

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 29  
6

7 H.P. 28

House of Representatives, January 8, 1985

8 Submitted by the Department of Public Safety pursuant to Joint Rule 24.  
9 Reference to the Committee on Legal Affairs suggested and ordered  
10 printed.

EDWIN H. PERT, Clerk

Presented by Representative Paul of Sanford.

11 Cosponsored by Representative Greenlaw of Standish, Representative  
Foss of Yarmouth and Representative Simpson of Casco.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT Concerning the Possession of  
18 Fireworks.  
19

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

22 8 MRSA §211, as amended by PL 1977, c. 237, is  
23 further amended to read:

24 No Unless otherwise provided by law, no person  
25 shall may possess or have under his control, or sell,  
26 or keep or offer for sale, or use, or explode or  
27 cause to explode any combustible or explosive compo-  
28 sition or substance, or any combination of such compo-  
29 sitions or substances, or any other article, which  
30 was prepared for the purpose of producing a visible  
31 or audible effect by combustion, explosion, deflagra-  
32 tion or detonation, including in the above terms  
33 blank cartridges or toy cannons in which explosives  
34 are used, the type of balloon which requires fire un-  
35 derneath to propel the same, firecrackers, torpedoes,  
36 skyrockets, roman candles, bombs, rockets, wheels,

1 colored fires, fountains, mines, serpents, or other  
2 fireworks of like construction, or any fireworks con-  
3 taining any explosive or flammable compound, or any  
4 tablets or other device containing any explosive sub-  
5 stance or flammable compound. The term "fireworks"  
6 as used in this chapter shall not include toy pis-  
7 tols, toy canes, toy guns or other devices in which  
8 paper caps or plastic caps containing 25/100ths  
9 grains or less of explosive compound are used, if  
10 they are so constructed that the hand cannot come in  
11 contact with the cap when in place for the explosion,  
12 or toy pistol paper caps or plastic caps which con-  
13 tain less than 20/100th grains of explosive mixture  
14 or sparklers that do not contain magnesium chlorates  
15 or perchlorates, the sale, possession and use of  
16 which shall be permitted at all times. This section  
17 shall not apply:

18 STATEMENT OF FACT

19 This bill clarifies the existing language con-  
20 tained in the Revised Statutes, Title 8, section 211,  
21 to ensure that the possession, and not just the sale  
22 of fireworks, is prohibited in this State.

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