



HOUSE OF REPRESENTATIVES

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TESTIMONY IN SUPPORT OF:

LD 1104 “An Act to Limit the Liability of Persons Who Provide Firearm Hold Agreements”

THE JOINT STANDING COMMITTEE ON JUDICIARY

Senator Carney, Representative Kuhn, and distinguished members of the Judiciary Committee. I am Representative Amy Arata, and it is my honor to represent House District 104, which includes New Gloucester and part of Gray. I’m testifying in support of LD 824 *“An Act to Make Student Transfer Agreements Renew Automatically Except in Certain Circumstances.”*

Last summer, I attended the open casket funeral of a young man from my neighborhood. It’s a sight I’ll never forget. I had thought he was just a moody kid, but it turned out that he suffered from deep depression, and took his own life. Like you, my colleagues, I’m here in the legislature because I care deeply about my neighbors and community. When they suffer, we suffer, and we look for ways to help.

After some time went by, I spoke to the young man’s parents to see if there was anything I could do legislatively. We talked about the terrible time he had when he sought mental health services, and how glad they are that crisis receiving centers are being established in Maine. They told me that he had been on medication for depression, which gave him times of mental clarity. When he took his medication, he felt good enough that he had even enrolled in college and had hope for the future. However, when he stopped taking the medication, he felt lower than before he had ever started taking it. They told me that he had used a firearm for the suicide.

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Knowing that Representative Doudera has worked on legislation related to suicide, I called her up to talk about it. We had a good bipartisan discussion. Legislators have the difficult job of balancing the right to bear arms with a responsibility for those who aren't safe with firearms. LD 1104 strikes that balance. It allows gun owners to freely turn over their firearms to people they trust when they don't trust themselves. People are more likely to turn over their firearms willingly to someone they know and trust than to a government official. Otherwise, they keep their problems a secret.

Past concerns about similar legislation were that it would necessitate a government list of gun owners or that the holder of the gun could be sued if an error were made. This bill doesn't require any type of list and it doesn't require any government involvement. It merely alleviates the concern about liability for the holder of the firearm. Right now, potential firearm recipients might not feel qualified to make a decision about when to return a firearm, so they are unwilling to help altogether. Those who may oppose this bill must admit that it's an improvement over the *status quo*.

I don't know for sure if this bill would have helped my neighbor, but it's possible that during a moment of mental clarity he would have told someone about his struggles and given his gun to a trusted friend, knowing that he wouldn't lose it forever. If this bill prevents even one person from harming themselves, while at the same time not depriving anybody of their constitutional rights, then it's worth your support. I'm grateful that Representative Doudera sponsored this bill, that she sought cosponsors across party lines, and I ask you to vote "ought to pass".

Respectfully,



Amy B. Arata
State Representative