

LD 1126 - An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms

Memorandum of Opposition

Date: March 26, 2025

To: Honorable Members of the Judiciary Committee Members,

From: Jonathan Martell

RE: LD 1126 - An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms

Members of the committee, I would like to express my Opposition of LD 1126 - An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms.

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.

I will begin by pointing out that the proposed update to "firearm" definition cannot include an unfinished receiver due to the fact that a piece of metal, plastic or other material is not a receiver until it is finished in a way to accept the necessary parts to make a functional firearm.

A block of aluminum or piece of steel pipe can be made into a firearm, but not until machined to do so.

So call undetectable firearms are already covered under federal law. There is no benefit to creating a state law around it. It's already a crime to carry a firearm into a courthouse or school.

2036:8. The definition of frame or receiver is incorrect as the receiver is considered to be one piece of the firearm that is considered the "firearm" itself to which other components are attached. For example the AR15 which is the most common firearm in the United States has a bolt and firing pin in the upper part of the rifle. The lower has the trigger mechanism and stock components. Simply containing fire control parts does not constitute being a receiver. The opposite is true for the Ruger 10/22.

2036:10. Unfinished frame or receiver does not define "readily be completed" A CNC machine could make a full AR15 receiver from a block of aluminum. I can go to home depot and buy some steel pipe which can also be used to make a shotgun.

Even Home Depot in danger of being in violation of this proposed law. The proposed legislation requires a person possessing an "unfinished" receiver, which could be almost any raw material, to have it engraved within 48 hours at a FFL. This is assuming a FFL is willing to mark said item, incur a \$75 tax, and the paperwork involved in "manufacturing a firearm" on their books. Most FFLs are unlikely to perform this service.

Not only does this attempt to define an object as something it is not, it attempts to force the owner to legally identify it as a firearm when it doesn't meet the federal definition of one. This forced paper trail is in direct violation of:

Sec. 1. 25 MRSA §2014 Government firearms or firearms owners registry prohibited

Notwithstanding any other provision of law to the contrary, a government agency of this State or a political subdivision of this State may not keep or cause to be kept a comprehensive registry of privately owned firearms and the owners of those firearms within its jurisdiction.

Not only is this unenforceable as almost any material can be made into a firearm receiver given the proper resources, it also amounts to a tax on a right.

Note that a firearm that was manufactured before 1968 would not have a serial number, and therefore no way to verify the date of manufacture.

2039 E. The state does not define the FFL license, and therefore cannot make the determination that the act of applying a serial number, and "creating" a firearm in the required record books does not count as manufacture of a firearm. It most certainly does in the eyes of the BATF.

3. Imprinting 27 Code of Federal Regulations Section 478.92

Size and depth of markings. The engraving, casting, or stamping (impressing) of the serial number and additional information must be to a minimum depth of .003 inch, and the serial number and any associated license number in a print size no smaller than 1/16 inch. The size of the serial and license number is measured as the distance between the latitudinal ends of the character impression bottoms (bases). The depth of all markings required by this section is measured from the flat surface of the metal and not the peaks or ridges.

<https://regulations.atf.gov/478-92/2024-13699#478-92-a-1-iv>

The specific requirements for the markings require expensive machines that most FFL's do not have, nor would they be generally interested in purchasing for small quantity uses.

This is nothing more than a thinly veiled attempt to stop the long standing tradition of making firearms and creating felons out of previously law abiding Maine Citizens. Most people wouldn't even know about it before a 48 hour window is closed. This is a violation of the US Bill of Rights, and the Maine State Consitution.

Please reject this bill for what it is, and preserve Mainer's rights, and vote ought not to pass for this bill.

Sincerely,

Jonathan Martell
Sanford, ME

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