



Office of the Governor of Guam

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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

12 JUL 2006

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 134(EC), "AN ACT TO REPEAL AND RE-ENACT SUBSECTIONS (f) AND (h) AND TO ADD A NEW SUBSECTION (I) TO §3401.1, ARTICLE 4, CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES; TO REPEAL SUBSECTION (c) OF §50111 OF TITLE 5, GUAM CODE ANNOTATED; AND TO APPROPRIATE THE SUM OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE ACCESSIBLE PARKING FUND TO THE GUAM POLICE DEPARTMENT FOR THE PURPOSE OF TRAINING VOLUNTEERS APPOINTED BY THE CHIEF OF POLICE TO ISSUE CITATIONS IN THE ENFORCEMENT OF ACCESSIBLE PARKING LAWS," which I signed into law on July 11, 2006, as Public Law 28-130.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Office of the Speaker
MARK FORBES

Date: 7/12/06
Time: 4:57PM
Rec'd by: [Signature]
Print Name: [Signature]

28-06-0934

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

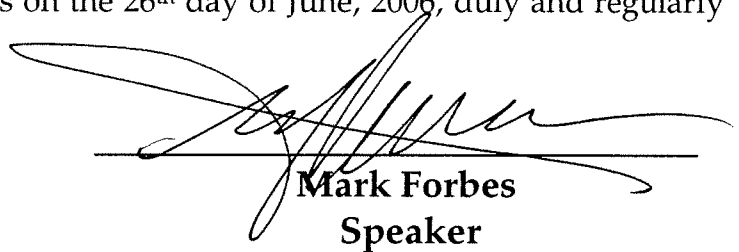
831

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Nikole
Print Name & Initial
Time: 3:55 Date: 7-18-06

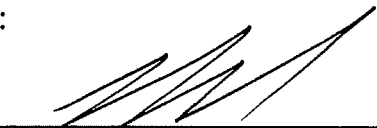
I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

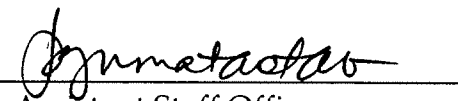
This is to certify that Substitute Bill No. 134 (EC), "AN ACT TO REPEAL AND RE-ENACT SUBSECTIONS (f) AND (h) AND TO ADD A NEW SUBSECTION (I) TO §3401.1, ARTICLE 4, CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES; TO REPEAL SUBSECTION (c) OF §50111 OF TITLE 5, GUAM CODE ANNOTATED; AND TO APPROPRIATE THE SUM OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE ACCESSIBLE PARKING FUND TO THE GUAM POLICE DEPARTMENT FOR THE PURPOSE OF TRAINING VOLUNTEERS APPOINTED BY THE CHIEF OF POLICE TO ISSUE CITATIONS IN THE ENFORCEMENT OF ACCESSIBLE PARKING LAWS," was on the 26th day of June, 2006, duly and regularly passed.


Mark Forbes
Speaker

Attested:


Edward J.B. Calvo
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 29 day of June, 2006, at
12:40 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 11/July 2006

Public Law No. 28-130

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 134 (EC)

As substituted by the Committee on
Finance, Taxation and Commerce and
further substituted and amended on the Floor.

Introduced by:

J. T. Won Pat
Ray Tenorio
Edward J.B. Calvo
F. B. Aguon, Jr.
J. M.S. Brown
B. J.F. Cruz
Mike Cruz
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
J. A. Lujan
A. B. Palacios, Sr.
R. J. Respicio
A. R. Unpingco

AN ACT TO *REPEAL* AND *RE-ENACT* SUBSECTIONS (f) AND (h) AND TO *ADD* A NEW SUBSECTION (i) TO §401.1, ARTICLE 4, CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES; TO *REPEAL* SUBSECTION (c) OF §50111 OF TITLE 5, GUAM CODE ANNOTATED; AND TO APPROPRIATE THE SUM OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE ACCESSIBLE PARKING FUND TO THE GUAM POLICE DEPARTMENT FOR THE PURPOSE OF TRAINING VOLUNTEERS APPOINTED BY THE CHIEF OF POLICE TO ISSUE CITATIONS IN THE ENFORCEMENT OF ACCESSIBLE PARKING LAWS.

