

Manufacturers Association of **Maine**

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Senator Carney, Representative Kuhn, honorable members of the Joint Standing Committee on the Judiciary, good afternoon, my name is Peter Gore and I with the firm of Maine Street Solutions, and I am here representing the Manufacturers Association of Maine, speaking in opposition to L.D. 998, "An Act Regarding and Employers Authority to Prohibit from Storing a Firearm in the Employee's Vehicle".

The Manufacturers Association of Maine ("MAME") is a non-partisan 501(c)6 non-profit grounded in service to its membership, providing a network of resources designed to support the strategic business growth needs of Maine manufacturing entrepreneurs. Maine's manufacturing businesses are diverse, employing almost 60,000 individuals in military and defense, aerospace, metal fabrication, paper, boat building, semi-conductor, wood products, aquaculture and biotech, medical device, composites, and bioplastics, as well as the food and beverage industries. These businesses represent almost 10% of Maine's annual GDP and 10.4% of all the wages paid in the state on a weekly basis. MAME's mission is to help manufacturing grow and succeed and supports Maine's development of future manufacturing assets through a variety of programs.

It is important to our members that I relay the following concerns on to this committee as you consider the impact passage of this piece of legislation would have on the workplace.

To be clear at the outset – our opposition to this bill has nothing to do with the right to own weapons, nor how or when people carry these weapons – except in the workplace. I have testified countless times in other committees over the years - both during my time with the Maine State Chamber of Commerce, and since then - with respect to an employers need and right to be able to manage their workplace in the manner that best suits his or her business. It is their business after all, and their employees are their responsibility while on the job. Despite current law having been in effect for nearly 15



years, the proposed change in law offered by LD 998 extends that interference and management inability, taking away a critical element of control that many employers have chosen to mandate in their place of business to ensure a safe workplace in their eyes.

In 2011, the legislature approved legislation that allows an employee, despite the presence of any “no weapons” policy their employer may have at/in their business or workplace campus, the ability to bring a handgun to their workplace and keep it locked and concealed in their vehicle. The one caveat, and quite frankly protection the employer may have, is the requirement that the employee possesses a valid concealed weapons permit. L.D. 998 would strike this protection, thereby allowing any workers to bring a handgun to work and keep it in their vehicle. – again, despite the businesses “no weapons” policy.

To be clear, the business community strongly opposed the original law. Even today, many, if not most employers have instituted a “no weapons” policy in their workplace. That can mean no handguns, knives of any kind, swords, throwing stars, you get the idea. Not in the workplace, not on the employer’s property. Why? They want to eliminate the possibility of any workplace violence; they want to maintain as safe a workplace as possible for their employees. They want to minimize the possibility of a workers compensation claim associated with employee on employee, employee on owner/ supervisor, employee on customer, violence.

Current law allows an employee to have a handgun on the employer’s property so long as it was locked in the vehicle in the parking lot. The idea of linking it to a valid CWP was to help those concerned employers, that the owner had sanctioned and certified experience and training with a handgun. While the business community continued to oppose the bill up to its signing, the CWP element of the law is important.

From the perspective of our members, even 14 years later, it should remain the employer’s choice whether to allow or disallow weapons in their workplace or on their property – and in most cases the parking lot is in fact part of the employer’s property. The regulation of one’s private property is also a constitutionally protected right. Maine businesses lost part of that right when the current provision was enacted. L.D. 998 represents further erosion.

Lastly, I would note two things. First supporters are likely to say, “well, workers are already bringing handguns to work, so passage of this bill won’t really make any difference.” I am not naive enough to think this isn’t true. However – and this is a not- so subtle difference –



If a worker brings a handgun to the workplace, and they do not possess a valid CWP, then they can be made by the business owner to bring the gun home, as well as face potential adverse employment consequences. The employer may choose to do nothing – but current law gives them options passage of L.D. 998 takes away. Second, many businesses willingly allow workers to have their rifles in their vehicles during hunting season. Hunting, as we all know, is a longstanding Maine tradition. Even those businesses with “no weapons” policies will often look the other way during this time of year. And there is nothing wrong with this decision – is a conscious decision the business owner is making. What’s more, those weapons are clearly visible in most cases. In other words, they aren’t concealed the way a handgun can be. To some employers, this is an important distinction.

We respect the longstanding tradition and history of Maine people to keep and bear arms. Our opposition is not about that tradition. It is about the way we feel the change to current law further inhibits the ability of employers here in Maine to manage their workplace in the manner they best see fit and maintain a safe workplace – for themselves and their employees. It is for this reason we must oppose L.D. 998.

Thank you for the opportunity to provide you with our testimony, I would be pleased to try and answer any question that you may have.

