

NATIONAL RIFLE ASSOCIATION OF AMERICA

**INSTITUTE FOR LEGISLATIVE ACTION**

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



**NRA**

April 3, 2023

Joint Standing Committee on Criminal Justice and Public Safety  
100 State House Station  
Augusta, ME 04333

Dear Senator Beebe-Center, Representative Salisbury, and Honorable Members of the Committee:

I am writing to you regarding Legislative Document 22 (LD 22), an act to impede the transfer of firearms to prohibited persons. On behalf of the National Rifle Association, I would like to express our opposition to this bill as currently written. The bill, as currently stands, creates confusion around the sale of firearms.

LD 22 is a vague bill that puts Maine out of alignment with federal law regarding sales and transfers of firearms. The knowledge requirement in LD 22 does not clearly require that the seller or transferor knows that the person they are selling or transferring the firearm to is prohibited from possessing a firearm. This defect could make gun owners into criminals for a simple mistake when they had no reason to suspect there was anything unlawful about the sale of their firearm.

This problem is compounded by Maine's treatment of antique firearms as legally identical to modern firearms. Under federal law, antique firearms, which generally include all muzzle loading firearms, are not considered to be legally "firearms." This means that they are regularly sold over the counter and not subject to the same commercial sale restrictions as modern firearms. As currently drafted, a large retailer selling a muzzle loading firearm would violate LD 22 if someone who is prohibited from possessing firearms purchases a firearm at their store, even though the retailer would have no way of determining that the person is prohibited from possessing firearms.

Because of these concerns, we highly recommend that the committee opposes this bill. Please do not hesitate to contact me if you have additional questions or concerns.

Sincerely,

Justin E. Davis  
State Director, NRA-ILA