

LD 1109 - An Act to Reduce Gun Violence Casualties in Maine by Prohibiting the Possession of Large-capacity Ammunition Feeding Devices
LD 1126 - An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms

Memorandum of Opposition

Date: March 26, 2025

To: Honorable Members of the Judiciary Committee Members,

From: Jonathan Martell

Members of the committee, I would like to express my Opposition of:
LD 1109 and LD 1126

My Name is Jonathan Martell, from Sanford.

I am a currently serving Sanford City Councilor, Lifetime member of the Gun Owners of Maine, Legislative Officer for the Sanford Springvale Fish and Game Club, NRA Range Safety Officer, and lifelong firearms enthusiast.

Magazines:

An identical bill was defeated back in 2019 that also attempted to ban standard capacity magazines. See LD 1071 - An Act To Prohibit the Sale of High-capacity Magazines.

30 round magazines are standard capacity for most rifles. Most handguns have at least a 15rd magazine. You may not realize, but this would ban almost all handgun and rifle magazines in the state. A 10 round magazine is considered a low capacity magazine, in the gun industry for uses in self defense or competition.

Any magazine or firearm ban is a violation of the Maine State Constitution. You may remember the Clinton era so called Assault Weapons ban of the 90's. This federally banned magazines over 10 rounds. After a decade of being in place it was shown to have no impact on crime.

Citizens are the true first responders. The police only show up after everything is over. This sort of ban would only serve to help criminals fighting against a homeowner, or a person trying to defend themselves or their family. US experiences approximately 1.5 million home invasions yearly, .Many times there are multiple assailants, and even police have an average of a 30% hit rate.

This ban will make most gun owners criminals with no reimbursement for the thousands of dollars worth of magazines that some people already own and is basically unenforceable. These magazines are in common use and fall under arms as discussed in Heller Supreme Court case.

Serialization:

The proposed update to "firearm" definition cannot include an unfinished receiver due to the fact that a piece of metal, plastic or other material is not a receiver until it is finished in a way to accept the necessary parts to make a functional firearm. A block of aluminum or piece of steel pipe can be made into a firearm, but not until machined to do so.

So call undetectable firearms are already covered under federal law. There is no benefit to creating a state law around it. It's already a crime to carry a firearm into a courthouse or school.

2036:8. The definition of frame or receiver is incorrect as the receiver is considered to be one piece of the firearm that is considered the "firearm" itself to which other components are attached. There may be more than one part that meets this definition such as an AR15.

2036:10. Unfinished frame or receiver does not define "readily be completed" A CNC machine could make a full AR15 receiver from a block of aluminum. I can go to home depot and buy some steel pipe which can also be used to make a shotgun. Even Home Depot in danger of being in violation of this proposed law..

FFLs are unlikely to perform this service, to have expensive equipment to mark said item, incur a \$75 tax, and the paperwork involved in "manufacturing a firearm" on their books. .

This is nothing more than a thinly veiled attempt to create a registry which is in violation of current Maine law. and creating felons out of previously law abiding Maine Citizens. This is a violation of the US Bill of Rights, and the Maine State Constitution.

Please reject this bill for what it is, and preserve Mainer's rights, and vote ought not to pass for this bill.

Please see previously submitted longer testimony for these bills as the 2-3 minute limit is difficult to meet without severely limiting the information discussed.

Sincerely,

Jonathan Martell
Sanford, ME