

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2436

S.P. 925

In Senate, March 3, 1988

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Human Resources suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator KERRY of York.

Cosponsored by Senator GILL of Cumberland, Representative RACINE of Biddeford, Representative SHELTRA of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Regulate the Sale of
Potentially Harmful Toys for Children.

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2
3

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

6 22 MRSA c. 252-A is enacted to read:

7

CHAPTER 252-A

8

WARNINGS ON DANGEROUS TOYS

1 §1331. Definitions

2 As used in this chapter, unless the context
3 otherwise indicates, the following terms have the
4 following meanings.

5 1. Look-alike toy. "Look-alike toy" means any
6 toy which resembles, or is a model or replica of, a
7 real or futuristic firearm.

8 2. War toy. "War toy" includes, but is not
9 limited to, any toy which:

10 A. Is a look-alike toy;

11 B. Reflects a military theme;

12 C. Is a model or replica, regardless of scale, of
13 any real or futuristic weapon or instrumentality
14 of war; or

15 D. Is an electronic or computer game with a theme
16 of war or violence.

17 §1332. Warning label on war toys

18 The following warning label must appear
19 conspicuously on any war toy or, if sold in package
20 form, on the package or container of any war toy sold
21 in this State:

22 "WARNING:
23 THINK BEFORE YOU
24 BUY. THIS IS A WAR
25 TOY. PLAYING WITH
26 IT INCREASES ANGER &
27 VIOLENCE IN CHILDREN.
28 IS THIS WHAT YOU REALLY
29 WANT FOR YOUR CHILD?"

30 §1333. Distinctive marking on look-alike toys

31 Any look-alike toy sold in this State must bear a
32 distinctive orange fluorescent stripe along the length
33 of its barrel.

1 §1334. Violation

2 1. Manufacturer duty. The manufacturer of any
3 war toy or look-alike toy is responsible for placing
4 the warning label or distinctive marking on that toy
5 as required under this chapter.

6 2. Forfeiture. Any manufacturer who violates
7 this chapter commits a civil violation for which a
8 forfeiture of \$500 may be adjudged for each violation.

9 STATEMENT OF FACT

10 This bill requires that all so-called "war toys"
11 bear conspicuous warning labels and that all toys
12 which resemble firearms bear orange fluorescent
13 stripes on their barrels. Under the bill, the burden
14 of such labeling and marking rests on toy
15 manufacturers.

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