

LD 677 - An Act to Update the Statutory Definition of "Machine Gun" and Prohibit Possession of a Rapid-fire Device

Memorandum of Opposition

Date: March 26, 2025

To: Honorable Members of the Judiciary Committee Members,

From: Jonathan Martell

RE: LD 677 - An Act to Update the Statutory Definition of "Machine Gun" and Prohibit Possession of a Rapid-fire Device

Members of the committee, I would like to express my Opposition of LD 677 - An Act to Update the Statutory Definition of "Machine Gun" and Prohibit Possession of a Rapid-fire Device

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.

This bill is another round of the same bills introduced over the last few years that failed.

LD 976 An Act To Amend the Definition of Machine Gun To Include Bump Stock Devices-2021

LD 1340 An Act to Prohibit the Sale or Possession of Rapid-fire Modification Devices-2023

This is another attempt to ban items that the author has not fully defined and does not understand. None of these devices make a firearm fire faster, nor do they make it fire fully automatic. Fully automatic firearms are already controlled under the National Firearms Act, and have been illegal to make for individuals ownership since 1986, pursuant to 18 U.S. Code §922 (o).

The devices mentioned still only fire one round with one activation of the trigger. Bump firing is nothing more than rapid activation of the trigger and can be done with only a trigger finger. No other devices are necessary. Binary Triggers have been approved by the ATF and per ATF, Binary triggers only fire with one shot with each action of the trigger.

Anything firing 2 or more rounds with a single trigger pull is already defined as a machine gun under 26 U.S. Code §5845 (b), with imports illegal since 1968 and domestic production halted in 1986.

Rapid-fire modification device attempts to lump multiple items together. This is wrong as the cyclic rate of fire is determined by physics of the firing mechanism, gas system, bolt design, cartridge pressure and other factors. It is explicitly how fast the action can cycle, and does not reflect how fast someone can pull a trigger. Simply replacing a factory spring with another factory spring can affect the cyclic rate.

A trigger crank again does not actually make the firearm fire faster.

Crank firearms have been around since the 1700's, and ATF holds that such cranks still rely on one action per shot fired.

The 6th U.S. Circuit Court of Appeals ruled that the accessories are not subject to a 2018 ban imposed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) at the order of then-President Donald Trump. "And because we find that 'single function of the trigger' refers to the mechanical process of the trigger, we further hold that a bump stock cannot be classified as a machine gun because a bump stock does not enable a semiautomatic firearm to fire more than one shot each time the trigger is pulled," the panel wrote.

In the very own words of the court, this description in the bill is an inaccurate description of how these work. This is merely a backdoor attempt at a ban something that is not a machine gun simply because certain people don't like them. Let's stick with actual definitions as codified in federal law. These attempts at bans merely serve to provide inconsistencies in the law, which can lead leads to loopholes. This issue has been resolved at the federal level since 1986 when the quantity of legal machine guns was capped, there is no value to change the rules at this point.

The technical inaccuracies and blatant attempt to infringe on firearm rights and accessories that do not make a semi automatic firearm fire any faster or make it more dangerous should be reason enough to reject this legislation. Those submitting this legislation should at least understand what they are trying to ban.

Again, the Maine Constitution should be pointed out that this is an infringement on my right to keep and bear arms without question. Please uphold your oath, and vote ought not to pass.

Sincerely,

Jonathan Martell
Sanford, ME

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Sanford
LD 677

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