Beat: News

Maryland General Assembly one step closer to passing sweeping gun-control law

Emotions and stakes high on both sides

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USPA NEWS - After adopting only four of over two dozen proposed amendments, the Maryland House of Delegates has given preliminary approval to Governor Martin O'Malley's proposed gun-control legislation aka SB281 "Firearm Safety Act of 2013".

In an emotional and at times contentious debate, Del. Kathleen Dumais, a Montgomery County Democrat, and vice-chair of the House Judiciary Committee shepherded the bill through a nearly six hour debate on the House floor, successfully preserving what she previously referred to as the "key components" of the legislation.

Amended in a joint committee hearing on Friday, and with minor "technical" and "friendly" amendments on the floor, the House version requires digital fingerprinting for all hand gun purchasers in order to to be licensed, bans the sale of assault style weapons in the state, limits magazine capacity to ten (10) bullets, and expands the list of mental-health patients and conditions precluded from purchasing a firearm.

While 2nd Amendment right defenders like Del. Don Dwyer (R-31-Anne Arundel County), Del. Michael McDermott (R-38B-Wicomico & Worcester Counties), and Del. Andreew Serafini (R-2A-Washington County) still vehemently oppose the legislation as amended by the House, supporters of the original legislation as passed in the state Senate on February 28 are also facing some tough decisions as the house nears final passage of the amended bill.

According to the ï»¿Washington Post, ï»¿lawmakers close to the negotiations say that barring last-minute changes on the House floor Wednesday, they may have to risk sending the gun-control bill to a conference committee and, therefore, a series of high-stakes votes on the final day of the session.

Among the concerns is a provision that would let any state resident who volunteers to be a member of the Maryland Defense Force elude many restrictions on gun purchases. The Maryland Defense Force, which dates to 1917, is a little-known part of the state´s military department that, like the National Guard, is under the governor´s control.

Maj. Gen. James Adkins, head of the Maryland National Guard, wrote to legislative leaders Tuesday saying he opposed the exclusion. He called the force an “outstanding organization“ but said many of its 450 volunteers have no military training and no need for weapons to carry out their duties. “This group of fine men and women are not a group in need of an exemption“ from the gun bill, Adkins wrote.

Top 3 changes in the House of concern for gun-control advocates

1. Removal of a detailed listing of physical traits used to evaluate whether weapons manufactured in the future should be banned. Advocates fear this could create a loophole in the law that would likely legalize a semi-automatic weapon under development by Baretta.

2. A provision that would allow Maryland residents to complete the purchase of an assault weapon after the law goes into effect October 1, as long as the sale was commenced before the law takes effect.

ï»¿3. Rolling back the age from 21 for purchasers of handguns who currently serve in the National Guard or other branches of the U.S. Military.

Top 3 issues of concern for 2nd Amendment advocates:

1. Requirement for digital fingerprinting of all applicants to purchase a handgun and receive the needed license. CONTENTION: Fingerprinting is not required to exercise any other Constitutional right, and the state does not have capacity to facilitate the background checks in the time required by law.

2. Requirement that citizens conform to the same proficiency standards required of law enforcement officers. CONTENTION: Shortage of ammunition and limited number of ranges in the state makes the requirement excessively prohibitive on residents and equates to a ban.

3. Provision that prohibits an off-duty police officer from carrying his service weapon onto school grounds when visiting, at an event, or picking-up a child.

The clock is ticking towards Sine Die

But with the clock ticking, and the General Assembly adjourning Sine Die on Monday night, supporters of the Governor's gun-control legislation have more at stake in many regards than do their opponents.

If the Senate were to reject the House bill as amended, and take the changes to conference committee, it would take a miraculous swift and decisive consensus building team to get the bill passed prior to the end of the General Assembly's 90-day session.

The House is expected to give final approval to SB281 as amended sometime Wednesday.

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