

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 997

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S.P. 342

In Senate, March 12, 2013

### An Act To Establish Restrictions on Ammunition Feeding Devices

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by President ALFOND of Cumberland.

Cosponsored by Senator GERZOFKY of Cumberland, Representative BERRY of Bowdoinham and

Representatives: DION of Portland, LAJOIE of Lewiston.

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

2 **Sec. 1. 17-A MRSA §1059** is enacted to read:

3 **§1059. Possession, transfer or importation of ammunition feeding device**

4 1. A person is guilty of possession, transfer or importation of an ammunition feeding  
5 device if the person, without authority to do so, possesses, transfers or imports into the  
6 State an ammunition feeding device.

7 2. As used in this section, "ammunition feeding device" means a device used with a  
8 firearm such as a magazine, belt, drum, feed strip or similar device that has a capacity of,  
9 or that can be readily restored or converted to accept, more than 10 rounds of  
10 ammunition.

11 3. Possession, transfer or importation of an ammunition feeding device is a Class D  
12 crime.

13 4. This section does not apply to:

14 A. Possession of an ammunition feeding device by a person who:

15 (1) Lawfully possessed the ammunition feeding device before the effective date  
16 of this section; or

17 (2) Is retired from service with a law enforcement agency and is not otherwise  
18 prohibited from receiving ammunition, as long as the ammunition feeding device  
19 was transferred to the person by the law enforcement agency upon the person's  
20 retirement; or

21 B. Possession, transfer or importation of an ammunition feeding device by:

22 (1) A governmental department or agency or law enforcement officer for  
23 purposes of law enforcement;

24 (2) A licensee under Title I of the federal Atomic Energy Act of 1954, Public  
25 Law 83-703 or an employee or contractor of that licensee for purposes of  
26 establishing and maintaining a physical protection and security system or  
27 organization required by federal law; or

28 (3) A person who is engaged in testing of or experimentation with the  
29 ammunition feeding device authorized by the commissioner.

30 **SUMMARY**

31 This bill makes the possession, transfer or importation of an ammunition feeding  
32 device for a firearm a Class D crime. An ammunition feeding device is a device such as a  
33 magazine, belt, drum or other device that has a capacity of more than 10 rounds of  
34 ammunition. Exceptions include:

35 1. The possession of an ammunition feeding device by:

- 1           A. A person who lawfully possessed the device before the effective date of this Act;  
2           or
- 3           B. A person who has retired from a law enforcement agency and received the device  
4           from the agency upon the person's retirement; or
- 5           2. The possession, transfer or importation of an ammunition feeding device by:
- 6           A. A governmental agency, department or law enforcement officer for purposes of  
7           law enforcement;
- 8           B. A licensee under Title I of the federal Atomic Energy Act of 1954 or an employee  
9           or contractor of the licensee for purposes of establishing and maintaining a physical  
10          protection and security system or organization required by federal law; or
- 11          C. A person who is engaged in the authorized testing of or experimentation with the  
12          ammunition feeding device.