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

2 **Section 1. Authorization to Issue Citations.** Subsection (f) of §3401.1,
3 Article 4, Chapter 3 of Title 16, Guam Code Annotated is hereby *repealed* and *re-*
4 *enacted* to read as follows:

5 **“(f) Citations.** Law enforcement “*uniformed personnel*”, as
6 defined within 4 GCA §8104(p), and volunteers appointed by the
7 Chief of Police shall issue citations for vehicles parked in violation of
8 this Section. The Chief shall issue identification cards to volunteers
9 recruited under Subsection (h) hereof that shall be carried by the
10 volunteer when he issues citations. The Chief shall distribute citation
11 forms for use in the enforcement of this Section.”

12 **Section 2. Recruitment of Volunteers.** Subsection (h) of §3401.1, Article 4,
13 Chapter 3 of Title 16, Guam Code Annotated is hereby *repealed* and *re-enacted* to
14 read as follows:

15 **“(h) Volunteers Authorized to Issue Citations.** The Chief
16 of Police shall recruit volunteers who desire to assist the Guam Police
17 Department in the enforcement of this Section. The volunteer shall:

- 18 (1) be at least eighteen (18) years of age;
19 (2) be a citizen of the United States and a resident of
20 Guam;
21 (3) not have been convicted of a felony or crime of
22 family violence;
23 (4) obtain a certificate from the Chief of Police
24 demonstrating the completion of a required course of
25 instruction and training that includes training in measures
26 to avoid dangerous confrontations with violators of this
27 Section. The course of instruction and training shall be at

1 no cost to the volunteer. Retired “*uniformed personnel*”
2 are exempted from this subsection; and
3 (5) satisfy any other qualifications and requirements
4 established by the Chief of Police.”

5 **Section 3. Revocation of a Volunteer to Issue Citations.** Subsection (l) of
6 §3401.1, Article 4, Chapter 3 of Title 16, Guam Code Annotated is hereby *added* to
7 read as follows:

8 “(l) The Chief of Police may, at any time, revoke the
9 certificate issued to a volunteer who has been convicted of a felony or
10 a crime of family violence or has conducted police affairs in a
11 manner contrary to Department policy.”

12 **Section 4. Appropriation.** The sum of Five Thousand Dollars (\$5,000.00) is
13 hereby appropriated from the Accessible Parking Fund to the Guam Police
14 Department for the purpose of implementing §3401.1(h) of Title 16 Guam Code
15 Annotated.

16 **Section 5. Repeal of the Accessible Parking Fund.**

17 (a) The findings and recommendations contained within “*OPA Report*
18 *Number 06-03, Department of Administration Review of Dormant and Inactive Funds*
19 *as Mandated by Public Law 28-68*”, prepared by the Public Auditor and the Compiler
20 of Laws and received by the Legislative Secretary on April 18, 2006 identifies the
21 Accessible Parking Fund as an inactive and dormant account and recommends that
22 the Fund be closed.

23 (b) Subsection (c) of §50111 of Title 5, Guam Code Annotated is hereby
24 *repealed*.

25 (c) All remaining balances in the Fund shall be transferred to the General
26 Fund after the appropriation in Section 4 above is effectuated.

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2006 (SECOND) Regular Session

Date: 6/26/06

VOTING SHEET

S Bill No. 134(EE)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
AGUON, Frank B., Jr.	✓				✗ ✓
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F,	✓				
CRUZ, Michael (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				✗ ✓
KLITZKIE, Robert	✓				
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL 12 0 0 0 2

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

Vetoed 7/11/06



MINA BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

E-Mail address: senatorcalvo@hotsheet.com
155 Hessler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

November 04, 2005

The Honorable Mark Forbes
Speaker
Mina Bente Ocho na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910


Håfa adai, Mr. Speaker:

The Committee on Finance, Taxation, and Commerce, to which **Bill No. 134 (EC): "An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws"**, was referred, wishes to report its findings and recommendations **TO PASS** Bill No. 134 (EC), as substituted by the Committee.

