

Testimony in Opposition to LD 1463: An Act to Prohibit the Auctioning of State Surplus or Forfeited Firearms

To the Honorable Members of the Maine Legislature,

I am writing to express my strong opposition to LD 1463, "An Act to Prohibit the Auctioning of State Surplus or Forfeited Firearms," introduced in the 132nd Maine Legislature. This legislation, which mandates the destruction of all surplus and forfeited firearms except those purchased by certain state employees, is misguided, wasteful, and undermines the interests of law-abiding citizens and taxpayers. Below, I outline the key reasons for opposing this bill.

1. Waste of Valuable Resources

LD 1463 requires the destruction of all surplus and forfeited firearms, except those purchased by state employees who were assigned or primarily used them during employment. This blanket mandate disregards the potential value of these firearms, which could be repurposed for lawful use by state, county, or municipal agencies or sold to law-abiding citizens through regulated channels, such as licensed firearm dealers. Destroying functional firearms wastes taxpayer resources and eliminates opportunities to generate revenue or equip law enforcement with needed tools. The current system, which allows for private and public sales under strict conditions, already ensures that surplus and forfeited firearms are transferred responsibly.

2. Undermines Responsible Firearm Ownership

By prohibiting the auction or sale of surplus and forfeited firearms, LD 1463 restricts access to firearms for law-abiding citizens who comply with all federal and state regulations. Many of these firearms, particularly surplus items, are of historical or collectible value and pose no inherent risk when transferred through licensed dealers with background checks. The bill's assumption that destroying these firearms enhances public safety lacks evidence and unfairly limits the rights of responsible individuals to acquire them for lawful purposes, such as self-defense, sport shooting, or collecting.

3. Unnecessary Financial and Administrative Burdens

The bill imposes significant costs on the state by requiring the Department of Public Safety to contract with a specialized vendor for firearm destruction and mandating updates to rules by the Department of Administrative and Financial Services and the Department of Public Safety. These requirements divert taxpayer funds from more pressing priorities, such as mental health services, crime prevention, or law enforcement training. The destruction process itself is likely to be costly, especially for large quantities of firearms, and the bill provides no cost estimates or evidence that the benefits outweigh these expenses.

4. Lack of Evidence for Public Safety Benefits

LD 1463 assumes that destroying surplus and forfeited firearms will reduce firearm-related harm, but it offers no data or analysis to support this claim. Firearms sold through current processes are subject to rigorous oversight, including background checks for private sales and competitive bidding for public entities. There is no evidence that these firearms contribute significantly to crime or violence when properly transferred. Without a demonstrated public safety need, the bill's drastic approach appears to be driven by ideology rather than reason, prioritizing symbolic gestures over practical solutions.

5. Unfair Exemption for State Employees

The bill creates an arbitrary exemption allowing state employees who were assigned or primarily used a firearm to purchase it at fair market value upon leaving employment. This provision undermines the bill's purported public safety rationale by allowing some firearms to reenter private hands while denying the same opportunity to other law-abiding citizens. The exemption lacks justification and creates an uneven standard, favoring a select group while penalizing the broader public and wasting resources on destruction for all other firearms.

6. Missed Opportunity for Public Benefit

Current law allows surplus items to be sold to political subdivisions, educational institutions, fire departments, or qualifying nonprofit organizations, with safeguards like retention periods and competitive bidding. LD 1463 eliminates this option for firearms, foreclosing opportunities to support community organizations or public agencies. For example, fire departments or rural law enforcement agencies could benefit from access to surplus firearms for training or operational needs. Destroying these assets instead of repurposing them is shortsighted and contrary to the public interest.

In conclusion, LD 1463 is an overly punitive and wasteful measure that destroys valuable resources, restricts responsible firearm ownership, and imposes unnecessary costs on taxpayers without clear public safety benefits. The current system for handling surplus and forfeited firearms is effective, regulated, and balanced, ensuring that transfers are safe and lawful. I respectfully urge the Committee on Judiciary to recommend against the passage of LD 1463 and to preserve the existing framework for managing state surplus and forfeited firearms.

Thank you for considering this testimony.

Sincerely,
Dana Hunnewell
Concerned Citizen of Maine