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**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 879, L.D. 2086, “An Act to Amend the Law Governing the Disposition of Forfeited Firearms”

Amend the bill by inserting after section 2 the following:

'Sec. 3. 17-A MRSA §1051, sub-§2, as enacted by PL 1975, c. 499, §1, is repealed and the following enacted in its place:

- 2.** As used in this chapter, "machine gun" means:
 - A. A weapon of any description, by whatever name known, loaded or unloaded, that is capable of discharging a number of projectiles in rapid succession by one manual or mechanical operation of the trigger or firing mechanism;
 - B. A manual, power-driven or electronic device primarily designed or redesigned so that when the device is attached to a semi-automatic firearm, the device:
 - (1) Materially increases the rate of fire of the semi-automatic firearm; or
 - (2) Approximates the operation or rate of fire of a machine gun;
 - C. A device, part or combination of parts that is designed and functions to materially increase the rate of fire of a semi-automatic firearm by eliminating the need for the operator of the semi-automatic firearm to make a separate movement for each individual operation of the trigger or firing mechanism; or
 - D. A semi-automatic firearm that has been modified in any way that:
 - (1) Materially increases the rate of fire of the semi-automatic firearm; or
 - (2) Approximates the operation or rate of fire of a machine gun.

Sec. 4. 17-A MRSA §1051, sub-§2-A is enacted to read:

- 2-A.** For purposes of this chapter, "semi-automatic firearm" means a firearm that:
 - A. Upon initiating the firing sequence, fires the first chambered cartridge and uses a portion of the energy of the firing cartridge to:

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- 1 (1) Extract the expended cartridge case;
- 2 (2) Chamber the next cartridge; and
- 3 (3) Prepare the firing mechanism to fire again;
- 4 B. Requires a separate movement for each individual operation of the trigger or firing
- 5 mechanism; and
- 6 C. Is not a machine gun.'

7 Amend the bill by inserting after section 5 the following:

8 '**Sec. 6. Attorney General; rules for forfeited firearms.** In accordance with the
9 Maine Revised Statutes, Title 17-A, section 1504, subsection 4, the Attorney General shall
10 update rules governing the disposition of forfeited firearms to state, county and municipal
11 agencies including updated processes for the destruction of forfeited firearms under state
12 law.'

13 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
14 number to read consecutively.

15 **SUMMARY**

16 This amendment repeals and replaces the provision of law defining "machine gun." In
17 the amendment, the definition of "machine gun" includes the same language that defines
18 "machine gun" under current law and adds to the definition: a device that, when attached
19 to a semi-automatic firearm, materially increases the rate of fire of the semi-automatic
20 firearm or approximates the operation or rate of fire of a machine gun; a device, part or
21 combination of parts designed to increase the rate of fire of a semi-automatic firearm by
22 eliminating the need to make a separate movement for each individual operation of the
23 trigger; and a semi-automatic firearm that has been modified to materially increase its rate
24 of fire or to approximate the operation or rate of fire of a machine gun. The amendment
25 also defines "semi-automatic firearm."

26 Finally, the amendment directs the Attorney General to update rules governing the
27 disposition of forfeited firearms under state law.

28 **FISCAL NOTE REQUIRED**
29 **(See attached)**