The voting record for Bill No. 134 (EC) is as follows:

TO PASS	<u>5</u>
NOT TO PASS	<u>0</u>
TO REPORT OUT	<u>1</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention in this matter. *Si Yu'os Ma'åse!*


Senator Edward J.B. Calvo
Chairman



MINA BENTUJO NA LIHESLATURAN GUAM
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

E-Mail address: senatorcalvo@hotsheet.com
155 Hessler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

November 04, 2005

MEMORANDUM

To: Committee Members

From: Chairman, Committee on Finance, Taxation, and Commerce

Subject: Committee report on Bill 134 (EC) as substituted by the Committee

This memorandum is accompanied by the following:

1. Committee voting sheet
2. Public Hearing sign-in sheet
3. Notice of Public Hearing
4. Testimonies submitted

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated. Should there be any questions regarding this matter, please feel free to contact my office at 475-8801.

A handwritten signature in black ink, appearing to be "E. Calvo".

Senator Edward J.B. Calvo
Chairman

I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN

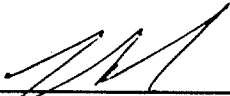
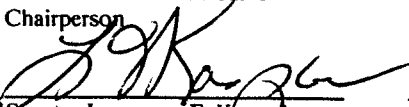
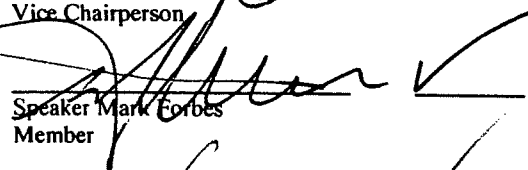
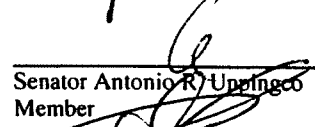

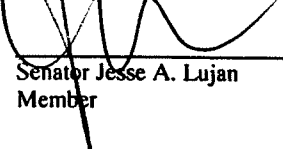
Committee Voting Sheet

Committee on Finance, Taxation, and Commerce

Office of Finance and Budget

Sinadot Edward J.B. Calvo, Ge'Hilo'

Bill No. 134 (EC): "An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws", as substituted by the Committee.

Committee Members	To Pass	Not to Pass	Report Out	Abstain	Inactive File
 Senator Edward J.B. Calvo Chairperson	✓				
 Senator Lawrence F. Kasperbauer Vice Chairperson			x		
 Speaker Mark Forbes Member	✓				
 Senator Antonio R. Uppingco Member	✓				
 Senator Ray Tenorio Member	✓				
 Senator Jesse A. Lujan Member	11/17/05				
Senator Adolpho B. Palacios Member					
Senator Frank B. Aguon, Jr. Member					

Jed
3/22/06
3/23/06
3/24/06
4/17/06
5/19/06
5/22/06

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 134 (EC)

As substituted by the Committee on
Finance, Taxation and Commerce

Introduced by:

J. T. Won Pat
Ray Tenorio
Edward J. B. Calvo

AN ACT TO REPEAL AND RE-ENACT SUBSECTIONS (F),
(H), (I), AND (J) AND (K) AND TO ADD SUBSECTIONS (L)
AND (M) OF SECTION §3401.1, ARTICLE 4, CHAPTER 3 OF
TITLE 16, GUAM CODE ANNOTATED; TO ADD A NEW
ITEM (4) TO §61532 OF TITLE 21, GUAM CODE
ANNOTATED; AND, TO AMEND §50111(C) OF TITLE 5,
GUAM CODE ANNOTATED RELATIVE TO THE
ENFORCEMENT OF ACCESSIBLE PARKING AND TO
APPROPRIATE THE SUM OF FIVE THOUSAND DOLLARS
(\$5,000.00) FROM THE ~~GENERAL FUND~~ ACCESSIBLE
PARKING FUND TO THE GUAM POLICE DEPARTMENT
TO IMPLEMENT THE COURSE OF INSTRUCTION
CONCERNING THE ENFORCEMENT OF ACCESSIBLE
PARKING.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Authorization to Issue Citations. Subsection (f) of 3401.1,

