

March 26, 2025

**TESTIMONY OF
FRANKLIN COUNTY SHERIFF SCOTT NICHOLS**

**In OPPOSITION to An Act to Reduce Gun Violence Casualties in Maine by Prohibiting
the Possession of Large-capacity Ammunition Feeding Devices**

Senator Carney, Representative Kuhn, and honorable members of the Joint Standing on Judiciary. My name is Sheriff Scott Nichols, and I am here today to oppose LD 1109 - **An Act to Reduce Gun Violence Casualties in Maine by Prohibiting the Possession of Large-capacity Ammunition Feeding Devices**

LD 1109 seeks to outlaw standard capacity magazine in Maine.

High-capacity magazines have been in existence for over a century in this state. Maine's citizens are well known for their staunch defense of their Second Amendment rights under Federal law. As well as their rights under Article 1 Section 16 under the Maine Constitution which states "every Citizen has a right to keep and bear arms and this right shall never be questioned." According to the ruling by US Supreme Court in June of 2008 "District of Columbia v. Heller" The court ruled that Heller established a test regarding arms in "common use" today, not in the past. If semiautomatic rifles and handguns that accept detachable magazines are in common use today, they are protected. Their ubiquity, and their being "in common use", confirms their protected status under the Second Amendment.

If this LD were to pass, it would not only violate the Federal "Heller" ruling but would also impact every law-abiding citizen in the state of Maine who own semi-automatic rifles which are in very common use. Detachable magazines are integral to the design of, and necessary for, the proper functioning of, today's modern semi-automatic firearms. My deputies, myself and many other citizens that I represent who own such firearms, would be negatively affected. Semi-automatic sporting rifles and handguns have been in common use in the state for over 100 years. A recent study conducted by the National Shooting Sports Foundation found that nearly 1 billion detachable magazines are currently in circulation for both rifles and pistols in this country. The Detachable Magazine Report (1990 – 2021) confirms that the national standard for magazine capacity of American gun owners is greater than 10 rounds. Every Mainer who owns this type of weapons system typically has multiple magazines that are greater than 10 rounds. How does the state plan to compensate them for their property?

We recognize why this was brought forward, however in our opinion, it is the wrong approach to dealing with a rare occurrence. To implement this LD would punish 99% of responsible gun owners in this state. We do not ban cars (driving one is considered a privilege) because irresponsible drivers decide to drive intoxicated and kill people. Why would we implement a law that would punish responsible gun owners and take away established rights? I would be glad to answer any questions.