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Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 185, L.D. 252, Bill, “An Act To Improve Safety in the Disposal of Expired Marine Flares”

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

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

CHAPTER 318-A

EXPIRED MARINE FLARES

§2491. Collection, storage and disposal of expired marine flares

The State Fire Marshal shall, within existing resources, establish a program for the safe collection, storage and disposal of expired marine flares and to provide public education regarding safe storage, collection and disposal of expired marine flares pursuant to this section.

1. Definition. As used in this chapter, unless the context otherwise indicates, "expired marine flare" means a device designed to produce a bright flame for use as a signal or marker on the inland or coastal waters of the State or at sea that is beyond the manufacturer-designated period of recommended use.

2. Acceptance; storage; disposal. The State Fire Marshal shall accept, store and dispose of expired marine flares from owners of the expired marine flares or from a fire department that has taken possession of expired marine flares.

3. Safety; recycling. The State Fire Marshal shall dispose of collected and stored expired marine flares in a safe and nonpolluting manner at temperatures that are safe within Department of Environmental Protection standards for preventing air pollution and, to the extent practicable, shall recycle the material that remains after expired marine flares have been incinerated.

4. Public education. The State Fire Marshal shall provide information for the public regarding expired marine flares, safe procedures for storage, collection and disposal and

COMMITTEE AMENDMENT

1 the dangers to public health and safety and the environment from improperly storing,
2 collecting and disposing of those flares. The State Fire Marshal shall work with the
3 Department of Agriculture, Conservation and Forestry, the Department of Inland
4 Fisheries and Wildlife, the Department of Environmental Protection, the Department of
5 Marine Resources and the Department of Public Safety to provide information for the
6 purpose of providing effective public education through the written materials and
7 publicly accessible websites of those departments.'

8 **SUMMARY**

9 This amendment replaces the bill. The amendment provides for the State Fire
10 Marshal to establish, within existing resources, a program of storage, collection and
11 disposal of expired marine flares. The amendment requires the State Fire Marshal to
12 accept from owners and fire departments expired marine flares and to dispose of the
13 expired flares safely. The amendment provides for public education to be undertaken by
14 the State Fire Marshal in collaboration with the Department of Agriculture, Conservation
15 and Forestry, the Department of Inland Fisheries and Wildlife, the Department of
16 Environmental Protection, the Department of Marine Resources and the Department of
17 Public Safety.

18 **FISCAL NOTE REQUIRED**

19 **(See attached)**