



EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam.*

JUL 14 2017

Honorable Benjamin J.F. Cruz  
Speaker  
*I Mina'trentai Kuattro Na Liheslaturan Guahan*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

97-34-17-736  
Speaker Benjamin J.F. Cruz

JUL 14 2017  
Time: 2:00 [ ] AM [ ] PM File No. 34-661  
Received By: [Signature]

2017 JUL 14 PM 3:18  
KC

Dear Mr. Speaker:

Transmitted herewith is Bill No. 97-34 (LS), "AN ACT TO AMEND SECTIONS 1 AND 2 OF PUBLIC LAW 33-192, RELATIVE TO AN ADDITIONAL OPTION FOR EGRESS SIZING IN THE INTERNATIONAL FIRE CODE AND THE INTERNATIONAL BUILDING CODE; AND TO ADD A NEW SUBSECTION TO SECTION 202 AND A NEW SUBSECTION 308.6 TO SECTION 308 OF THE 2009 INTERNATIONAL FIRE CODE ADOPTED BY GUAM, RELATIVE TO DEFINING AND PROHIBITING SKY LANTERNS ON GUAM," which was signed into law on July 13, 2017, as Public Law 34-31.

*Senseramente,*

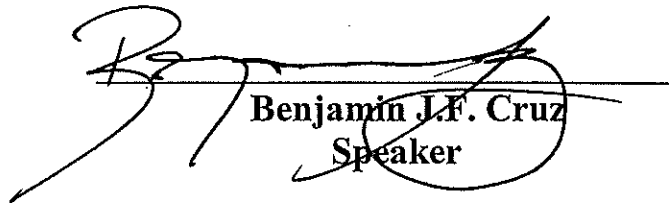
EDDIE BAZA CALVO




*I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUAHAN*  
2017 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÁHEN GUAHAN*

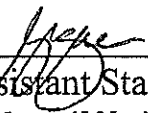
This is to certify that **Bill No. 97-34 (LS)**, "AN ACT TO *AMEND* SECTIONS 1 AND 2 OF PUBLIC LAW 33-192, RELATIVE TO AN ADDITIONAL OPTION FOR EGRESS SIZING IN THE INTERNATIONAL FIRE CODE AND THE INTERNATIONAL BUILDING CODE; AND TO *ADD* A NEW SUBSECTION TO SECTION 202 AND A NEW SUBSECTION 308.6 TO SECTION 308 OF THE 2009 INTERNATIONAL FIRE CODE ADOPTED BY GUAM, RELATIVE TO DEFINING AND PROHIBITING SKY LANTERNS ON GUAM," was on the 30th day of June 2017, duly and regularly passed.

  
Benjamin J.F. Cruz  
Speaker

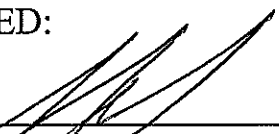
Attested:

  
Regine Biscoe Lee  
Legislative Secretary

This Act was received by *I Maga'láhen Guahan* this 03 day of July  
2017, at 2:10 o'clock P.M.

  
Assistant Staff Officer  
*Maga'láhi's Office*

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'láhen Guahan*

Date: JUL 13 2017

Public Law No. 34-31

*I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN*  
2017 (FIRST) Regular Session

**Bill No. 97-34 (LS)**

As corrected by the Prime Sponsor;  
and amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.  
Joe S. San Agustin  
Thomas C. Ada  
FRANK B. AGUON, JR.  
William M. Castro  
B. J.F. Cruz  
James V. Espaldon  
Fernando Barcinas Esteves  
Régine Biscoe Lee  
Tommy Morrison  
Louise B. Muña  
Telena Cruz Nelson  
Michael F.Q. San Nicolas  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO *AMEND* SECTIONS 1 AND 2 OF PUBLIC LAW 33-192, RELATIVE TO AN ADDITIONAL OPTION FOR EGRESS SIZING IN THE INTERNATIONAL FIRE CODE AND THE INTERNATIONAL BUILDING CODE; AND TO *ADD* A NEW SUBSECTION TO SECTION 202 AND A NEW SUBSECTION 308.6 TO SECTION 308 OF THE 2009 INTERNATIONAL FIRE CODE ADOPTED BY GUAM, RELATIVE TO DEFINING AND PROHIBITING SKY LANTERNS ON GUAM.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that since the enactment of Public Law 33-192, it has been discovered that a lack of

