

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 3

H.P. 5

House of Representatives, January 4, 2017

An Act To Grant Plantations the Power To Control Consumer Fireworks

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DEVIN of Newcastle.
Cosponsored by Senator DILL of Penobscot and
Representatives: ALLEY of Beals, HIGGINS of Dover-Foxcroft, MARTIN of Eagle Lake,
SKOLFIELD of Weld, TUELL of East Machias, Senators: DAVIS of Piscataquis, DOW of
Lincoln, MAKER of Washington.

1 **Emergency preamble. Whereas**, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas**, under current law plantations do not have the power to control consumer
4 fireworks; and

5 **Whereas**, control of consumer fireworks by plantations is critical to protecting the
6 environment and to fire safety; and

7 **Whereas**, control of consumer fireworks by plantations is necessary before the
8 summer season begins; and

9 **Whereas**, in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. 30-A MRSA §7051, sub-§11**, as enacted by PL 2007, c. 35, §3, is
15 amended to read:

16 **11. Ordinances.** Chapter 141, but only with respect to animal control ordinances
17 ~~and~~ subject to Title 7, section 3950, and the sale and use of consumer fireworks within
18 the plantation, subject to Title 8, section 223-A.

19 **Emergency clause.** In view of the emergency cited in the preamble, this
20 legislation takes effect when approved.

21 **SUMMARY**

22 This bill grants to plantations the power to control the sale and use of consumer
23 fireworks in the same manner that municipalities may control consumer fireworks.