

MAINE STATE LEGISLATURE

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L.D. 1348

Date: 2/24/22

(Filing No. S-423)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ A ” to S.P. 430, L.D. 1348, “An Act To Limit the Decibel Level of Fireworks Near Working Farms”

Amend the bill by striking out the title and substituting the following:

'Resolve, To Study the Impacts of Consumer Fireworks Use'

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

'Sec. 1. Stakeholder group. Resolved: That, in accordance with the requirements of this section, the State Fire Marshal shall convene a stakeholder group to review matters relating to the impacts of consumer fireworks use.

1. The State Fire Marshal shall, at a minimum, include as members of the stakeholder group:

- A. The Commissioner of Public Safety or the commissioner's designee;
- B. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;
- C. The Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry or the director's designee;
- D. A representative of a statewide organization representing the interests of farmers;
- E. A representative of a statewide equine protection organization;
- F. A representative of a statewide animal welfare organization;
- G. A veterinarian;
- H. An owner of a business that sells consumer fireworks in the State; and
- I. A representative of a statewide organization representing municipal interests.

2. The stakeholder group shall review and conduct research on matters relating to the impacts of consumer fireworks use in the State including, but not limited to:

COMMITTEE AMENDMENT

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- 1 A. A review of the decibel levels of consumer fireworks sold in the State, including
- 2 how the decibel level of a firework can impact humans, pets, livestock and wildlife,
- 3 and a review of documented reports since the enactment of Public Law 2011, chapter
- 4 416 of harm to animals caused directly or indirectly by the use of consumer fireworks;
- 5 B. A survey of residents of the State to identify concerns and negative experiences with
- 6 consumer fireworks use;
- 7 C. A review of laws of other jurisdictions regulating the use of consumer fireworks,
- 8 including any laws requiring a user of consumer fireworks to notify abutters or nearby
- 9 persons prior to use; and
- 10 D. An analysis of methods and the feasibility of implementing a notification system in
- 11 the State to alert the owners of livestock and other animals of potential nearby
- 12 consumer fireworks use prior to such use.

13 As used in this section, "consumer fireworks" has the same meaning as in the Maine
14 Revised Statutes, Title 8, section 221-A, subsection 1-A.

15 **Sec. 2. Report. Resolved:** That, on or before January 15, 2023, the State Fire
16 Marshal shall submit to the joint standing committee of the Legislature having jurisdiction
17 over criminal justice and public safety matters a report outlining the findings and any
18 recommendations of the stakeholder group convened pursuant to section 1, including any
19 proposed legislation. After reviewing the report, the joint standing committee may report
20 out legislation relating to the report to the First Regular Session of the 131st Legislature.'

21 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
22 number to read consecutively.

23 **SUMMARY**

24 This amendment replaces the bill with a resolve that directs the State Fire Marshal to
25 convene a stakeholder group to review matters relating to the impacts of consumer
26 fireworks use. On or before January 15, 2023, the State Fire Marshal is required to submit
27 to the joint standing committee of the Legislature having jurisdiction over criminal justice
28 and public safety matters a report outlining the findings and any recommendations of the
29 stakeholder group, including any proposed legislation, and the committee is authorized to
30 report out legislation relating to the report to the First Regular Session of the 131st
31 Legislature.

32 **FISCAL NOTE REQUIRED**

33 (See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 1348

LR 1556(02)

An Act To Limit the Decibel Level of Fireworks Near Working Farms

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-423)
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Agriculture, Conservation and Forestry to participate in a stakeholder group or to the Department of Public Safety to convene a stakeholder group and report the results are anticipated to be minor and can be absorbed within existing budgeted resources.