

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1306

H.P. 909

House of Representatives, March 27, 1991

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

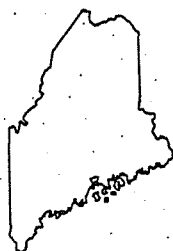
Presented by Representative KILKELLY of Wiscasset.

Cosponsored by Representative LARRIVEE of Gorham, Senator HOLLOWAY of Lincoln and Representative DAGGETT of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Reduce Littering.



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

2
3 **Sec. 1. 17 MRSA §2264, sub-§§4 and 5, as enacted by PL 1989, c.**
4 **820, §4, are amended to read:**

6 **4. Vehicle or trailer.** From a trailer or vehicle that is
7 constructed, loaded or uncovered in such a way that the load may
8 drop, sift, leak or otherwise escape. This subsection applies to
9 vehicles or trailers carrying trash, rubbish or other materials
10 that may be construed as "litter"; ~~ex~~

12 **5. Vehicle operator.** From a vehicle. When any litter is
13 thrown or discarded from a vehicle, both the operator of the
14 vehicle, unless it is a vehicle being used for the carriage of
15 passengers for hire, and the person actually disposing of the
16 litter are in violation of this section. The violation is
17 punishable as a traffic infraction under Title 29, chapter 19.
18 This penalty is in addition to any penalty under section 2264-A.

20 A record of a violation of this subsection must be forwarded to
21 the Secretary of State who, in accordance with Title 29, section
22 2304, shall add the violation to the department's point system
23 and the violation is counted in determining an individual's total
24 points under the point system of the Division of Motor Vehicles ~~;~~
25 or

26 **Sec. 2. 17 MRSA §2264, sub-§6 is enacted to read:**

28 **6. Helium-filled balloons.** Release more than 10
30 helium-filled balloons into the air at one time.

32 **Sec. 3. 17 MRSA §2264-A, as enacted by PL 1989, c. 820, §5,**
33 **is amended to read:**

34 **§2264-A. Penalties**

36 Unless otherwise indicated, a person who disposes of litter
37 or who releases helium balloons in violation of this chapter
38 commits a civil violation for which the following forfeitures
39 apply.
40

42 **1. Disposal of less than 15 pounds or less than 27 cubic**
43 **feet of litter.** A person who disposes of less than 15 pounds or
44 less than 27 cubic feet of litter or who releases more than 10
45 but fewer than 100 helium-filled balloons at one time is subject
46 to a forfeiture of not more than \$200 nor less than \$25 for the
47 first violation and a forfeiture of not more than \$500 nor less
48 than \$100 for a subsequent violation.

50 **2. Disposal of more than 15 pounds or more than 27 cubic**
51 **feet of litter.** A person who disposes of more than 15 pounds or
52 more than 27 cubic feet of litter or who releases more than 100

2. helium-filled balloons at one time is subject to a forfeiture of
4 not more than \$500 nor less than \$200 for the first violation and
not more than \$1,000 nor less than \$500 for a subsequent
violation.

6 **3. Disposal of more than 500 pounds or more than 100 cubic**
8 **feet of litter for a commercial purpose.** A person who disposes
of more than 500 pounds or more than 100 cubic feet of litter for
10 a commercial purpose is subject to the penalties under Title 38,
section 349.

12

STATEMENT OF FACT

14

16 This bill imposes a penalty for the release of more than 10
helium-filled balloons within the laws governing litter control.
The penalty is increased for the release of more than 100
18 helium-filled balloons.