

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
161-35 (COR)	Sabina Flores Perez	AN ACT TO AMEND § 51205 OF CHAPTER 51 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO RESTRICTING THE RELEASE OF LIGHTER-THAN-AIR BALLOONS.	6/7/19 1:03 p.m.						

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
2019 (FIRST) Regular Session

Bill No. 161-35(COR)

Introduced by:

Sabina Flores Perez SFP

**AN ACT TO AMEND § 51205 OF CHAPTER 51 OF  
TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO  
RESTRICTING THE RELEASE OF LIGHTER-THAN-  
AIR BALLOONS.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** *I Liheslaturan Guåhan* finds that releasing lighter-than-air balloons into the atmosphere constitutes littering, and poses a danger and nuisance to the environment, particularly to wildlife and marine animals. As such, *I Liheslatura* hereby restricts the outdoor release of balloons inflated with lighter-than-air gases, with exemptions provided for scientific, meteorological purposes.

**Section 2.** § 51205 of Chapter 51, Title 10, Guam Code Annotated, is hereby *amended* to read:

**“§ 51205. Prohibited Activities.**

(a) It shall be unlawful for any person to willfully or negligently dump, deposit, throw, leave or abandon any litter upon any public highway, street, alley or road, upon public parks or recreation areas or upon any other public property except as designated for such use, or upon property owned by another person without written permission of the owner, or into any bay,

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1 channel, harbor, river, creek, stream, reservoir, coastal waters, or other  
2 waters of the Territory.

3 (b) It is unlawful for any person to willfully or negligently release,  
4 organize the release, or cause to be released one or more balloons inflated  
5 with a gas that is lighter than air except for balloons released by a person on  
6 behalf of a governmental agency, or pursuant to a governmental contract, for  
7 scientific or meteorological purposes.

8 (bc) Apprehension of Violation. Apprehension for violation of  
9 prohibitions may be initiated by an apprehending officer who witnessed an  
10 offense or discovered an article bearing a person's name on the property of  
11 another, or any public property except as designated for such use, or by any  
12 private citizen, who witnessed an offense or discovered incriminating  
13 evidence, who is willing to make the initial charge and testify for the  
14 Government.

15 (ed) Any person who shall witness the throwing, dumping, or  
16 depositing of litter from a vehicle or water craft which is in violation of  
17 prohibitions may report the date, time of day and location of the littering and  
18 the license registration number to apprehending officers. The registration  
19 number as recorded shall constitute prima facie evidence that the littering  
20 was done by the person to whom such vehicle or water craft is registered.  
21 Nothing in this Section shall be construed to modify or change the burden of  
22 the Government to prove the defendant guilty beyond a reasonable doubt.

23 (de) Any person who violates this section while occupying a motor  
24 vehicle which is moving or located on public property or a public right of  
25 way, shall be deemed to have committed a violation not only of this section,  
26 but of 16 GCA Chapter (Rules of the Road), and shall be guilty of a petty  
27 misdemeanor.”

1           **Section 3. Severability.** If any provision of this Act or its application to  
2 any person or circumstance is found to be invalid or contrary to law, such  
3 invalidity *shall not* affect other provisions or applications of this Act that can be  
4 given effect without the invalid provision or application, and to this end the  
5 provisions of this Act are severable.