

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2025

S.P. 784

In Senate, December 21, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on December 21, 1989. Referred to the Committee on Energy and Natural Resources and 1,600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.
Cosponsored by Representative LIBBY of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Regulate the Use of Beverage Containers.



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

2 Sec. 1. 17 MRSA §2264, as amended by PL 1989, c. 97, is
4 repealed.

6 Sec. 2. 17 MRSA §2264-A is enacted to read:

8 §2264-A. Littering prohibited; penalties

10 1. Prohibition. No person may throw, drop, deposit,
12 discard or otherwise dispose of litter upon any public property
14 or private property not owned by that person in this State or in
16 the waters of this State or on the ice over those waters, which
property shall include, but not be limited to, any public park,
beach, campground, forest land, recreational area, trailer park,
highway, road, street or alley, except:

18 A. When the property is designated by the State or by any
20 of its agencies or political subdivisions for the disposal
of garbage and refuse, and the person is authorized to use
22 the property for that purpose; or

24 B. Into a litter receptacle in such a manner that the
litter will be prevented from being carried away or
26 deposited by the elements upon any part of private or public
property or waters.

28 2. Penalties. Penalties for a violation of this section
30 are as follows.

32 A. Any conduct in violation of this section is a civil
34 violation for which a forfeiture of not more than \$200 nor
36 less than \$25 may be adjudged for the first violation. For
38 a 2nd or subsequent violation a forfeiture of not more than
\$500 nor less than \$100 may be adjudged. In addition to or
instead of a forfeiture, the judge may direct any person in
violation of this section to pick up and remove from any
place any or all litter deposited thereon by anyone prior to
the date of the adjudication.

40 B. Notwithstanding paragraph A, any person who disposes of
42 a plastic ring carrier device, the use of which is regulated
44 under Title 32, section 1868, subsection 2-A, is guilty of a
46 Class E crime. In addition to a forfeiture, the judge may
48 direct any person who is found guilty under this paragraph
to pick up and remove from any place any or all litter
deposited thereon by anyone prior to the date of the
adjudication.

