

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 3 - 2 - 0

Yeas: Bonamici, Dingfelder, Prozanski

Nays: Kruse, Whitsett

Exc.: 0

Prepared By: Aaron Knott, Counsel

Meeting Dates: 3/8, 3/22

WHAT THE MEASURE DOES: Revises provisions regulating the sale, possession, use and explosion of fireworks. Revises the applicable definitions of fireworks, modifies prohibition and penalties, modifies the permitting process, expands the use of fireworks in deterring nuisance animals from certain businesses.

ISSUES DISCUSSED:

- The unique threat posed by an increasing population of Canadian geese to Oregon golf courses and the role of fireworks in repelling this threat
- Law enforcement reluctance to issue citations for illegal use of fireworks due to the lack of statutory clarity
- Differentiation between firework regulatory standards in Oregon and Washington
- Property damage caused by fireworks
- Definitions used by the American Pyrotechnics Association for the classification of fireworks and their incorporation in other statutory regimes

EFFECT OF COMMITTEE AMENDMENT: Replaces the bill.

BACKGROUND: Senate Bill 69 A makes a comprehensive revision of ORS Chapter 480 via grammatical, definitional and substantive changes, and brings the definitional classification of sub-categories of fireworks in line with those used nationally by the American Pyrotechnics Association. The most significant changes include a reduction of the penalty for the sale, possession, use or explosion of involving less than 50 pounds gross weight of illegal fireworks to a Class A violation carrying a maximum fine of \$720. Senate Bill 69 A makes the sale, possession, use or explosion of more than 50 pounds of illegal fireworks a Class A misdemeanor carrying a maximum penalty of one year imprisonment, \$6,250 fine or both. Senate Bill 69 A lengthens the retail permitting application process from 15 days prior to sale to 30 days prior to schedule and allows enumerated businesses including airports, golf courses and farms to utilize pyrotechnic control devices to protect their business operations from disruption by birds and other animals after approval from the State Fire Marshal.