

March 30, 2023

I'm contacting you to voice my opposition to LD 22, An Act to Impede the Transfer of Firearms to Prohibited Persons.

Federal law prohibits certain persons from purchasing or possessing firearms, such as felons, certain domestic abusers, and certain people with a history of mental illness.

Maine law provides that a person may not possess a firearm if he or she has been convicted of committing, or found not criminally responsible by reason of insanity of committing, a crime under:

- A law of Maine that is punishable by imprisonment for one year or more.
- A federal law that is punishable by imprisonment for a term exceeding one year.
- A law of another state that is punishable by imprisonment for a term exceeding one year, excluding crimes classified as misdemeanors in the state carrying a penalty of imprisonment of two years or less.
- A law of any other state that is "elementally substantially similar" to a crime in Maine that is punishable by a term of imprisonment for one year or more.
- A law in a proceeding in which the prosecuting authority was required to prove that the crime was committed with the use of a dangerous weapon.

In addition, a person may not possess a firearm if that person has been adjudicated to have engaged in conduct as a juvenile that, if committed by an adult, would have been a disqualifying conviction listed above if bodily injury to another person was threatened and resulted, or if the prosecuting authority was required to prove that the crime was committed with the use of a dangerous weapon, regardless of bodily injury. A person who has been adjudicated under federal or state law to have engaged in conduct as a juvenile that, if committed by an adult, would have been a disqualifying conviction as listed above, but which didn't threaten and result in bodily injury, may not own or have in his or her possession or control a firearm for three years following completion of any disposition imposed, or until that person reaches age 18, whichever is later.

Maine also prohibits possession of a firearm by anyone who has been:

- Committed involuntarily to a hospital pursuant to an order of the District Court after a hearing because the person was found to present "a likelihood of serious harm," as defined under Maine law.
- Found not criminally responsible by reason of insanity with respect to a criminal charge.
- Found not competent to stand trial with respect to a criminal charge.

Maine law also incorporates the federal prohibitions against firearm possession by any person who:

- Is a fugitive from justice.
- Is an unlawful user of or is addicted to any controlled substance.
- Is an alien who is illegally or unlawfully in the United States or who was admitted under a nonimmigrant visa.
- Has been discharged from the United States Armed Forces under dishonorable conditions.
- Has renounced that person's U.S. citizenship.

LD 22 is unnecessary, redundant, and I urge you to vote **Ought Not To Pass**. Thank you for your time and consideration.

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