

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

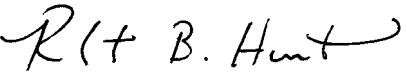
No. 1463

H.P. 955

House of Representatives, April 3, 2025

An Act to Prohibit the Auctioning of State Surplus or Forfeited Firearms

Reference to the Committee on Judiciary suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative SACHS of Freeport.
Cosponsored by Senator ROTUNDO of Androscoggin and
Representatives: BRIDGEO of Augusta, DOUDERA of Camden, GATTINE of Westbrook,
MATLACK of St. George, SALISBURY of Westbrook, STOVER of Boothbay, Senator:
CARNEY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §1813, sub-§6**, as amended by PL 2005, c. 386, Pt. H, §8, is further
3 amended to read:

4 **6. Surplus property.** Providing for transfer of supplies, materials and equipment that
5 are surplus from one state department or agency to another that may need them, and for the
6 disposal by private and public sale of supplies, materials and equipment that are obsolete
7 and unusable. Political subdivisions, educational institutions, fire departments or
8 qualifying nonprofit organizations as defined in section 1828, subsection 1, must be given
9 an opportunity to purchase the surplus items through private sale. If 2 or more political
10 subdivisions, educational institutions, fire departments or qualifying nonprofit
11 organizations are interested in any item, the sale must be the result of competitive bid. Any
12 equipment so purchased must be retained for a period of at least one year in a current
13 ongoing program. Any item purchased by a political subdivision, educational institution,
14 fire department or qualifying nonprofit organization under this section may not be sold or
15 transferred by that political subdivision, educational institution, fire department or
16 qualifying nonprofit organization for a period of 6 months from the date of the private sale,
17 except that a qualifying nonprofit organization that contracts with the Department of Health
18 and Human Services to provide vehicles to low-income families may resell a passenger
19 vehicle or light truck purchased in the private sale to a low-income family to assist it in
20 participating in work, education or training pursuant to the qualifying nonprofit
21 organization's contract with the Department of Health and Human Services. The State
22 reserves the right to refuse to sell additional equipment to a political subdivision,
23 educational institution, fire department or qualifying nonprofit organization if it is
24 determined that the political subdivision, educational institution, fire department or
25 qualifying nonprofit organization has not retained the equipment for the required period of
26 6 months. This subsection does not apply to firearms as defined by Title 17-A, section 2,
27 subsection 12-A. Except as provided in section 20-A, subsection 2, all surplus or forfeited
28 firearms must be destroyed by the State;

29 **Sec. 2. Departments to update rules.** The Director of the Bureau of General
30 Services within the Department of Administrative and Financial Services, with the
31 approval of the Commissioner of Administrative and Financial Services and the
32 Commissioner of Public Safety, shall update the rules of the Department of Administrative
33 and Financial Services and the Department of Public Safety to require that any surplus or
34 forfeited firearm in the State be destroyed unless it is a firearm that is state property and is
35 purchased at fair market value by a state employee and was assigned to the employee or
36 the employee was the principal user of the firearm at the time of that employee's
37 employment as described in the Maine Revised Statutes, Title 5, section 20-A, subsection
38 2.

39 **Sec. 3. Contract for destruction of firearms.** In accordance with the Maine
40 Revised Statutes, Title 5, chapter 155, the Department of Public Safety shall contract with
41 a vendor specializing in the destruction of firearms to destroy all forfeited or surplus
42 firearms in the State except for surplus firearms purchased pursuant to Title 5, section 20-A,
43 subsection 2.

SUMMARY

This bill prohibits the State from offering surplus or forfeited firearms for private or public sale and requires all surplus and forfeited firearms to be destroyed except for firearms that were assigned to a state employee as a part of the employee's official duties, which may be purchased by that employee upon leaving employment. The bill also requires the Director of the Bureau of General Services within the Department of Administrative and Financial Services, with the approval of the Commissioner of Administrative and Financial Services and the Commissioner of Public Safety, to update the rules of the Department of Administrative and Financial Services and the Department of Public Safety relating to the destruction of surplus and forfeited firearms. Finally, the bill requires the Department of Public Safety to contract with an outside vendor specializing in the destruction of firearms.