3 Article 4, Chapter 3 of Title 16, Guam Code Annotated is repealed and re-

4 enacted to read:

5 "(f) Citations. Peace officers as defined in 8 GCA §5.55

6 and volunteers appointed by the Chief of Police shall issue

1 citations for vehicles parked in violation of this Section. Each
2 volunteer appointed by the Chief of Police will be issued an
3 identification card that shall be carried at all times while issuing
4 citations. Citation forms shall be distributed by the Guam
5 Police Department for use in the enforcement of this Section.”

6 **Section 2. Recruitment of Volunteers.** Subsection (h) of 3401.1, Article
7 4, Chapter 3 of Title 16, Guam Code Annotated is repealed and re-enacted to
8 read as follow:

9 **“(h) Volunteers Authorized to Issue Citations.** The
10 Chief of Police shall recruit individuals on an entirely volunteer
11 basis who desire to assist the Guam Police Department in
12 carrying out the enforcement of this Section. Before a volunteer
13 can issue citations, the volunteer must meet the following
14 criteria:

- 15 (1) be at least twenty one (21) years of age;
16 (2) be a citizen of the United States and a resident of Guam;
17 (3) not have been convicted of a felony or crime of family
18 violence;

1 (4) obtain a certificate from the Guam Police Department
2 demonstrating the completion of required course of
3 instruction and training concerning which shall include
4 safety measures to avoid dangerous confrontations with
5 operators of failing to comply with this Section. The
6 course of instruction and training shall be at no cost to the
7 volunteer. Retired law enforcement officers are exempted
8 from this subsection;

9 (5) satisfy any other qualifications established by the Guam
10 Police Department."

11 **Section 3. Revocation of Volunteer to Issue Citations.**

12 Subsection (i) of 3401.1, Article 4, Chapter 3 of Title 16, Guam Code
13 Annotated is repealed and re-enacted to read as follows:

14 "(i) The Chief of Police under this Section may, at any
15 time, revoke the certificate issued to a volunteer who has
16 violated any law or has conducted its affairs in an unauthorized
17 manner. The volunteer's powers under this Section shall
18 terminate immediately upon the revocation."

1 **Section 4. Authorization to Issue Citations.** Subsection (j) of 3401.1,
2 Article 4, Chapter 3, Title 16 of the Guam Code Annotated is repealed and re-
3 enacted to read as follows:

4 “(j) Prior to the issuance of citations for vehicles parked
5 in violation of this Section. Peace officers defined in 8 GCA
6 §5.55 who are not uniformed law enforcement officers shall
7 comply with subsections (h)(3) and (h)(4).”

8 **Section 5. Zoning Inclusion Standards for Accessible Parking Spaces.**
9 A new item (4) is added to Subsection (d) of §61532 of Title 21, Guam Code
10 Annotated added to read as follows:

11 “(4) Designated accessible parking spaces shall be at
12 least eight (8) feet wide and nineteen (19) feet long with a
13 minimum five (5) feet wide adjacent access aisle. Access aisles
14 shall be identified and painted with diagonal stripes and made
15 a part of an accessible route to the building or facility entrance.

16 Vehicle standing spaces and adjacent access aisles shall be level
17 with surface slopes not exceeding 1:50 (2%) in all directions.
18 Access aisles, parking spaces, and signage shall meet the
19 standards established within §4.1.2(5)(b), §4.3, §4.6.2, §4.6.3 and

1 §4.30.7 of the Accessibility Guidelines for Building Facilities,
2 Americans with Disabilities Act. Accessible parking spaces
3 serving a particular use shall be located on the shortest
4 accessible route of travel from adjacent parking to an accessible
5 entrance.”

6 **Section 6. Appropriation.** The sum of Five Thousand Dollars (\$5,000.00)
7 is hereby appropriated from the Accessible Parking Fund to the Guam Police
8 Department for the purpose of implementing 16 GCA §3401.1(h).

