



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 252

H.P. 185

House of Representatives, January 31, 2017

An Act To Improve Safety in the Disposal of Expired Marine Flares

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative McCREIGHT of Harpswell.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: ALLEY of Beals, BLUME of York, DEVIN of Newcastle, HUBBELL of Bar
Harbor, KUMIEGA of Deer Isle, SIMMONS of Waldoboro, TUELL of East Machias, Senator:
VITELLI of Sagadahoc.

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

2 **Sec. 1. 25 MRSA c. 318-A** is enacted to read:

3 **CHAPTER 318-A**

4 **EXPIRED MARINE FLARES**

5 **§2491. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Commissioner.** "Commissioner" means the Commissioner of Public Safety or the
9 commissioner's designee.

10 **2. Expired.** "Expired" means, with regard to a marine flare, beyond the
11 manufacturer-designated period of recommended use.

12 **3. Fire inspector.** "Fire inspector" means a person designated by the commissioner
13 to collect expired marine flares.

14 **4. Marine flare.** "Marine flare" means a device designed to produce a bright flame
15 for use as a signal or marker on the inland or coastal waters of the State or at sea.

16 **§2492. Collection program**

17 The commissioner shall establish a program for the convenient and safe collection of
18 expired marine flares pursuant to this section.

19 **1. Fire departments.** In cooperation with municipal authorities, the commissioner
20 shall designate fire department facilities throughout the State for the collection and safe
21 retention of expired marine flares.

22 **2. Site collection.** The commissioner shall designate fire inspectors to collect
23 expired marine flares from the facilities described under subsection 1. The fire inspectors
24 shall collect the expired marine flares on a regular basis throughout the calendar year and
25 deliver them for incineration pursuant to section 2493.

26 **3. Direct collection.** The commissioner shall establish a program of direct collection
27 of expired marine flares by fire inspectors from persons who fish commercially and
28 recreational boaters in the State, including through coordination with the sponsors of
29 events at which persons who fish commercially and recreational boaters are invited to
30 drop off their expired marine flares.

31 **§2493. Disposal program**

32 The commissioner shall establish a program for the safe, nonpolluting disposal of all
33 types of expired marine flares pursuant to this section.

