to express my Opposition of LD 953 - An Act to Change the Definition of "Machine Gun" in the Maine Criminal Code.

My Name is Jonathan Martell, from Sanford.

I am a currently serving Sanford City Councilor, Lifetime member of the Gun Owners of Maine, Legislative Officer for the Sanford Springvale Fish and Game Club, NRA Range Safety Officer, and lifelong firearms enthusiast.

The current definition of a "Machine Gun" closely aligns with the federal definition and for good reason. The BATF eventually settled on this language for reasons I will attempt to convey in the review of the proposed updates.

The phrases "designed to shoot" or "readily restored" is a slippery slope that implies that it was originally manufactured as a machine gun which would not apply to most semiautomatic firearms. This also might be applied to standard semiautomatic firearms that could be converted to fully automatic given the right machining and parts. That is not clearly defined, and a fully equipped machine shop could manufacture a fully automatic firearm in some amount of time. So could a home shop given enough time and tooling.

Regardless, the end result still meets the federal definition of a Machine Gun. This is not solving a problem, only an attempt to ban all semi automatics because they could potentially be converted with enough resources.

A. The definition of receiver is incorrect as it identifies the internal mechanism as the receiver. A frame and receiver are typically used interchangeably. This is incorrectly defined and then not mentioned elsewhere.

B. Conversion devices are federally illegal already. Some examples would be Drop-In Auto Sears or Glock Switches.

C. This would be the same as B which are already federally Illegal.

This appears to be an attempt to call semiautomatic firearms machine guns, and as well as any parts that could potentially be used with or without modification.

The 6th U.S. Circuit Court of Appeals ruled that the accessories are not subject to a 2018 ban imposed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) at the order of then-President Donald Trump. "And because we find that 'single function of the trigger' refers to the mechanical process of the trigger, we further hold that a bump stock cannot be classified as a machine gun because a bump stock does not enable a semiautomatic firearm to fire more than one shot each time the trigger is pulled," the panel wrote.

In the very own words of the court, this description in the bill is an inaccurate description of how these work. This is merely a backdoor attempt at a ban something that is not a machine gun simply because certain people don't like them. Let's stick with actual definitions as codified in federal law. These attempts at bans merely serve to provide inconsistencies in the law, which can lead leads to loopholes. This issue has been resolved at the federal level since 1986 when the quantity of legal machine guns was capped, there is no value to change the rules at this point.

The technical inaccuracies and blatant attempt to infringe on firearm rights and accessories that do not make a semi automatic firearm fire any faster or make it more dangerous should be reason enough to reject this legislation. Those submitting this legislation should at least understand what they are trying to ban.

Please stop the hate and blatant disregard for our Civil Rights, and vote ought not to pass for this bill.

Sincerely,

Jonathan Martell
Sanford, ME

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LD 953

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