

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 913

House of Representatives, April 7, 1943.
Amendment reported by Conference. Conference Report tabled and
Amendment order printed.
Reported by Conference.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

House Amendment "B" to AN ACT Relating to Sale and Use of Fireworks.

Amend said bill by striking out everything after the enacting clause, and inserting in place thereof the following:

Sec. 1. Devices for firing blank cartridges, and fire balloons, etc., not to be sold. It shall be unlawful to sell any toy gun, toy cane or cannon that can be used to fire blank cartridge or cartridges, any fire balloon, so-called, parachute or similar article carrying a lighted substance.

Sec. 2. Limitation on shell of salutes to be sold. It shall be unlawful to sell any marble salute, cherry salute, globe flash salute, so-called, or any firecracker or salute having a shell or casing combined on any substance harder than any ordinary paper.

Sec. 3. Limitation on size of salutes and torpedoes to be sold. It shall be unlawful to sell any O. K. salutes and flash salute, radio flash salute, devil dog salute, so-called, or any firecracker or salute the external dimensions of which exceed 2 inches in length or $\frac{1}{2}$ inch in diameter, or which is designed to explode upon the ground when containing over 10 grains of explosive composition. No torpedoes, so-called, shall be sold when exceeding the length of $\frac{7}{8}$ of an inch in diameter or containing over 4 grains

of explosive composition, nor any rocket larger than those commercially designed and 1 pound in weight, provided, however, that the above shall not apply to sky rockets discharged in pyrotechnical display when in the hands of competent experts. No salute shall be sold exceeding 2 inches in length, and none shall contain dynamite, fulminate of mercury, nitroglycerine or any high explosive known as T. N. T. provided, however, that this shall not apply to the use of signal torpedoes by railroads in the operation with their trains.

Sec. 4. Limitations on sale of fireworks enumerated in section 3. No fireworks enumerated in section 3 of this act shall be displayed for sale except in show cases on shelves or in windows where they are completely enclosed.

Sec. 5. Manufacturers of fireworks to furnish bond. Any person, firm or corporation that manufactures fireworks that contracts with any city or town to furnish a public display of fireworks shall post a bond in the sum of \$10,000 with the city or town treasurer, to reimburse the said city or town for any damages caused by the use of the fireworks, provided, however, that the above shall not apply to a display of fireworks that does not exceed \$250 in cost.

Sec. 6. Use of Bear Cat torpedoes, and sky rockets regulated. It shall be unlawful to carry for sale or give away any torpedo of the type known to the trade as a Bear Cat torpedo. It shall be unlawful for any person or persons to lay any sky rocket on any sidewalk, street, or vacant lot within the state, but all sky rockets shall be discharged upwards in chutes or racks.

Sec. 7. Dago bombs forbidden. It shall be unlawful to have for sale in the state any dago bombs or aerial flash salutes.

Sec. 8. Pyrotechnical displays regulated. Pyrotechnical displays may be given at any time in licensed amusement parks, or in a suitable place in any city or town; provided, however, that the display is supervised by a suitable expert.

Sec. 9. Penalty. Whoever violates any of the provisions of this act shall be punished by a fine of not more than \$100 or by imprisonment for not more than 30 days in jail, or by both such fine and imprisonment.

Sec. 10. Repealing clause. All acts or parts of acts inconsistent with the provisions hereof are hereby repealed or amended to conform with the provisions hereof.

Reported by Committee on Conference.