

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
SECOND REGULAR SESSION

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'Sec. 3. 17-A MRSA §1051, sub-§2, as enacted by PL 1975, c. 499, §1, is repealed and the following enacted in its place: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

COMMITTEE AMENDMENT

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- (1) Extract the expended cartridge case;
- (2) Chamber the next cartridge; and
- (3) Prepare the firing mechanism to fire again;

B. Requires a separate movement for each individual operation of the trigger or firing mechanism; and

C. Is not a machine gun.'

Amend the bill by inserting after section 5 the following:

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

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

**SUMMARY**

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

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

**FISCAL NOTE REQUIRED**  
(See attached)



# 131st MAINE LEGISLATURE

LD 2086

LR 2831(02)

**An Act to Amend the Law Governing the Disposition of Forfeited Firearms**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-1679)**

**Committee: Judiciary**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Office of the Attorney General associated with updating rules are anticipated to be minor and can be absorbed within existing budgeted resources.