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China
LD 1109

Honorable members of the committee, I stand before you today to further that LD 1099 ought not to pass,

This bill is filled with inconsistencies and misunderstandings of federal firearms law, particularly concerning 'curios and relics,' pending litigation, and the misapplication of 18 U.S.C. 923.

Specifically, 18 U.S.C. 923(a) outlines licensing requirements for 'dealers.' However, this bill seems to overlook that Federal Firearms Licensees (FFLs) are also licensed under 18 U.S.C. 923(b) for importers and 18 U.S.C. 923(c) for manufacturers. While 923(a) primarily addresses dealers, the broader context of 923 encompasses a range of FFL types. By focusing solely on 923(a), this bill demonstrates a limited understanding of the comprehensive federal licensing framework and what each federal firearms license type is able to do under the provisions of that statute.

This oversight creates potential ambiguities and inconsistencies in how the bill would be enforced. For instance, manufacturers and importers, who are also FFLs and able to conduct retail sales, are subject to different regulations than dealers. By not accounting for these distinctions, LD 1099 could inadvertently create legal loopholes or impose unintended burdens on these licensees.

As previously mentioned, the bill's provisions regarding the application to Curios and Relics are deeply problematic. When we consider the 'curios and relics' designation per 27 CFR 478.11 we can note that it includes a 50-year rule within its definition of 'curios and relics.' This means that firearms that are 50 years or older, from today's date, fall under this exemption. Officers would be tasked with determining if a magazine is legal based on the specific firearm it's designed for and that firearm's specific production date. The law demands that officers make complex historical and technical determinations about firearms and magazines during every interaction, which would likely require additional training and education and ultimately be a burden to taxpayers and Departments.

As previously discussed, this bill's magazine restrictions create significant conflicts with the federal 'curios and relics' exemption and the 50-year rule, often targeting magazines specifically manufactured for these historical firearms. However, a critical point that must be addressed is the widespread use of STANAG magazines and their inherent compatibility with Curio & Relic firearms.

STANAG magazines, standardized by NATO, are designed to be interchangeable across various firearms platforms, most notably the AR-15 and its variants. This standardization means that modern reproduction STANAG magazines are designed, by their very nature, for use in a wide range of firearms, including those classified as Curio & Relic.

Many AR-15 variants, particularly those produced in the early years of the platform's development, now fall under the Curio & Relic designation. Consequently, modern reproduction STANAG magazines, even those manufactured today, are inherently manufactured or sold solely to function in these C&R firearms.

This creates a significant problem for LD 1099. By attempting to ban 'high-capacity' magazines, the bill effectively targets magazines that are specifically designed for use in federally recognized Curio & Relic firearms. This not only undermines the purpose of the C&R exemption but also demonstrates a fundamental misunderstanding of the firearms market and the interoperability of modern magazines.

This glaring inconsistency not only demonstrates a fundamental misunderstanding of federal firearms regulations but also creates a legal minefield for law-abiding citizens. How can we expect citizens to navigate a system when our own legislators seem to fail to understand the complexity of federal firearms laws? This bill sets a dangerous precedent and is ultimately a waste of any real legislative effort due to fundamental

misunderstanding of federal firearms laws that leave glaring “loopholes” written into the statutory text and create a complex burden on law enforcement officers in the State.

Furthermore, the ongoing legal challenges to magazine capacity bans, as seen in *Duncan v. Bonta*, highlight the constitutional vulnerabilities of such restrictions. To add the complication of directly contradicting federal 'curios and relics' regulations and misinterpreting federal licensing statutes is a recipe for legal disaster.

In conclusion, I urge the committee to reject LD 1099. Its inconsistencies and gross misapplication of federal law, particularly the 'curios and relics' exemption, its disregard for ongoing legal challenges, its flawed interpretation of 18 U.S.C. 923, and its ignorance of the widespread compatibility of STANAG magazines with C&R firearms render it deeply flawed and ultimately counterproductive to its intended purpose. Passing this law would effectively be “legislating to legislate” as this law would effectively be on the books for no other purpose than to be on the books. I implore you to consider the legal ramifications and the unnecessary criminalization of law-abiding citizens before proceeding with this ill-conceived legislation.