

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 103(COR)

Introduced by:

Telo Taitague

Judith Won Pat, Ed. D.

A. B. Williams

**AN ACT TO AMEND §51207 OF 10GCA RELATIVE FOR
DOUBLING THE PENALTIES FOR LITTERING FOR
VIOLATORS THAT DISCARD CIGARETTES FROM
VEHICLES WHEN THE FIRE DANGER RATING IS HIGH.**

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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 51207 of 10GCA is hereby amended to read as follows:

“§51207. Penalties.

(a) Littering shall be punishable by a fine of *not less than* One Hundred Dollars (\$100.00) , nor more than One Thousand Dollars (\$1,000.00) . Any person convicted of a second or subsequent litter offense shall be required by the Court to pick up and remove litter from a public place under the supervision of the Superior Court of Guam’s Probation Office, or its designee, or as the Court shall otherwise provide, for a period of *not less than* eight (8) hours for each offense.

Any person convicted of any litter offense may also be required by the Court to pay the cost of removing the litter they caused. The Superior Court of Guam shall transfer all money collected to pay fines imposed under this Section to the Guam Environmental Protection Agency for use in the Litter and Defacement Control Revolving Fund established by § 51204 of Title 10 of the Guam Code Annotated. Any peace officer, as that term is defined by 8GCA §5.55, may issue a citation for a litter offense.

(b) A person charged with a first violation may avoid a court hearing by posting bail in the amount of the minimum fine or paying such prescribed fine as the Traffic Court Division of the Superior Court shall prescribe.

(c) When the risk of fire is determined to be high in accordance with the provisions of §63704 of 5GCA, any person convicted of a violation of this Chapter for discarding a cigarette, lit or unlit, from a moving or stationary motor vehicle; shall be subject two (2) times the fine and/or community service penalties prescribed herein this Section.