

My name is James Christopher McGettigan and my address is 3703 Glebe Meadow Way, Edgewater MD, 21037. HB0425 deserves an unfavorable report for the reasons and observations below.

### **Taxation**

It seems to me that this legislation is attempting to place legal barriers in place to prevent the personal manufacturing of firearms, for at an undefined step (5-701 H 1 "HAS REACHED A STAGE IN MANUFACTURE WHERE IT MAY READILY BE COMPLETED, ASSEMBLED, OR CONVERTED TO BE USED AS THE FRAME OR RECEIVER OF A FUNCTIONAL FIREARM") prior to completion it transitions from a non-firearm to a firearm and is unserialized. To remain out of danger from prosecution one must purchase a firearm from a FFL since all private purchases are illegal in Maryland at this time. "Serialize the unfinished part" is something which might be suggested by those unexperienced with personal firearm manufacturing. Unfortunately manufacturing (or modification) processes are fraught with risk and several flawed and unfinished receivers can be discarded prior to completing a receiver.

Assuming a FFL will do business involving privately manufactured firearms if a narrow path for private manufacturing is found, the fees, taxes, monetary and legal risks for the equipment necessary to exercise a fundamental, incorporated, and individual right is ripe for argument. However, if Maryland has constructively banned private manufacturing of firearms, that leaves purchase through a FFL as the only recourse. This path involves the payment of taxes beyond a simple sales tax - a poll tax or taxes have been constructed to exercise a fundamental, incorporated, and individual right.

### **How to handle privately manufactured firearms previously serialized by a non FFL?**

Vanity serial numbers are common in the privately manufactured firearms community, and these almost certainly do not conform to the standards being proposed. The designated serial number application areas on some firearms' frames or receivers are quite small and cannot be amended once marked (for example a Glock 19 frame). If the only recourse is destruction or surrender to law enforcement of the equipment used to exercise a fundamental, incorporated, and individual right to avoid the danger of prosecution, then this is a taking and violation of this right.

### **Medical Marijuana: interactions with Federal Firearms regulations**

Constructively banning private firearms manufacturing and mandating firearms procurement go through or interact with federal bureaucracy closes the only door which avoids self-incrimination of medical marijuana patients. Medical marijuana patients are prohibited persons with regards to firearms ownership in the eyes of the federal government. See the questions asked on the ATF form 4473 and Senate Bill 286 for reference.

Please excuse the lack of organization as I did not know the testimony needed to be submitted during signup. It is my goal that all law-abiding persons no matter who they are enjoy all aspects of their second amendment right. Buying, owning, and shooting firearms are only some facets of this right.

Thank you for considering my testimony.

Regards,

-James C. McGettigan