

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
CRIMINAL JUSTICE**

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*..... House & Senate disagree; bill died
- DIED IN CONCURRENCE*..... One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*..... Action incomplete when session ended; bill died
- EMERGENCY*..... Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*..... Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*..... Bill imposing local mandate failed to get 2/3 vote
- NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died
- INDEF PP*..... Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*..... Bill held by Governor
- VETO SUSTAINED*..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101 & 107

4. Establish licensing qualifications, application procedures and fees for persons using or discharging fireworks and for persons assisting in the discharge of fireworks during a display;
5. Establish a mechanism for the Commissioner of Public Safety to deny, suspend or revoke a fireworks technician or fireworks technician assistant license; and
6. Authorize the Commissioner of Public Safety to adopt rules in accordance with the Maine Administrative Procedure Act for the use, storage, transportation and display of fireworks.

Committee Amendment "A" (H-1031) proposed to do the following:

1. Strike from the bill language defining "fireworks technician assistant" and outlining the licensing process for assistants;
2. Strike from the bill the requirement that an applicant for a fireworks technician license be a high school graduate;
3. Amend the experience requirements for an applicant for a fireworks technician license by requiring an applicant to have experience working under a fireworks technician in at least 5 shows;
4. Clarify the permitting, denial, suspension and revocation provisions regarding possession and display of fireworks; and
5. Add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 671 adds definitions to clarify the regulation of fireworks and special-effect pyrotechnics; establishes procedures for obtaining a fireworks display permit; and establishes grounds and procedures for revocation, suspension and denial of fireworks display permits and fireworks technician licenses.

LD 2479

An Act to Enhance Public Safety By Updating the Laws Pertaining to Explosives and Flammable Liquids

PUBLIC 652

Sponsor(s)
MCALEVEY

Committee Report
OTP-AM

Amendments Adopted
H-986

LD 2479 proposed to amend the laws pertaining to explosives and flammable liquids in the following ways:

1. Correct cross-references in the Maine Revised Statutes;
2. Repeal an outdated law pertaining to smoking in certain buildings and public places;
3. Repeal an outdated reference to obtaining a search warrant for explosives;

4. Repeal an outdated law allowing a representative of the Commissioner of Public Safety to be reimbursed for mileage costs while escorting shipments of explosives over the road;
5. Repeal certain laws pertaining to gas-fueled appliances; and
6. Repeal the laws pertaining to the regulation of explosives and flammable liquids and enact new laws on this subject, including laws governing the procedure to obtain permits; grounds for revocation, suspension and denial of permits; qualifications for permittees; fees; and penalties.

Committee Amendment "A" (H-986) proposed to make the following changes:

1. Correct a cross-reference in the Maine Revised Statutes;
2. Clarify new provisions of law pertaining to the regulation of explosives and flammable liquids, including the permitting procedure; grounds for revocation, suspension and denial of permits; fees; and penalties;
3. Make Maine law consistent with federal law by specifying that permitting provisions in the Maine Revised Statutes, Title 25, chapter 318 do not apply to a person who possesses, uses, stores or transports within the State 50 pounds or less of smokeless powder or black powder or 10,000 or fewer primers; and
4. Add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 652 amends the laws pertaining to explosives and flammable liquids in the following ways:

1. Clarifies new provisions of law pertaining to the regulation of explosives and flammable liquids, including the permitting procedure; grounds for revocation, suspension and denial of permits; fees; and penalties;
2. Makes Maine law consistent with federal law by specifying that permitting provisions in the Maine Revised Statutes, Title 25, chapter 318 do not apply to a person who possesses, uses, stores or transports within the State 50 pounds or less of smokeless powder or black powder or 10,000 or fewer primers;
3. Repeals an outdated law pertaining to smoking in certain buildings and public places;
4. Repeals an outdated reference to obtaining a search warrant for explosives;
5. Repeals an outdated law allowing a representative of the Commissioner of Public Safety to be reimbursed for mileage costs while escorting shipments of explosives over the road;
6. Repeals certain laws pertaining to gas-fueled appliances; and
7. Corrects cross-references in the Maine Revised Statutes.