

Patrick Corey  
Windham

Senator Deschambault, Representative Warren, and members of the Committee on Criminal Justice and Public Safety, I am Representative Patrick Corey of Windham and I am testifying in support of LD 1179, An Act To Restrict Maine Law Enforcement Participation in Federal Firearm Confiscation or Buy-back Programs without Legislative Approval.

LD 1179 seeks to provide Maine with autonomy and choice in partnering with the federal government in confiscation or buy-back programs targeting firearms and ammunition magazines legally owned by Mainers today. For Maine's law enforcement officers and agencies to participate in these federal programs, both of Maine's legislative chambers and the Governor would have to agree. This bill does not prevent the federal government from enforcing laws within Maine. It simply asserts that Maine's Legislature will have a say in how our law enforcement resources are used while engaging in federal firearm confiscation and buy-back programs.

Maine has a long-standing tradition of safe and responsible firearm ownership. With that we are continually ranked the safest state in the nation with the lowest violent crime rate and a very low property crime rate. Mainers have always been free to purchase and own all federally legal firearms and ammunition magazines to date, so they have become commonplace in gun owner homes and safes.

Maine's Constitution is quite explicit in protecting our rights to own firearms. Article One, Section 16 reads "To keep and bear arms. Every citizen has a right to keep and bear arms and this right shall never be questioned."

President Biden's 2020 campaign Website outlines a buy-back and National Firearms Act registration scheme that essentially amounts to gun confiscation unless you are able to lay down some significant money. Under this plan, Americans will be given the option to sell firearms they legally own to the federal government, likely below the actual value, or register those firearms under the NFA. While this may seem reasonable, to keep a firearm or magazine above 10 rounds you currently own, each item registered would require a \$200 tax stamp, fingerprints, a photo, and mountain of paperwork. Of course, not mentioned on Biden's campaign Website is the penalty for not complying. Under the National Firearms Act, that would be ten years in federal prison and a \$10,000 fine. "The Biden Plan to End Our Gun Violence Epidemic" can still be found on the campaign Website by visiting <https://joebiden.com/gunsafety>.

Mainers will be put in the position of surrendering firearms and magazines unless they can pay exorbitant taxes on items they already own and undergo considerable time, effort, and an invasion of privacy to keep them. If a gun owner disagrees, they become a felon. When I was on the Criminal Justice and Public Safety Committee, we were often concerned about putting otherwise law-abiding people in the criminal justice system.

It is not without precedent for Maine to disallow state law enforcement from participating in federal activities that harm the liberties of Mainers. In 1855, our Legislature passed, and the Governor signed, Chapter 182, captioned "An Act to Further Protect Personal Liberty". This law prohibited Maine's judges and courts, officers, facilities, and law enforcement from participating in, giving any assistance or otherwise facilitating the activities of slavecatchers operating under the federal Fugitive Slave Law while, at the same time, expressly not obstructing federal officers from acting under that law. The penalties for violating this law were severe at the time, a \$1000 fine or a year in jail.

Maine's Legislature would be able to decide if we want our law enforcement involved in partnering with the federal government in programs aimed at criminalizing lawful firearm ownership today. Moreover, do we really want to devote State resources to schemes that may not comport with the Maine or U.S. Constitution without our oversight?

Thank you.