9 **Section 7. Accessible Parking Fund.** Subsection (c) of §50111 of Title 5,
10 Guam Code Annotated is amended to read:

11 “(c) A fund to be known as the Accessible Parking Fund
12 is hereby created, separate and apart from any other fund of the
13 Government of Guam. The Department of Integrated Services
14 for Individual with Disabilities (DISID) shall maintain the fund,
15 for the purpose of carrying out the provision of 16 GCA §3401.1
16 and to ensure community awareness regarding parking issues
17 for individuals with disabilities, which shall include monitoring
18 and compliance of accessible parking for individuals with
19 disabilities “

MINA/BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 134(LEC)

Introduced by:

J. T. Won Pat 
Ray Tenorio 

AN ACT TO REPEAL AND RE-ENACT
SUBSECTIONS (F) AND (H) OF SECTION 3401.1,
ARTICLE 4, CHAPTER 3 OF TITLE 16, GUAM CODE
ANNOTATED, RELATIVE TO ACCESSIBLE
PARKING FOR PERSONS WITH DISABILITIES
AND TO APPROPRIATE THE SUM OF FIVE
THOUSAND DOLLARS (\$5000.00) TO THE GUAM
COMMUNITY COLLEGE TO FUND THE COST OF
THE TRAINING OF VOLUNTEERS APPOINTED BY
THE CHIEF OF POLICE TO ISSUE CITATIONS TO
ENFORCE THE ACCESSIBLE PARKING LAWS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Subsection (f) of 3401.1, Article 4, Chapter 3, Title 16 of the
3 Guam Code Annotated is repealed and re-enacted to read:
4 "(f) Citations. The Guam Police Department, peace officers as defined in 8
5 GCA §5.55, retired law enforcement personnel and volunteers appointed by
6 the Chief of Police shall cite vehicles parked in violation of this Act. Each
7 retired law enforcement personnel and volunteer appointed by the Chief of
8 Police will be issued an identification card that shall be carried at all times
9 while issuing citations."

1 **Section 2.** Subsection (h) of 3401.1, Article 4, Chapter 3, Title 16 of the
2 Guam Code Annotated is repealed and re-enacted to read as follows:

3 **“(h) Private Persons Authorized to Issue Citations.** The Chief of Police shall
4 recruit on an entirely volunteer basis, local residents who desire to make
5 available their services to assist the Guam Police Department in carrying out
6 its accessible parking enforcement. Before a volunteer can issue citations, the
7 volunteer shall meet the following criteria:

8 (1) he/she shall be at least eighteen (18) years of age;

9 (2) he/she shall not be convicted of a felony; and

10 (3) he/she shall be trained on the requirements for the issuance of citations
11 to vehicles illegally parked in marked, zoned or designated accessible
12 parking areas by the institution or agency designated by the Chief of
13 Police. The training shall include safety measures to avoid dangerous
14 confrontations with operators of cited vehicles. The cost for such
15 training shall be the responsibility of the government of Guam.”

16 **Section 3.** The sum of Five Thousand Dollars (\$5,000.00) is hereby
17 appropriated from the General Fund to the Guam Police Department for the
18 purpose of funding the cost of training as specified in 16 GCA §3401.1(h).

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

Bureau of Budget & Management Research
Fiscal Note of Bill No. 134 (EC)

Title (Preamble): AN ACT TO REPEAL AND RE-ENACT SUBSECTIONS (F) AND (H) OF SECTION 3401.1, ARTICLE 4, CHAPTER 3 TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES AND TO APPROPRIATE THE SUM OF FIVE THOUSAND DOLLARS (\$5000.00) TO THE GUAM COMMUNITY COLLEGE TO FUND THE TRAINING OF VOLUNTEERS APPOINTED BY THE CHIEF OF POLICE TO ISSUE CITATIONS TO ENFORCE THE ACCESSIBLE PARKING LAWS.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Police Department	Dept./Agency Head: Frankie T. Ishizaki, Chief of Police
Department's General Fund (GF) appropriation(s) to date:	\$18,643,649
Department's Other Fund (specify): _____ appropriation(s) to date: 1/ PSF and SH,SSF	\$653,147
Total Department/Agency Appropriation(s) to date:	\$19,296,796

