

HOUSE BILL No. 6057

September 19, 1990, Introduced by Reps. Bartnik, Hoffman, Owen
and Law and referred to the Committee on Tourism, Fisheries and Wildlife.

A bill to amend Act No. 106 of the Public Acts of 1963,
entitled

"An act to define, control and prohibit the littering of public
and private property and waters; to prescribe penalties for vio-
lation of this act; and to repeal certain acts and parts of
acts,"

as amended, being sections 752.901 to 752.906 of the Michigan
Compiled Laws, by adding section 1b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 106 of the Public Acts of 1963, as
2 amended, being sections 752.901 to 752.906 of the Michigan
3 Compiled Laws, is amended by adding section 1b to read as
4 follows:

5 SEC. 1B. (1) A PERSON SHALL NOT INTENTIONALLY RELEASE OR
6 CAUSE TO BE RELEASED A BALLOON INTO THE ATMOSPHERE, EXCEPT FOR
7 THE FOLLOWING:

1 (A) A BALLOON RELEASED BY A PERSON ON BEHALF OF A
2 GOVERNMENTAL AGENCY PURSUANT TO A GOVERNMENTAL CONTRACT FOR SCI-
3 ENTIFIC OR METEOROLOGICAL PURPOSES.

4 (B) A HOT AIR BALLOON THAT IS RECOVERABLE AFTER IT IS
5 LAUNCHED.

6 (C) A BALLOON RELEASED AND KEPT INDOORS.

7 (D) A BALLOON SEALED WITHOUT STRING, RIBBON OR OTHER ATTACH-
8 MENT, AND CONSTRUCTED OF A SUBSTANCE THAT IS CAPABLE OF BEING
9 BROKEN DOWN BY BIODEGRADATION, PHOTODEGRADATION, OR CHEMICAL DEG-
10 RADATION INTO COMPONENT PARTS WITHIN 6 MONTHS UNDER EXPOSURE TO
11 THE ELEMENTS.

12 (2) A PERSON RESPONSIBLE FOR THE RELEASE OF A BALLOON PURSU-
13 ANT TO SUBSECTION (1)(D) SHALL, UPON REQUEST, MAKE AVAILABLE TO
14 THE DEPARTMENT OF NATURAL RESOURCES OR ANY LAW ENFORCEMENT OFFI-
15 CER EVIDENCE OF THE BALLOON'S BIODEGRADABILITY OR
16 PHOTODEGRADABILITY.

17 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CIVIL
18 INFRACTION PUNISHABLE BY A FINE OF NOT LESS THAN \$250.00.

19 (4) A PERSON MAY PETITION THE CIRCUIT COURT TO ENJOIN THE
20 RELEASE OF A BALLOON IF THAT PERSON IS A RESIDENT OF THE COUNTY
21 IN WHICH THE BALLOON IS TO BE RELEASED.

22 (5) FOR PURPOSES OF THIS SECTION, "BALLOON" MEANS A NON-
23 POROUS BAG OF TOUGH, LIGHT MATERIAL FILLED WITH HEATED AIR OR A
24 GAS LIGHTER THAN AIR SO AS TO RISE AND FLOAT IN THE ATMOSPHERE.