

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
171-37 (COR)	Sabina Flores Perez	AN ACT TO AMEND §§ 51202 (e), 51207(a), (b), and (c), ALL OF ARTICLE 2, CHAPTER 51, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE FINES FOR SUBSTANTIAL LITTERING VIOLATIONS.	9/20/23 1:25 p.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 171-37 (COR)

Introduced by:

Sabina Flores Perez *SFP*

AN ACT TO *AMEND* §§ 51202 (e); 51207(a), (b), and (c), ALL OF ARTICLE 2, CHAPTER 51, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE FINES FOR SUBSTANTIAL LITTERING VIOLATIONS.

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

2 **Section 1.** § 51202 (e) of Article 2, Chapter 51, Title 10, Guam Code
3 Annotated is hereby *amended* to read:

4 “(e) Substantial quantity shall mean litter with a gross weight equal
5 to or greater than twenty (20) pounds, ~~uncompressed volume of litter equal to~~
6 ~~or greater than 32 gallons or 4.28 cubic feet.~~”

7 **Section 2.** § 51207 (a) and (b) of Article 2, Chapter 51, Title 10 Guam Code
8 Annotated is *amended* to read as follows:

9 “(a) Any person in violation of § 51205 (a) of this Article shall be fined
10 Two Hundred Dollars (\$200.00) for the first offense, Three Hundred Dollars
11 (\$300.00) for the second offense, and Five Hundred Dollars (\$500.00) for the
12 third and subsequent offenses, unless the litter is determined to be of
13 “substantial quantity” as defined in § 51202 (e).”

14 ~~(1) In addition to the fine pursuant to Subsection (a) of this~~
15 ~~Section, the court shall require the offender to pick up litter or conduct~~
16 ~~anti-littering and recycling outreach or activities, or both, under the~~
17 ~~supervision of the Guam Environmental Protection Agency, or its~~

1 ~~designee, for eight (8) hours for the first offense, for sixteen (16)~~
2 ~~hours for the second offense, and for thirty two (32) hours for the~~
3 ~~third and subsequent offenses.~~

4 (b) Any person in violation of § 51205 (b) of this Article shall be
5 fined according to the weight of the litter discarded for each violation as
6 follows: Five Hundred Dollars (\$500.00) for the first offense, Seven Hundred
7 Fifty Dollars (\$750.00) for the second offense, and One Thousand Dollars
8 (\$1,000.00) for the third and subsequent offenses.

9 (1) One Thousand Dollars (\$1,000.00) for litter weighing
10 twenty pounds (20 lbs.) up to one hundred pounds (100 lbs.); or

11 (2) Five Thousand Dollars (\$5,000.00) for litter weighing
12 greater than one hundred (100 lbs.) up to five thousand pounds (5,000
13 lbs.); or

14 (3) Ten Thousand Dollars (\$10,000.00) for litter weighing
15 greater than five thousand pounds (5,000 lbs.), and an additional ten
16 thousand dollars (\$10,000.00) for each one thousand pounds (1,000
17 lbs.) above five thousand pounds (5,000 lbs.).

18 For Subsection (a) and (b), fines of One-thousand Dollars (\$1,000.00)
19 or less may be converted to hours of community service using the following
20 formula: the amount of the fine divided by twelve dollars (\$12.00) equals the
21 hours of community service to be served (Fine ÷ \$12.00) = Hours of
22 Community Service).

23 ~~(1) In addition to the fine pursuant to this Subsection (b), the~~
24 ~~court shall require the offender to pick up litter or conduct anti-littering~~
25 ~~and recycling outreach or activities, or both, under the supervision of~~
26 ~~the Guam Environmental Protection Agency, or its designee, for forty~~

1 ~~(40) hours for the first offense, sixty (60) hours for the second offense,~~
2 ~~and one hundred (100) hours for the third and subsequent offenses.”~~

3 **Section 3.** § 51207 (c) of Article 2, Chapter 51, Title 10 Guam Code
4 Annotated is *amended* to read as follows:

5 “(c) Any person convicted of any litter offense ~~may also~~ shall be
6 required by the court to pay the cost of removing the litter they caused. The
7 Superior court of Guam shall transfer all money collected to pay fines imposed
8 under this Section to the Litter Control Revolving Fund established in § 51204
9 of this Article. Any peace officer, as that term is defined in § 5.55 of Article
10 2, Chapter 5, 8 GCA, may issue a citation for a litter offense.”