

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
New Draft of: H. P. 743, L. D. 1072

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ONE HUNDRED AND FIRST LEGISLATURE

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Legislative Document

No. 1522

H. P. 1055

House of Representatives, April 17, 1963

Reported by a Majority of the Committee on Legal Affairs and printed under  
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HARVEY R. PEASE, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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AN ACT Revising the Laws Relating to Litter.

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**Emergency preamble.** Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the said 90-day period will not terminate until close to the end of the next summer season; and

Whereas, adverse litter conditions seriously impair the scenic resources of the State, particularly during the summer months, and present a critical problem in roadside cleanings; and

Whereas, intensive enforcement of the litter laws is essential to make driving along Maine highways more pleasant through prevention of unsightly litter; and

Whereas, this act provides the means of directing a statewide effort to materially reduce the problems; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. R. S., c. 137, § 28-A, amended.** The last paragraph of section 28-A of chapter 137 of the Revised Statutes, as enacted by chapter 177 of the public laws of 1961, is repealed and the following paragraph enacted in place thereof:

**'Every law enforcement officer in the State, including wardens of the Depart-**

ment of Inland Fisheries and Game, wardens of the Department of Sea and Shore Fisheries, foresters of the Forestry Department and liquor inspectors of the State Liquor Commission shall have authority to enforce sections 28-A to 30.'

**Sec. 2. R. S., c. 137, § 30, repealed and replaced.** Section 30 of chapter 137 of the Revised Statutes, as amended by section 1 of chapter 206 of the public laws of 1955, is repealed and the following enacted in place thereof:

**'Sec. 30. Dumping of litter.** No person shall put or place, cause to be put or placed, deposit or throw upon any square, lane, alley, public bathing place, public park, or the approaches thereto, or any other place, or into any inland or tidal waters, or on the ice over such waters, or on the banks adjacent thereto any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, old automobiles or parts thereof, or similar refuse, except in proper containers placed for rubbish or garbage collection or removal or except in a public dump. Any person who violates this section shall be punished by a fine of not more than \$100. Nothing contained in this section shall be construed as affecting authorized collections of such articles as garbage or refuse, nor shall anything be construed to prevent the proper use of the rights-of-way for highway purposes. If the throwing, placing or depositing was done from a motor vehicle, it shall be prima facie evidence that the throwing, placing or depositing was done by the driver of such motor vehicle.'

**Sec. 3. R. S., c. 137, § 31, repealed.** Section 31 of chapter 137 of the Revised Statutes, as amended by section 2 of chapter 206 of the public laws of 1955 and by chapter 163 of the public laws of 1957, is repealed.

**Sec. 4. R. S., c. 141, § 11, repealed.** Section 11 of chapter 141 of the Revised Statutes is repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.