



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 168

S.P. 57

In Senate, January 31, 2013

### **An Act To Establish Reasonable Restrictions on the Use of Fireworks**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator JOHNSON of Lincoln.  
Cosponsored by Representative LAJOIE of Lewiston and  
Senators: CRAVEN of Androscoggin, GERZOFSKY of Cumberland, MILLETT of  
Cumberland, PATRICK of Oxford, Representatives: MacDONALD of Boothbay, POULIOT  
of Augusta.

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

2 **CONCEPT DRAFT**

3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 This bill proposes to establish reasonable restrictions on the sales and use of  
6 fireworks in the State. This bill would establish a mechanism for reviewing and  
7 determining whether restrictions should be placed on the use of fireworks depending on  
8 factors, including, but not limited to:

9 1. The level of fire danger within the area at the time of intended use;

10 2. The presence of farm animals in the area, and the propensity of such animals to  
11 suffer adverse health effects from exposure to the noise accompanying fireworks or, as a  
12 result of fear resulting from exposure to such noise, to endanger others;

13 3. The interests of summer residents and tourists, and the interests of local businesses  
14 that provide services to such residents and tourists;

15 4. The interests of year-round residents in living without unreasonable disturbances  
16 to their peace and tranquility; and

17 5. The effects on veterans who suffer from post-traumatic stress disorder, for whom  
18 exposure to fireworks carries the potential to trigger debilitating symptoms that have  
19 severe and long-lasting effects on their health and ability to function.

20 The mechanism for reviewing and determining the establishment of fireworks  
21 restrictions must evaluate the impact of the use of fireworks on tourism in the State, and  
22 balance the interests of the private individuals who choose to use fireworks and the  
23 members of the public who are then necessarily exposed to those fireworks. Restrictions  
24 imposed on the use of fireworks may include, among other things, a requirement to obtain  
25 a permit from the State Fire Marshal, a requirement to obtain local fire permits,  
26 limitations on the times during the day, week or month that fireworks may be used and  
27 the establishment of firework-free zones throughout the State.