



# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 1942

H.P. 1386

House of Representatives, January 8, 2020

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**An Act To Protect Water Quality by Prohibiting Consumer  
Fireworks in the Shoreland Zone**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

*Robert B. Hunt*

ROBERT B. HUNT

Clerk

Presented by Representative FAY of Raymond.

Cosponsored by Representatives: ACKLEY of Monmouth, FECTEAU of Biddeford, KESCHL of Belgrade, MORIARTY of Cumberland.

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

2 **Sec. 1. 8 MRSA §223-A, sub-§8, ¶C** is enacted to read:

3 C. Consumer fireworks may not be used within the shoreland zone, except during:

4 (1) The calendar week that includes July 4th;

5 (2) New Year's Eve and until 12:30 a.m. on New Year's Day;

6 (3) Labor Day; and

7 (4) Memorial Day.

8 This paragraph does not apply to a permitted fireworks display under section 227-A.

9 As used in this paragraph, "shoreland zone" has the same meaning as "shoreland  
10 areas" under Title 38, section 435; terms used to describe "shoreland areas" under  
11 Title 38, section 435 have the same meanings as under Title 38, section 436-A.

12

### SUMMARY

13 This bill bans the use of consumer fireworks in the shoreland zone except during the  
14 calendar week that includes July 4th and on New Year's Eve, Labor Day and Memorial  
15 Day. It exempts from this prohibition fireworks displays that have a permit issued by the  
16 Commissioner of Public Safety or the commissioner's designee.

Date:

(Filing No. H- )

**ENVIRONMENT AND NATURAL RESOURCES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT " " to H.P. 1386, L.D. 1942, Bill, "An Act To Protect Water Quality by Prohibiting Consumer Fireworks in the Shoreland Zone"

Amend the bill by striking out the title and substituting the following:

**'An Act To Protect Water Quality by Requiring Additional Disclosures to Purchasers of Consumer Fireworks Regarding Safe and Proper Use'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 8 MRSA §223-A, sub-§10**, as enacted by PL 2011, c. 416, §5 and affected by §9, is amended to read:

**10. Disclosures to customers.** A person authorized to sell consumer fireworks shall provide to the purchaser at the point of sale written guidelines describing the safe and proper use of consumer fireworks, which must include, but are not limited to, guidelines regarding the safe and proper use of consumer fireworks around bodies of water; guidelines regarding the prevention of littering in the use of consumer fireworks; and guidelines regarding the effects from the use of consumer fireworks on wildlife, livestock and domesticated animals. The guidelines must also include the following statements in a conspicuous location: "MAINE LAW EXPRESSLY PROHIBITS PERSONS UNDER 21 YEARS OF AGE FROM PURCHASING, POSSESSING OR USING CONSUMER FIREWORKS" and "FURNISHING CONSUMER FIREWORKS TO PERSONS UNDER 21 YEARS OF AGE IS A CRIMINAL OFFENSE IN MAINE." Such guidelines must be published or approved by the commissioner prior to distribution.'

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

**SUMMARY**

This amendment changes the title of and replaces the bill. It amends the State's consumer fireworks laws to provide that the required disclosures to purchasers of

**COMMITTEE AMENDMENT**

1 consumer fireworks by sellers of consumer fireworks must include guidelines regarding  
2 the safe and proper use of consumer fireworks around bodies of water; guidelines  
3 regarding the prevention of littering in the use of consumer fireworks; and guidelines  
4 regarding the effects from the use of consumer fireworks on wildlife, livestock and  
5 domesticated animals.



# State of Maine Legislature

## Summary of LD 1942

### Bill Info

**LD 1942** (HP 1386)

**"An Act To Protect Water Quality by Prohibiting Consumer Fireworks in the Shoreland Zone"**

Sponsored by **Representative Jessica Fay**

### Status Summary

Reference Committee **Environment and Natural Resources**

Last House Action **3/17/2020 - PASSED TO BE ENACTED.**

Sent for concurrence. ORDERED SENT FORTHWITH.

Last Senate Action **3/17/2020 - PASSED TO BE ENACTED,** in concurrence.

Last Engrossed by **3/17/2020**  
House on

Last Engrossed by **3/17/2020**  
Senate on

Governor Action **Signed by the Governor**  
Chapter **646**

Final Law Type **Public Law**  
Date **3/18/2020**

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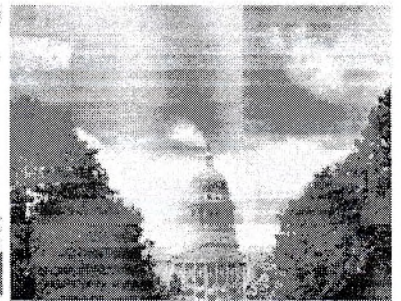
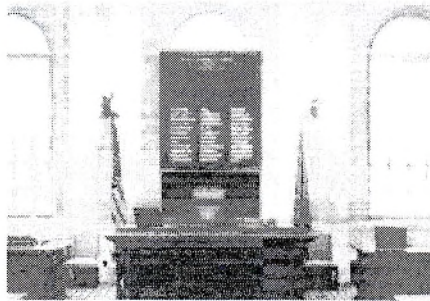
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## Welcome to the Maine Legislature



The **Second Regular Session** of the **Maine State Legislature** adjourned *sine die* on Tuesday, March 17, 2020.

Pursuant to the Constitution of Maine, Article IV, Part Th **effective date for nonemergency laws passed in the Secor Legislature is Tuesday, June 16, 2020.**

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