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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 57, L.D. 168, Bill, “An Act To Establish Reasonable Restrictions on the Use of Fireworks”

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

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

A. Consumer fireworks may be used between the hours of ~~9:00 a.m.~~ noon and 10:00 p.m., except that on the following dates they may be used between the hours of ~~9:00 a.m.~~ noon and 12:30 a.m. the following day:

- (1) July 4th;
- (2) December 31st; and
- (3) The weekends immediately before and after July 4th and December 31st.

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

C. Consumer fireworks may not be used if the Governor has prohibited out-of-door fires pursuant to Title 12, section 9001, subsection 2.

Sec. 3. 8 MRSA §223-A, sub-§14 is enacted to read:

14. Disorderly conduct. Notwithstanding the provisions of this chapter, a person may be guilty of disorderly conduct pursuant to Title 17-A, section 501-A if the person uses consumer fireworks in a manner that causes loud and unreasonable noises.'

SUMMARY

This amendment, which is the majority report of the committee, replaces the concept draft and makes the following changes to the consumer fireworks law.

COMMITTEE AMENDMENT

- 1 1. It changes the hours that consumer fireworks can be used to specify that they may
2 not be used before noon.
- 3 2. It prohibits the use of consumer fireworks whenever the Governor issues a
4 proclamation prohibiting out-of-door fires.
- 5 3. It clarifies that the use of consumer fireworks may constitute loud and
6 unreasonable noise under the disorderly conduct law pursuant to the Maine Revised
7 Statutes, Title 17-A, section 501-A.