



RELEASING LIGHTER-THAN-AIR BALLOONS

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LIGHTER-THAN-AIR GASES

“Lighter-than-air” gases are those that rise or lift in air because their average densities are lower than that of air. They include such things as ammonia, helium, hydrogen, methane, and neon. Hydrogen and helium are the most common gases used to lift objects. Hot air can also be used.

More information on lighter-than-air gases and balloon lift is available on [this](#) University of Hawaii webpage.

ISSUES

Summarize (1) the Connecticut law that restricts how many balloons may be released into the air and (2) its legislative history.

SUMMARY

Connecticut law prohibits knowingly releasing, organizing the release of, or intentionally causing the release of 10 or more helium or other lighter-than air gas balloons into the air over a 24-hour period. The law applies to any person, nonprofit organization, firm or corporation, and the state and its political subdivisions. A violation is an infraction, subject to a \$35 fine (combined with other applicable fees, the total penalty is \$75) ([CGS § 26-25c](#)).

The law passed during the 1990 legislative session and took effect October 1 that year. Public hearing testimony and chamber debates for HB 5226, which became law as PA 90-7, focused primarily on the environmental effects of releasing balloons, particularly the threat to marine wildlife and birds from ingesting balloon material. Several individuals spoke about reducing litter and one person said that released balloons could cause power outages if they came down on electric lines. There were also references to (1) the bill’s educational value and (2) a similar Florida law passed a year earlier.

LEGISLATIVE HISTORY

Environment Committee Action

The Environment Committee held a public hearing on the bill on February 23, 1990. Eleven individuals spoke, all in support, including six students. Most speakers cited concern for the marine environment and wildlife health, particularly from the ingestion of balloon material.



On Rep. Winkler's behalf, an individual stated that the bill came from a constituent's concern about ocean debris and marine health. She stated that "restrict[ing] large scale planned balloon releases" was "an appropriate start to cleaning up our shoreline and protecting the marine environment and the wildlife" (Public Hearing Transcript, page 10). More specifically, she cited concern about marine life mistaking balloon material for food and ingesting it, resulting in death.

A second speaker analogized dumping trash or litter on the ground, which the law already banned, to mass balloon releases, referring to them as "dumping litter in the sky" (Public Hearing Transcript, page 11). In addition to saying this litter is dangerous for marine wildlife, he said that balloons can cause power outages by coming down on electric wires.

Several speakers referred to similar legislation passed in Florida the prior year.

And at least one speaker referred to the bill's educational value, meaning that by the bill becoming law people would become informed about the harmful effects of releasing balloons and it would serve as a deterrent.

The committee favorably reported the bill by a vote of 18 to 3.

House and Senate Action

House. The House took up the bill on March 21, 1990. Rep. Mushinsky, the Environment Committee chairwoman, introduced it by saying its purpose was to "prevent airborne plastics from being ingested by marine life and starving the animals" (House Transcript, page 1074-5).

Seven other representatives spoke on the bill. Rep. Winkler supported it, saying the bill (1) protects endangered species and marine life and (2) prohibits littering. He also referred to the Florida legislation on the same topic. Rep. Holbrook said the bill tries to send a message and seeks to "raise [people's] consciousness" (House Transcript, page 1083).

Rep. O'Neill asked who voted against the bill in the Environment Committee and why they opposed it. Rep. Luby, one of the bill's committee opponents, explained that he believed the issue "was probably best dealt with through education rather than through prosecution" (House Transcript, page 1078). Reps. Emmons and Jaekle inquired about the bill's scope; whether certain releases would be violations and what the penalties would be for them.

Rep. Nania spoke in opposition, citing personal freedom and liberty.

The bill passed by a vote of 122 to 25.

Senate. The Senate took up the bill on March 28, 1990. Sen. Spellman, the Environment Committee chairman, introduced it and said its intent “is to outlaw the ceremonial release of massive numbers of balloons” because the balloons “go up in splendor and come down as garbage ... which also is [a] significant threat to our marine mammal life” (Senate Transcript, page 572).

Four other senators spoke on the bill. Sen. Gunther spoke against it, saying that it would be a law that would not be enforced and that the issue should be addressed through education rather than legislation. Sen. Eads also expressed concern about enforcement. Sen. Spellman responded by saying there is, in addition to making a release a violation, an educational component to the bill. Sens. Eads, O’Leary, and Upson inquired about the bill’s scope; whether it applied to hot air balloon contests or certain releases at kids’ parties or by organizations.

The bill passed by a vote of 29 to 5.

Gubernatorial Action

Governor O’Neill signed the act into law on April 16, 1990.

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