

INSTITUTE FOR LEGISLATIVE ACTION

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NRA

April 3, 2023

Joint Standing Committee on Criminal Justice and Public Safety
100 State House Station
Augusta, ME 04333

Dear Senator Beebe-Center, Representative Salisbury, and Honorable Members of the Committee:

I am writing to you regarding Legislative Document 168 (LD 168), an act regarding criminal background checks for the sale, transfer or exchange of firearms. On behalf of the National Rifle Association, I would like to express our strong opposition to this bill. Maine voters recently rejected a similar “universal background check law” through a 2016 initiative.

LD 168 requires background checks for all private sales of firearms, including those at gun shows or resulting from advertising, with very limited exceptions. It applies to a private sale between two parties – including friends, neighbors, and coworkers, regardless of where the sale takes place. All such transfers, even if the seller knows the recipient is not a prohibited person, would have to be conducted through a federal firearm licensed dealer (FFL), with extensive federal paperwork, payment of an undetermined fee, and approval from the U.S. government. Federal law already requires background checks to be done for any transfer by a dealer or other licensee, regardless of where the sale occurs or the way it is initiated.

Universal background check measures target law-abiding citizens. Criminals will violate these laws. According to federal studies done by the Department of Justice of how prison inmates acquired firearms, less than 1% reported acquiring them at gun shows, and the vast majority acquired firearms on the black market, by straw purchase, or by theft. In addition, ATF has reported that nearly all illegally trafficked firearms originate through straw purchasers.

Expanded background checks are unenforceable without a firearms registration scheme. A 2013 internal U.S. Department of Justice memo summarizing violence prevention strategies during the Obama/Biden administration stated that the effectiveness of background checks depends on “requiring gun registration,” which is prohibited under Maine law.

On behalf of the thousands of NRA members in Maine, I respectfully urge the committee to oppose this legislation. Please do not hesitate to contact me if you have additional questions or concerns.

Sincerely,

Justin E. Davis
State Director, NRA-ILA