



LAWS OF ALASKA

1984

Source

HCS CSSB 500(R1s)

Chapter No.

164

AN ACT

Relating to the reduction of litter and the recovery of materials and energy from litter; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: July 6, 1984
Actual Effective Date: July 7, 1984

AN ACT

Relating to the reduction of litter and the recovery of materials and energy from litter; and providing for an effective date.

* Section 1. AS 46.06.010 is amended to read:

Sec. 46.06.010. POWERS AND DUTIES OF THE DEPARTMENT. The department shall

(1) serve as the coordinating agency among the various government and private organizations in the state that [WHICH] are involved in litter control and reduction and the recovery of energy or materials from litter;

(2) assist local governments in the adoption and amendment of ordinances relating to litter control and reduction;

(3) encourage, organize and coordinate voluntary local information campaigns that [WHICH] seek to focus the attention of the public on the reduction of litter and the recovery of materials and energy from litter;

(4) encourage, organize and coordinate voluntary or non-profit local programs for the recovery of materials or energy from litter;

(5) encourage federal, state and local agencies to aid programs for the recovery of materials and energy from litter by providing publicity that [WHICH] encourages those programs and by allowing the use of publicly owned land, buildings, or equipment for

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1 those programs whenever possible;

2 (6) investigate the availability of, apply for, receive
3 and expend grants, loans or other funds available from any source
4 and, if it is appropriate and feasible, accept nonmonetary assistance
5 in the form of services or equipment for use in programs established
6 under this chapter;

7 (7) determine the types of materials or energy that [WHICH
8 may be profitably recovered from litter, and adopt regulations under
9 the Administrative Procedure Act (AS 44.62) that [WHICH] require the
10 recovery of the materials or energy;

11 (8) adopt other regulations under the Administrative Procedure
12 Act (AS 44.62) necessary to implement this chapter; and

13 (9) develop methods for the measurement of litter in the
14 state, and encourage competition between municipalities to reduce
15 littering [ESTABLISH WHICH MUNICIPALITY HAS THE LEAST LITTER].

16 * Sec. 2. AS 46.06.050(a) is amended to read:

17 (a) The department shall designate one or more types and sizes
18 of litter receptacles for use in the state. The department shall
19 designate and make available for distribution throughout the state
20 anti-litter symbol of a uniform color and design adopted by the department.
21 This anti-litter symbol must bear a statement of the penalties for littering
22 [,] and must be designed [THE DEPARTMENT SHALL DESIGN THE ANTI-LITTER
23 SYMBOL] so that it may be attached to litter receptacles. To aid public
24 recognition and use of litter receptacles the department may adopt an anti-litter
25 symbol used in another state. The person or agency responsible for the placement of litter
26 receptacles located in public places of the state shall attach
27 those receptacles the anti-litter symbol designated by the department
28 [THE ANTI-LITTER SYMBOL DESIGNATED BY THE DEPARTMENT MUST BE ATTACHED
29

LITTER RECEPTACLES LOCATED IN THE PUBLIC PLACES OF THE STATE BY THE PERSON OR AGENCY RESPONSIBLE FOR THE PLACEMENT OF THOSE RECEPTACLES].

* Sec. 3. AS 46.06.060 is amended to read:

Sec. 46.06.060. LITTER BAGS. The department shall design and have produced a [BIODEGRADABLE] litter bag bearing the state anti-litter symbol and a statement of the penalties for littering in the state. The department shall make litter bags available to the division of motor vehicles in the Department of Public Safety for this purpose. To the greatest extent practicable, the division of motor vehicles shall distribute one litter bag to each person who applies for registration or reregistration of a [HIS] motor vehicle and shall notify the person of the person's [HIS] responsibilities under the law. The department shall make litter bags available to all vehicle and vessel operators [OWNERS AND PERSONS] entering the state [BY AUTOMOBILE]. The commissioner shall designate distribution points for the broadest possible distribution of litter bags to persons entering the state by vehicle [AUTOMOBILE] or vessel.

* Sec. 4. AS 46.06.070(a) is amended to read:

(a) The department may [SHALL] establish a youth litter patrol program for the employment of young people on a seasonal basis. The department shall cooperate with federal, state or municipal programs that either employ young people or encourage their employment. The department may contract with other state agencies to provide administration and other support for the youth litter patrol established by this section.

* Sec. 5. AS 46.06.090 is amended to read:

Sec. 46.06.090. PROHIBITED BEVERAGE CONTAINERS; PACKAGING REQUIREMENTS. (a) Beginning October 1, 1981, a person may not sell or offer to sell a nonglass beverage container that [WHICH] is designed

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1 and constructed so that the container is opened by detaching a metal
2 ring or tab. This section does not apply to a beverage container that
3 [WHICH] is opened by a detachable piece of tape, foil, or other soft
4 material.

5 (b) Beginning January 1, 1985 [OCTOBER 1, 1981], a person may
6 not sell or offer to sell in this state beverage containers that
7 [WHICH] are held together by plastic rings or similar plastic devices
8 unless the rings or devices [WHICH] are [NOT] degradable and bear a
9 distinguishing mark furnished to the department by the manufacturer.
10 The department may require test data that shows that the plastic rings
11 or plastic devices meet or exceed the department's standards of
12 degradability.

13 (c) A person who violates this section is guilty of a violation.
14 Each sale or offer to sell is a separate offense.

15 * Sec. 6. AS 46.06.150(4) is amended to read:

16 (4) "litter" means all waste material including disposable
17 packages or containers disposed of in a manner prohibited by AS 46.-
18 06.080, but [MATERIALS SUSCEPTIBLE TO BEING DROPPED, DEPOSITED, DIS-
19 CARDED OR OTHERWISE DISPOSED OF UPON PROPERTY IN THE STATE OR IN
20 WATERS UNDER STATE JURISDICTION; "LITTER"] does not include the wastes
21 [WASTE] of the primary processes of mining or other extraction pro-
22 cess, logging, sawmilling, farming or manufacturing;

23 * Sec. 7. AS 46.06.150(6) is amended to read:

24 (6) "public place" means public or private property that is
25 used or held out for use by the public, whether owned or operated by
26 public or private interests, including but not limited to highways or
27 other roads upon which vehicles are moved, parks, campgrounds, trailer
28 parks, drive-in and fast food restaurants, gasoline service stations
29 [PARKING LOTS FOR TAVERNS, SHOPPING CENTERS AND GROCERY STORES AND

1 OTHER PARKING LOTS WHICH HAVE A CAPACITY FOR MORE THAN 50 VEHICLES,]
2 marinas, boat launching areas, boat moorage and fueling stations,
3 public and private piers, beaches, bathing areas, school grounds,
4 sporting event sites with seating capacity for more than 200 specta-
5 tors, [AND] business district sidewalks, parking lots for taverns,
6 shopping centers and grocery stores, and other parking lots if they
7 have a capacity for more than 50 vehicles;

8 * Sec. 8. AS 46.06.150 is amended by adding a new paragraph to read:

9 (9) "degradable" means a characteristic of a material that
10 allows the material to be broken down by biological, chemical, photo-
11 chemical, or other physical processes

12 (A) within two years upon exposure to natural
13 elements; and

14 (B) to a particle size and chemical composition that
15 may be assimilated harmlessly and aesthetically into the
16 environment without producing a residue or by-product determined
17 by the department to be hazardous.

18 * Sec. 9. Section 5, ch. 149, SLA 1980 is amended to read:

19 Sec. 5. TERMINATION. AS 46.06 is repealed [THIS ACT TERMINATES]
20 July 1, 1987 [1984].

21 * Sec. 10. This Act takes effect July 1, 1984.