1 flexibility for the Guam Fire Department and the Department of Public Works has  
2 occurred in the application of the 2015 sections of the Guam Fire Code and the Guam  
3 Building Code, as adopted in that public law. The restrictive language in Public Law  
4 33-192 does not allow the flexibility to apply the updated 2015 version of the sec-  
5 tions of the International Fire and International Building Codes specified in Public  
6 Law 33-192 to construction that occurred prior to December 14, 2016. For this rea-  
7 son, amendments need to be made to Sections 1 and 2 of Public Law 33-192.

8 *I Liheslaturan Guåhan* further finds that amendments need to be made to the  
9 2009 International Fire Code, which was adopted in part by Public Laws 30-199 and  
10 33-192. Due to the popularity in some foreign countries and the United States of  
11 releasing sky lanterns with an open flame to commemorate or memorialize events,  
12 it is imperative that Guam take action to define and ban this practice in order to  
13 prevent wildfires and even structural fires that may start with the release of sky lan-  
14 terns. The International Code Council has given the opinion that “sky lanterns con-  
15 tain an open flame used to heat the air inside the device to make it airborne. Once  
16 airborne, these devices are subject to winds and other atmospheric conditions so that  
17 the location and landfall is completely unknown and uncontrolled by the user. Ob-  
18 viously, uncontrolled open flame devices descending out of the sky have significant  
19 potential to start wildfires and structural fires.”

20 Sky lanterns are now banned in thirty (30) states, including Hawaii, as they  
21 are a safety hazard. Due to Guam’s frequent windy or dry weather conditions, dry  
22 vegetation, and wood and tin structures, sky lanterns need to be defined and banned  
23 on Guam.

24 **Section 2.** Section 1 of Public Law 33-192 is *amended* to read:

25 **“Section 1. Means of Egress Sizing, International Fire Code (addi-**  
26 **tional option).** Sections 1005 and 1030.2 of the 2009 International Fire Code,  
27 as adopted by Public Law 30-199, may be disregarded as a whole, provided

1 they are replaced by all of Sections 1005, 604.6, 901.9, and 1031.2 of the 2015  
2 International Fire Code.”

3 **Section 3.** Section 2 of Public Law 33-192 is *amended* to read:

4 “**Section 2. Means of Egress Sizing, International Building Code**  
5 **(additional option).** Section 1005 of the 2009 International Building Code,  
6 as adopted by Public Law 30-199, may be disregarded as a whole, provided it  
7 is replaced by all of Section 1005 of the 2015 International Building Code.”

8 **Section 4. Definition of Sky Lantern.** A new subsection is *added* to Sec-  
9 tion 202 (General Definitions) of the 2009 International Fire Code, as adopted by §  
10 73111 of Chapter 73, Title 10, Guam Code Annotated, to read:

11 “SKY LANTERN. An unmanned device with a combustible fuel  
12 source that incorporates an open flame in order to make the device airborne.”

13 **Section 5. Prohibition on Release of Sky Lanterns.** A new Subsection  
14 308.6 is *added* to Section 308 (Open Flames) of the 2009 International Fire Code,  
15 as adopted by § 73111 of Chapter 73, Title 10, Guam Code Annotated, to read:

16 “308.6 Sky Lanterns. No person shall release or cause to be released an  
17 untethered or tethered sky lantern. No person shall sell or import sky lanterns.”

18 **Section 6. Severability.** If any provision of this Act or its application to any  
19 person or circumstance is found to be invalid, or contrary to law, such invalidity  
20 *shall not* affect other provisions or applications of this Act that can be given effect  
21 without the invalid provision or application, and to this end the provisions of this  
22 Act are severable.