Fund Source Information of Proposed Appropriation

	General Fund:	Other (specify):	Total:
2005 Adopted Revenues	\$447,441,000	\$0	\$447,441,000
Appro. to P.L. _____	(\$448,014,817)	\$0	(\$448,014,817)
Sub-total:	(\$573,817)	\$0	(\$573,817)
Proposed appropriation in Bill	\$5,000	\$0	\$5,000
Total:	(\$568,817)	\$0	(\$568,817)

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of Current FY (if applicable)	Second Year	Third Year	Fourth Year	Fifth Year
General Fund	\$5,000	\$5,000	\$0	\$0	\$0	\$0
Other Fund:	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$5,000	\$5,000	\$0	\$0	\$0	\$0

Does the bill contain "revenue generating" provisions? / / Yes /X/ No
 Yes, see attachment

Is amount appropriated adequate to fund the intent of the appropriation? / / N/A / / Yes / / No
 If no, what is the additional amount required? \$ _____

Does the Bill establish a new program/agency? /X/ Yes / / No
 If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /X/ No
 Is there a federal mandate to establish the program/agency? / / Yes /X/ No
 Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
 Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No
 / / Requested agency comments not received by due date / / Other:

Analyst: William P. Tattington Date: 6/13/05 Director: Carlos P. Bordallo Date: 6/13/05

Notes: 1/ Police Services Fund (\$330,697) and Safe Homes, Safe Streets Fund (\$322,450) See attached comments to Bill 134 (EC).
 Senator Edward J.B. Calvo
 Committee on Finance, Taxation and Commerce
 Office of Finance and Budget

ACKNOWLEDGEMENT RECEIPT

Rcv'd by: Nike
 Print Name & Initial

Time: 9 am. Mail

Date: 7-5-05

Date Rcv'd: 7/5/05

Time: 10:30am

Rcv'd by: PNW

Print Name: Jose PNW

**Bureau of Budget and Management Research
Comments to Bill No. 134 (EC)**

The intent of Bill 134 (EC) is to increase the enforcement efforts against violators who park in a designated accessible parking space for persons with disabilities by authorizing all Peace Officers, retired law enforcement personnel and volunteers appointed by the Chief of Police to cite vehicles parked in violation of the accessible parking laws. The Bill provides an appropriation of \$5,000 from the General Fund to the Guam Police Department (GPD) to fund the cost of training these volunteers in the requirements for the issuance of citations and on safety measures. However, based on information from the GPD, the amount of \$50,000 is requested to also cover the costs of uniforms to identify these volunteers, communication devices, a vehicle & related expenses to conduct this program such as certificates and identification cards. The estimated impact for the remainder of the current fiscal year is \$12,500 and at a maintenance level of \$10,000 to continue training and program costs for new volunteers for the succeeding years after the initial request by GPD.

It should be noted as a concern that the Preamble or Bill Title of Bill 134 (EC) incorrectly makes reference of the appropriation of \$5,000 to the Guam Community College rather than to the Guam Police Department as stipulated in Section 3 of the Bill 134 (EC) and that similar legislation as proposed under Bill 131 (EC) makes amendments to affected subsections of §3401.1 proposed for repeal and reenactment.

Senator Edward J.B. Calvo
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Nicole

Print Name & Initial

Time: 9 a.m. mail

Date: 7-5-05

Committee on Finance, Taxation and Commerce
Office of Finance and Budget

Date Rcv'd: 7/5/05

Time: 10:30am

Rcv'd by: PSW

Print Name: Jose SA

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 134 (EC)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Other Fund: 1/	1/	1/	1/	1/	1/
Total	\$0	\$0	\$0	\$0	\$0

1/ Accessible Parking Fund

Comments:

1/ If enacted, a potential increase in the number of fines imposed and corresponding deposits made into the Accessible Parking Fund is projected. If an estimated number of 30 volunteers were recruited and trained by the Guam Police Department and were to issue at least 2 citations a month at the minimum fine of \$300, an estimated \$18,000 in monthly or \$216,000 in annual fines or revenues may be generated. It is also projected that revenues will decline after Year 1 as aggressive citation issuances will deter the general public from parking illegally in designated stalls.

