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Testimony Neither For Nor Against:

L.D. 1230 – An Act to Abolish the 72-hour Waiting Period for a Gun Purchase

L.D. 208 – An Act to Eliminate the 72-hour Waiting Period on Firearm Purchases

L.D. 1062 – An Act to Eliminate Background Checks for Private Sales of Firearms

Good morning, Senator Carney, Rep. Kuhn and members of the Judiciary Committee.

My name is Margaret Groban. I live in South Portland. I recently retired after a 30+ year career as a federal prosecutor in Maine focusing on firearms and domestic violence and the intersection between the two. I served for years on Maine's Domestic Violence Homicide Review Panel. I am adjunct faculty at University of Maine School of Law where I co-teach a class on the Second Amendment and the Regulation of Firearms.

It is my extensive experience with firearm laws that leads me to submit comments on L.D.s 1230, 208 and 1062. These proposed bills seek to abolish the 72-hour waiting period and expanded background check bills enacted last year.

By way of background, the 72-hour waiting period law became effective on August 9, 2024. It provides that a seller may not knowingly deliver a firearm to a person after an agreement to purchase sooner than 72 hours after the purchase. There are exceptions that include non-advertised sales and transfers between family members. The testimony that led to the passage of this bill emphasized the impulsive nature of suicide and the impact that waiting periods have had on both suicide and homicide prevention.

[https://www.aap.org/en/advocacy/state-advocacy/waiting-periods-for-firearms-purchases/?srsltid=AfmBOoopDnNlxp8KCZYh5hjCXrY\\_Bj9APPuD4vghKX72c\\_4UhpFe-0wV](https://www.aap.org/en/advocacy/state-advocacy/waiting-periods-for-firearms-purchases/?srsltid=AfmBOoopDnNlxp8KCZYh5hjCXrY_Bj9APPuD4vghKX72c_4UhpFe-0wV)  
For this reason, 13 states and the District of Columbia have imposed waiting periods.

Plaintiffs sued in federal district court in Maine to enjoin this law. An injunction was granted on February 13, 2025. That ruling, contrary to rulings in Colorado, New Mexico and Vermont, found a likelihood of success on the Second Amendment challenge. That case is currently on appeal to the First Circuit. In the meantime, the law remains on hold - meaning that the 72-hour waiting period law is NOT. Considering additional legislation on waiting periods while litigation is ongoing is unnecessary and only complicates the issue. Any action the legislature takes may be undermined or rendered irrelevant by the upcoming court decision.

Similarly, in response to L.D. 1062, the impetus behind the current background check system proposed by Governor Mills still exists to ensure that prohibited people do not obtain firearms. As she wrote: "Violence is not a simple problem, nor is the remedy a single, simple measure. The measures in this law [including expanded background checks] are not extreme or unusual, or a cookie cutter version of another's state's laws. They are

practical, common-sense measures that are Maine-made and true to our culture and our longstanding traditions while meeting today's needs," **said Governor Janet Mills**. "This law represents important, meaningful progress, without trampling on anybody's rights, and it will better protect public safety by implementing reasonable reforms and by significantly expanding mental health resources. One day after the six-month anniversary of the [Lewiston] tragedy, I am proud to say that we have taken this prudent action."