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Testimony of Rep. Poppy Arford in support of

LD 1743, “An Act to Allow Municipalities to Prohibit Firearms Within Their Municipal Buildings and Voting Places and at Their Municipal Public Proceedings”

Before the Joint Standing Committee on Judiciary

Senator Carney, Representative Kuhn and honorable members of Judiciary Committee, I am Poppy Arford, and I have the distinct honor of representing House District 101 in Brunswick. Thank you for the opportunity to present **LD 1743, An Act to Allow Municipalities to Prohibit Firearms Within Their Municipal Buildings and Voting Places and at Their Municipal Public Proceedings**.

What the bill does.

This bill would allow municipalities to adopt local ordinances governing the possession of firearms within municipal buildings, voting places and at municipal public meetings. It puts reasonable guardrails around any potential ordinances, including exempting law enforcement officers, requiring the details to be prominently posted in impacted locations and allowing for a civil penalty of up to \$1,000 per violation.

To be clear, the bill is not a ban. It is not a mandate of any kind. It simply gives towns the ability to make their own decisions about what local ordinances are right for their municipal community.

From the time that Maine became a state until 1989 - nearly 170 years - municipalities had this right. However, in 1989, the Legislature created a statutory preemption that has prevented local governments from enacting firearms regulations, with the exception of where a firearm may be discharged. To be clear, LD 1743 does not repeal this preemption. Rather, it creates an exception to allow local elected bodies to make decisions about whether the public may possess firearms in their municipal buildings, polling places and municipal meetings.

In general, our laws recognize the right of property owners in our state to determine whether they think it is safe and appropriate to carry firearms on their property, yet the Legislature took this ability away from Maine’s municipalities in 1989 – away from the residents of our communities. We are now prevented from regulating firearms in our town buildings, while voting in locations other than in a school and in town proceedings. LD 1743 returns this right to our municipalities, to us.

Maine will not be the first.

Those who testify next will provide important information to demonstrate the legitimacy and frequency of regulating firearm possession in specific circumstances. The information provided will demonstrate that Maine is not the first to pass such laws. Testimony will also be offered which supports a nationwide recognition that municipalities may have the legal right as well as valid reasons for prohibiting firearm possession to promote public safety and protect the public's right to vote and participate in municipal proceedings, free of intimidation and threats of violence.

Many of us have experienced firsthand how contentious and inflammatory local government – including town council, select board and school board - proceedings can be. I trust we can agree on the idea that Maine people should never be afraid to vote or participate in their local government proceedings due to our differing opinions and beliefs – yet for some the possession of a firearm does just that – engenders a profound sense of fear due to the threat of violence that a firearm may present, especially when disagreements runs deep and tempers flare.

Allowing municipalities to decide for themselves.

During my time in the Legislature, I have come to believe, beyond a shadow of a doubt, that giving municipalities the ability to decide this for themselves is the right, most just and democratic thing to do - and that now is the time to do it. We know from recent, heart wrenching tragedies – including the mass shooting in Lewiston in October 2023 and the murders in Sabattus last month, that our Maine communities are not immune to devastating firearm violence.

The people testifying next in favor of LD 1743 will speak to this and share their experiences with firearm intimidation and violence. Like myself, they agree that it is time to once again allow our towns to decide for themselves who may possess a firearm in municipal buildings, at town proceedings and while voting. Kate Dufour of MMA has submitted testimony online in support of LD 1743. As Kate is traveling and not able to testify in person today, I have her permission to read her closing statement: “Finally, it is important to note that during our policy committee’s debate on this issue, municipal officials were split on whether the authority provided in the bill would benefit their communities. However, all agree that the local legislative body is in the best position possible to make that determination for their community.” I agree completely and invite the committee to join in supporting this bill.

I will close by sharing how deeply grateful I am to all who are testifying in favor of LD 1743 this afternoon. Thank you for taking the time, especially on such short notice, to share your stories and perspectives. I am equally thankful to the committee for your thoughtful and open-minded consideration of this bill.

I am happy to answer your questions, as will those who follow.

[§2011. State preemption https://legislature.maine.gov/statutes/25/title25sec2011.html](https://legislature.maine.gov/statutes/25/title25sec2011.html)

[Illegal to possess a firearm in the following Maine places](#)

www.ncsl.org/elections-and-campaigns/polling-places#guns

NYSRPA v. Bruen, 597 U.S. 1 (2022)

Columbia v. Heller, 554 U.S. 570 (2008)