

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
62-35 (COR)	William M. Castro	THE HOMELAND SECURITY AND EMERGENCY MANAGEMENT MODERNIZATION ACT OF 2019; AN ACT TO ADD A NEW ARTICLE 13.1 TO TITLE 5 GCA CHAPTER 1, DIVISION 1 TO CREATE THE GUAM OFFICE OF HOMELAND SECURITY; AND FURTHER TO AMEND TITLE 10, CHAPTER 65.	3/12/19 3:38 p.m.						

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

Bill No. 62 -35 (COR)

Introduced by:

William M. Castro *WMC*

**THE HOMELAND SECURITY AND EMERGENCY
MANAGEMENT MODERNIZATION ACT OF 2019; AN ACT
TO ADD A NEW ARTICLE 13.1 TO TITLE 5 GCA CHAPTER
1, DIVISION 1 TO CREATE THE GUAM OFFICE OF
HOMELAND SECURITY; AND FURTHER TO AMEND TITLE
10, CHAPTER 65.**

2019 MAR 12 PM 3:38

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that the Office of Guam Homeland Security
4 (OGHS) was established through Executive Order No. 2003-13, on April 21, 2003,
5 by then *I Maga' Lahren Guåhan* Felix P. Camacho.

6 *I Liheslaturan Guåhan* finds that the Office of Guam Homeland Security was
7 created to coordinate and facilitate all government of Guam, Military, and Federal
8 Liaison Response Agencies and their resources in mitigating, preparing, responding,
9 and recovering from any and all types of emergencies in order to protect the lives,
10 environment, and property of the island of Guam and further defines the mission of
11 the GOHS is to develop and coordinate the implementation of a comprehensive plan
12 to protect Guam and its people from terrorism, invasion, insurrection, rebellion,
13 lawless violence or the threat thereof.

14 *I Liheslaturan Guåhan* further finds that to ensure that this office has critical,
15 respective functions and must remain a stable, permanent entity, not subject to
16 change by revocation or amendment of an executive order.

17 **Section 2. Establishment of the Office of Homeland Security**

1 A new Article 13.1 is added to Title 5 GCA, Chapter 1, Division 1 to establish
2 the Office of Homeland Security, which may be notated with the acronym “OHS”.
3 The OHS will be managed by the Homeland Security Advisor, appointed by the
4 Governor of Guam.

5 **Section 3. Responsibilities of the Office of Homeland Security**

6 All duties and responsibilities of Guam Homeland Security as established by
7 executive order are hereby transferred to the Office of Homeland Security.

8 **Section 4. Establishment of Marianas Regional Fusion Center**

9 A new §13.102 is added to Title 5 GCA, Chapter 1, Division 1 to establish the
10 Marianas Regional Fusion Center (MRFC). The MFRC operates under the direction
11 of the Office of Homeland Security and its purpose is to coordinate the exchange of
12 criminal intelligence, threats, and hazards and facilitate local, regional, national,
13 international and regional communication, which may include Mariana Islands law
14 enforcement entities, first responders, government and private sector partners.

15 **Section 5. Creation of Division of Cybersecurity**

16 A new article §13.102 added to Title 5 GCA, Chapter 1, Division 1. This
17 statute will create a Division of Cybersecurity Defense and Protection within the
18 Office of Homeland Security, whose function shall be the protection of information
19 networks, telecommunications networks, including hardware, software and data,
20 from cyberattacks.

21 **Section 6. Establishment of Guam Emergency Management Advisory**
22 **Council**

23 A new article §13.103 is added to Title 5 GCA, Chapter 1, Division 1. A
24 Guam Emergency Management Advisory Council (GEMAC) to advise and assist
25 the Governor of Guam and the Lt. Governor of Guam with respect to all aspects of
26 homeland security. The Council shall coordinate homeland security-related

1 activities of executive departments and agencies. The Council shall be responsible
2 for the development and implementation of homeland security policies.

3 (a) The members of the Homeland Security Council are the Governor of Guam,
4 the Lt. Governor of Guam, the Attorney General, the Homeland Security
5 Advisor, the Adjutant General of the Guam National Guard, the Assistant
6 Adjutant General- Army, Assistant Adjutant General-Air, the Chief of the Guam
7 Police Department, the Chief of the Guam Fire Department, the Executive
8 Manager of the Guam Airport Authority, the General Manager of the Port
9 Authority of Guam, the Administrator of the Guam Memorial Hospital, the
10 General Manager of the Guam Power Authority, the General Manager of the
11 Guam Waterworks Authority, the Director of the Department of Public Works,
12 the Chief Technology Officer - Guam Office of Technology, the Director of the
13 Guam Customs and Quarantine Agency, the Administrator of the Guam
14 Environmental Protection Agency, the Director of Department of Public Health
15 and Social Services, the President of the Mayors' Council of Guam and other
16 persons as the Governor may from time to time designate and invite to attend
17 meetings that pertain to their responsibilities.

18 (b) The Council shall meet at the request of the Governor of Guam. When the
19 Governor is absent, the Lt. Governor of Guam shall preside. The GEMA Advisor
20 shall prepare the agenda for each meeting. The GEMA Advisor shall maintain
21 records of the Council's proceedings.

22 **Section 7. The Modernization of the Office of Civil Defense**

23 Title 10, Chapter 65 § 65100 of the Guam Code Annotated is repealed and
24 reenacted from "Office of Civil Defense" to "Guam Emergency Management
25 Agency" or the acronym "GEMA", with all other sections remaining as duly
26 enacted.

1 **Section 8. Severability.**

2 If any provision of this Law or its application to any person or circumstance
3 is found to be invalid or contrary to law, such invalidity shall not affect other
4 provisions or applications, and to this end the provisions of the law are severable.

5 **Section 9. Effective Date**

6 This act shall become effective on October 1, 2019.