



Janet T. Mills  
GOVERNOR

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AUGUSTA, MAINE  
04333-0001

April 29, 2024

The 131st Legislature of the State of Maine  
State House  
Augusta, Maine

Dear Honorable Members of the 131st Legislature:

By the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 2086, *An Act to Amend the Law Governing Disposition of Forfeited Firearms*.

L.D. 2086 as originally introduced addressed only the destruction of firearms forfeited after having been used in the commission of a crime. Current law requires the destruction of firearms used to commit an unlawful homicide, and L.D. 2086 would have amended the statute so any firearm required to be forfeited under the Maine Criminal Code would also be destroyed. In the Committee process, the bill was amended to address a very different, and very complex, issue - banning the sale and possession of so-called conversion devices that are used to turn a semi-automatic weapon into something that operates like a machine gun, as well as the weapons themselves.

The most well-known example of these conversion devices is a bump stock, although other devices are now being marketed that work differently but produce similar results to bump stocks. The Federal Bureau of Alcohol, Tobacco and Firearms (ATF) has adopted a regulation banning bump stocks, and, arguably, certain other conversion devices as well. The future of that regulation is unclear, as the U.S. Supreme Court is currently considering a challenge to its validity.

L.D. 2086, as amended, is apparently designed to act as a backstop in the event the ATF regulation is invalidated, but it also uses much broader language to define the machine guns, modified semi-automatic weapons that operate like machine guns, and conversion devices that would be banned. That language is not only far more expansive than the Federal standard, but it also differs from the statutes enacted in the small number of states that have attempted to address this issue in statute.

In an effort to expansively capture a category of prohibited devices - as opposed to specifically identified devices - the bill relies on broad and ambiguous language that is likely to create uncertainty within both the general public and law enforcement. For example, the bill would prohibit the sale or possession of any semi-automatic weapon that has been "modified in any way that materially increases the rate of fire." There are a variety of minor modifications that would meet this definition, such as adjusting the trigger weight or changing the buffer spring or bolt in order to increase speed. These kinds of alterations are common among those using firearms for sporting purposes. The result is that this bill may unintentionally ban a significant number of weapons used for hunting or target shooting by responsible gun owners in Maine.

I want to be clear: machine guns have rightly long been prohibited under both Maine and Federal law, and I strongly agree that devices whose sole purpose is to convert a lawful semi-automatic firearm into a weapon that is the functional equivalent of a machine gun should be restricted. But, despite the well-meaning nature of this bill, I am concerned that the novel language this bill contains, the manner in which it was developed,



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and the short time that was available during its review create the risk for unintended mistakes. Legislation putting those restrictions into law should only be developed in a deliberate, inclusive, and clear manner for both gun safety advocates and those concerned with protecting lawful access to firearms. Particularly when it comes to statutes that carry criminal penalties, the language must be clear and specific, providing fair warning to those who might fall under its provisions.

For these reasons, I return L.D. 2086 unsigned and vetoed, and I urge the Legislature to sustain this veto.

Sincerely,



Janet T. Mills  
Governor



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