

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

§231. Fireworks technician, proximate audience technician and flame effect technician license qualifications

A person may not act as a fireworks technician, proximate audience technician or flame effect technician unless the person meets the qualifications specified in this section and obtains a license. The person must:

- 1. **Age.** Be at least 21 years of age;
- 2. **Citizenship.** Be a citizen or resident alien of the United States;
- 3. **Experience.** Have experience and training working under the direction of a fireworks technician during at least 5 displays, or comparable experience as determined by the department. The technician must hold the same license as applied for by the person;
- 4. **Character.** Be of good moral character as determined by the department and not have been convicted of a crime that is punishable by a maximum term of imprisonment equal to or exceeding one year. In making the determination of good moral character, the commissioner shall consider matters recorded within the previous 5 years, including, but not limited to:
 - A. Records of incidents of abuse by the applicant of family or household members provided pursuant to Title 19-A, section 4012, subsection 1;
 - B. Records provided by the Department of Health and Human Services regarding the failure of the applicant to meet child or family support obligations;
 - C. Records of 3 or more convictions of the applicant for Class D or Class E crimes;
 - D. Records of 3 or more civil violations by the applicant; and
 - E. Records that the applicant has engaged in recklessness or negligence that endangered the safety of others;

5. **Examination.** Successfully complete a written examination administered by the department encompassing ~~fireworks and the conduct of displays codes, rules and information specific to the license applied for;~~ and

6. **Application.** Submit an application to the department that contains:

- A. The applicant's full name, full current address, social security number and date of birth; and
- B. A statement granting the commissioner authority to check the criminal records of the applicant.

Sec. 5. 8 MRSA §232, sub-§§2 and 3 are enacted to read:

2. Fee for proximate audience technician. The fee for an initial proximate audience technician license is \$180. The fee for renewal of the license is \$25.

3. Fee for flame effect technician. The fee for an initial flame effect technician license is \$180. The fee for renewal of the license is \$25.

Sec. 6. 8 MRSA §233, first ¶, as enacted by PL 1999, c. 671, §12, is amended to read:

Each fireworks technician, proximate audience technician or flame effect technician license is valid for a term of one year. Unless revoked or suspended, the license is renewable annually.

Sec. 7. 8 MRSA §233, sub-§2, as enacted by PL 2003, c. 521, §4, is amended to read:

2. Renewal submitted within 90 days following license expiration. Notwithstanding subsection 1, a person may renew a license under this chapter for up to 90 days after the date of expiration of the license. The 90-day period does not postpone the expiration date of the existing license. A licensee whose license has lapsed may not work as a fireworks technician, proximate audience technician or flame effect technician until a renewed license is issued.

See title page for effective date.

CHAPTER 57

H.P. 591 - L.D. 840

**An Act To Amend the Law
Regulating the Use of
Explosives**

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

Sec. 1. 25 MRSA §2472, sub-§3, as enacted by PL 1999, c. 652, §9, is amended to read:

3. Exceptions. This section does not apply to:

- A. The possession, use, storage or intrastate transportation of 50 pounds or less of smokeless powder or black powder; ~~or~~
- B. The possession, use, storage or intrastate transportation of 10,000 or fewer primers; ~~or~~
- C. The possession of 5 pounds or less of mixed binary target material for the purpose of sport shooting.

See title page for effective date.
