

# MAINE STATE LEGISLATURE

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**CRIMINAL JUSTICE**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1233, L.D. 1693, Bill, "An Act to Enhance Fireworks Safety"

Amend the bill in section 1 in that part designated "§222." in the first paragraph in the first line (page 1, line 8 in L.D.) by striking out the following: "No" and inserting in its place the following: 'No A' and by inserting after the following: "may" the following: 'not'

Further amend the bill in section 2 in subsection 1 in the first line (page 1, line 15 in L.D.) by striking out the following: "Any" and inserting in its place the following: 'Any A' and in the 3rd line (page 1, line 17 in L.D.) by striking out the following: "is guilty of" and inserting in its place the following: '~~is--guilty--of~~ commits' and by striking out the following: "Any" and inserting in its place the following: 'A' and in the next to the last line (page 1, line 20 in L.D.) by striking out the following: "rules" and inserting in its place the following: 'permit' and in the last line (page 1, line 21 in L.D.) by striking out the following: "of"

Further amend the bill by inserting at the end before the statement of fact the following:

**FISCAL NOTE**

This bill may increase prosecutions for Class D and Class E crimes. If a jail sentence is imposed, the additional costs to

the counties are estimated to be \$83.70 per day per prisoner. These costs are not reimbursed by the State. The number of prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

The additional workload, administrative costs and indigent defense costs associated with the minimal number of net new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may also increase General Fund revenue by minor amounts.'

#### STATEMENT OF FACT

This amendment clarifies that a violation of the conditions of a permit for display of fireworks is a Class E crime.

The amendment also makes technical corrections and adds a fiscal note to the bill.

The Department of Corrections has prepared the following correctional impact statement for the original bill pursuant to the Maine Revised Statutes, Title 34-A, section 1402: "L.D. 1693, "An Act to Enhance Fireworks Safety," would create 2 new criminal offenses, one Class D and the other Class E.

Sentences imposed resulting in incarceration for a Class D offense must be served in a county jail. The average cost per sentence to the county for a Class D offense is \$9,960.

Sentences imposed resulting in incarceration for a Class E offense must be served in a county jail. The average cost per sentence to the county for a Class E offense is \$5,608."