

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1255

S. P. 379

In Senate, March 30, 1977

Reference reconsidered and subsequently referred to the Committee on Legal Affairs. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Hewes of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Exclude Sparklers from Prohibition against the Sale of
Fireworks.

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

8 MRSA § 211, 1st ¶, as amended by PL 1967, c. 12, is further amended to read:

No person shall sell, or keep or offer for sale, or use, or explode or cause to explode any combustible or explosive composition or substance, or any combination of such compositions or substances, or any other article, which was prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including in the above terms blank cartridges or toy cannons in which explosives are used, the type of balloon which requires fire underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, bombs, ~~sparklers~~ rockets, wheels, colored fires, fountains, mines, serpents, or other fireworks of like construction, or any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance or flammable compound. The term "fireworks" as used in this chapter shall not include toy pistols, toy canes, toy guns or other devices in which paper caps or plastic caps containing 25/100ths grains or less of explosive compound are used, if they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, or toy pistol paper caps or plastic caps which contain less than 20/100th grains of explosive mixture or **sparklers that do not contain magnesium chlorates or perchlorates**, the sale, possession and use of which shall be permitted at all times. This section shall not apply:

STATEMENT OF FACT

It is the intent of this legislation to exclude sparklers that do not contain magnesium chlorates or perchlorates from prohibition against the sale of fireworks.