

2 1086 - S Amd to Comm Amd (S-2735.1/93)

3 By Senator Fraser

4 SCOPE & OBJECT RAISED; RULED IN; NOT ADOPTED - 4/16/93

5 On page 3, after line 11 insert the following:

6 "NEW SECTION. **Sec. 4.** The legislature finds that the release into  
7 the atmosphere of large numbers of balloons inflated with lighter-than-  
8 air gasses poses a danger and nuisance to the environment, particularly  
9 to wildlife and marine animals. The legislature also finds that  
10 balloons released into the atmosphere are a significant source of  
11 litter and impair the fundamental need for a healthful, clean and  
12 beautiful environment.

13 "NEW SECTION. **Sec. 5.** A new section is added to chapter 70.93 RCW  
14 to read as follows:

15 (1) Except as provided in subsection (2) of this section, it is  
16 unlawful for any person to intentionally release, organize the release,  
17 or intentionally cause to be released within a twenty-four hour period  
18 twenty-five or more balloons inflated with a gas that is lighter than  
19 air.

20 (2) It is not a violation of this section for a person to release:

21 (a) Balloons on behalf of a government agency or pursuant to a  
22 governmental contract for scientific or meteorological purposes;

23 (b) Hot air balloons that are recovered after launching; or

24 (c) Balloons indoors.

25 (3) A violation of this section is a class 1 civil infraction under  
26 chapter 7.80 RCW.

27 "NEW SECTION. **Sec. 6.** A new section is added to chapter 70.93 RCW  
28 to read as follows:

29 Any person may petition a district court to enjoin the release of  
30 twenty-five or more balloons in violation of section 2 of this act.

31 "NEW SECTION. **Sec. 7.** If any provision of this act or its  
32 application to any person or circumstances is held invalid, the  
33 remainder of the act or the application of the provision to other  
34 persons or circumstances is not affected."

1        On page 3, line 17 of the title amendment, after "70.95.240;"  
2 insert "creating new sections;"