

Peter Lewis
T and K Tactical
229 Water Street
Augusta, ME 04330

Maine State Legislature
Committee on Criminal Justice and Public Safety

April 3, 2023

RE: LD 168, LD 60 and LD22

To the members of the Committee on Criminal Justice and Public Safety. I am Peter Lewis. I live in Bowdoinham, Maine. I own and operate T and K Tactical, a firearms manufacturer and retailer located on Water Street in Augusta, Maine. I am here today to testify AGAINST LD 168, LD 60 and LD 22.

LD 168 - An Act Regarding Criminal Background Checks for the Sale, Transfer or Exchange of Firearms. This bill is just another version of the Universal Background check bill that has been submitted and defeated, repeatedly over the recent years. This bill will not have any impact on dealers as federal law already requires dealers to complete a background check using the National Instant Criminal Background Check System (NICS) and await approval before transferring a firearm to a non-licensed individual. Additionally, requiring non-licensed individuals to utilize a licensed dealer to complete a background check prior to transferring a firearm to another non-licensed individual places undue burden and expense on both the recipient and the transferor of the firearm. This bill would prevent women and others, seeking to protect themselves against domestic violence or any other criminal activity from obtaining the necessary tools to protect themselves in an emergency situation.

LD 60 - An Act to Require a 72-hour Waiting Period After the Sale of a Firearm. This bill will do nothing to prevent gun crime. The language of the bill leaves interpretation of the criteria of the start of the 72-hour period completely open to interpretation and misuse. In accordance with verbal contracts, there is virtually no way to enforce this bill as there is no means to determine the point in time an agreement is made between the purchaser and seller. This bill would place undue burden and cost on non-licensed sellers and non-licensed purchasers by requiring multiple meetings to complete a transfer. Additionally, this bill would prevent women and others, seeking to protect themselves against domestic violence or any other criminal activity from obtaining the necessary tools to protect themselves in an emergency situation.

LD 22 - An Act to Impede the Transfer of Firearms to Prohibited Persons. Federal law already prohibits the transfer of firearms to prohibited persons. This prohibition is already in effect and applies to both licensed and non-licensed individuals. What this legislature should focus on is ensuring the laws that currently exist are enforced by both law enforcement and District Attorneys responsible for prosecuting criminals.

In the two years I have operated my business on Water Street in Augusta, Maine, The NICS system has failed to prohibit the transfer of firearms to at least 3 prohibited persons. In these three instances, local and federal law enforcement has been notified. Law enforcement took action in only one of these cases, only to see the Kennebec County District Attorney refuse to prosecute the individual because "it was too much work to do the research on the prohibiting crime that took place in another state". I repeat, existing laws were broken, and our justice system determined "it was too much work to do the research on the prohibiting crime that took place in another state". As a dealer in, and manufacturer of, firearms, I would hate for firearms I sell or manufacture to end up in the hands an individuals intending harm to others. What we need are tougher requirements, and fewer opportunities for discretion by members of the justice system, regarding the enforcement of existing laws.