

Introduced: 1/20/87
Referred: Resources, Judiciary
and Finance

1 IN THE HOUSE

BY DAVIS AND KOPONEN

2

HOUSE BILL NO. 59

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the recycling and reduction of
7 litter; and providing for an effective date."

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

9 * Section 1. AS 46.06.010 is repealed and reenacted to read:

10 Sec. 46.06.010. POWERS OF THE DEPARTMENT. The department may

11 (1) serve as the coordinating agency among public and
12 private organizations in the state that are involved in the control,
13 reduction, and recycling of litter;

14 (2) assist local governments in the adoption and amendment
15 of ordinances relating to the control, reduction, and recycling of
16 litter;

17 (3) promote voluntary local programs and information cam-
18 paigns that encourage the public to refrain from littering and to
19 participate in efforts to clean up and recycle litter;

20 (4) inform the public of, and encourage the public to
21 comply with, the provisions of this chapter and regulations adopted
22 under this chapter;

23 (5) encourage federal, state, and local agencies to assist
24 programs for the recycling of litter by allowing the use of publicly
25 owned land, buildings, or equipment for those programs whenever possi-
26 ble;

27 (6) apply for, receive, and expend grants, loans, and other
28 monetary and nonmonetary assistance for use in programs established
29 under this chapter;

1 (7) determine the types of materials or energy that may be
2 profitably recovered from litter, and adopt regulations under the
3 Administrative Procedure Act (AS 44.62) that require the recovery of
4 the materials or energy;

5 (8) adopt other regulations under the Administrative Proce-
6 dure Act (AS 44.62) necessary to implement this chapter.

7 * Sec. 2. AS 46.06.060 is amended to read:

8 Sec. 46.06.060. LITTER BAGS. The department may [SHALL] design
9 and have produced a litter bag bearing the state anti-litter symbol
10 and a statement of the penalties for littering in the state. The
11 department may [SHALL] make litter bags available to the division of
12 motor vehicles in the Department of Public Safety for this purpose.
13 The [TO THE GREATEST EXTENT PRACTICABLE, THE] division of motor
14 vehicles may [SHALL] distribute one litter bag to each person who
15 applies for registration or reregistration of a motor vehicle and
16 shall notify the person of the person's responsibilities under the
17 law. The department may [SHALL] make litter bags available to all
18 vehicle and vessel operators entering the state. The commissioner
19 shall designate distribution points for the broadest possible
20 distribution of litter bags to persons entering the state by vehicle
21 or vessel.

22 * Sec. 3. AS 46.06.080(c) is amended to read:

23 (c) A person who violates this section is guilty of a violation
24 [CLASS B MISDEMEANOR], and may be sentenced to pay a fine of not more
25 than \$1,000. In [IN] addition [TO THE PUNISHMENT IMPOSED BY
26 AS 12.55.035(b)(4) AND 12.55.135(b)], the court may order the person
27 to gather and dispose of litter in an area and for a length of time
28 determined by the court.

29 * Sec. 4. AS 46.06.020, 46.06.030, 46.06.040, and 46.06.070(b) are

1 repealed.

2 * Sec. 5. Section 5, ch. 149, SLA 1980, as amended by sec. 9, ch. 164,
3 SLA 1984, is repealed.

4 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).