Senator Edward J.B. Calvo
ACKNOWLEDGEMENT RECEIPT

Rcv'd by: Nikole
Print Name & Initial

Time: 9.m. - mail

Date: 7-5-05

Committee on Finance, Taxation and Commerce
 Office of Finance and Budget

Date Rcv'd: 7/5/05

Time: 10:30am

Rcv'd by: Rose

Print Name: Rose SV.



MINA BENTE CHO NA LIHESLATURAN HĀHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

E-Mail address: senatorcalvo@hotsheet.com
155 Hessler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

Committee Report on

Bill No. 134 (EC): *"An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws"*, as substituted by the Committee on Finance, Taxation, and Commerce.

I Mina' Bente Ocho Na Liheslaturan Guåhan

Committee on Finance, Taxation, and Commerce

Sinadot Edward J.B. Calvo, Ge' hilo

I. OVERVIEW

The Committee on Finance, Taxation, and Commerce held a Public Hearing on Thursday, August 18, 2005, 9:30 a.m. at *I Liheslaturan Guåhan's* Public Hearing Room on Bill no. 134 (EC), *"An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws"*. Notices of this public hearing were disseminated throughout all local media via facsimile and are attached herein.

a. Senators present:

Senator Edward J.B. Calvo, Chairman
Senator Lawrence F. Kasperbauer, Vice-Chairman
Senator Adolpho B. Palacios, Member
Senator Robert Klitzkie
Senator Lou Leon Guerrero

b. Appearing before the Committee:

Mr. Roland L.G. Taimanglo, Private Citizen

II. SUMMARY OF VERBAL AND WRITTEN TESTIMONIES:

Following introductory remarks by Chairman Edward J.B. Calvo, Mr. Roland L.G. Taimanglo, a private citizen, provided testimony in support of Bill no. 134 (EC). Mr. Taimanglo shared his views based on his life experiences as an individual who has

relied on a wheelchair to get to and from places; someone who has contributed to the establishment of the existing law; as someone who has kept an open eye for issues that affect people with disabilities; and as someone who has advocated for persons with disabilities both personally and professionally.

Mr. Taimanglo suggested that the current law relative to accessible parking for the disabled is outdated and that the Governor's Commission on Persons with Disabilities no longer exists. Mr. Taimanglo also believes that the current law is too restrictive because it allows only certain groups to issue citations.

Mr. Taimanglo recognized the need for the local government to recruit qualified individuals to enforce applicable laws and to recruit citizens that can help expand the enforcement and resource arms of the police. Mr. Taimanglo found it proper that the enforcement of accessible parking laws is the responsibility of the police department, which is the same entity responsible for coordinating the appointment of private citizens to enforce the law. He expressed approval of recruiting retired law enforcement officers to participate in the program and suggested that they be exempted from training due to their experience.

Guam Police Department Chief, Frankie Ishizaki, submitted written testimony stating that the issuance of a parking violation is a law enforcement function and that the Guam Police Department should maintain management control, supervision, and evaluation of the entire program. He recommended that volunteers be trained by the Guam Police Department, instead of the Guam Community College, and that volunteers be subject to screening, background investigation and selection.

Guam Community College President, Dr. Herminiano delos Santos also submitted written testimony in support of Bill no. 134 (EC), and is certain that the training offered by GCC to volunteers appointed by the Chief of the Guam Police Department will help enforce Guam's accessible parking laws.

Chairman Edward J.B. Calvo extended his appreciation to those in attendance for presenting testimony on Bill no. 134 (EC). The Chairman informed the public that an

additional ten (10) working days is provided for individuals wanting to submit written testimony on said legislation and subsequently moved to the next item on the agenda.

III. COMMITTEE FINDINGS AND RECOMMENDATIONS:

The Committee on Finance, Taxation, and Commerce finds that the lack of enforcement of accessible parking for persons with disabilities has resulted in physical hardship and distress for individuals requiring parking accommodations. The lack of funding to train qualified members of our community has led to a continued absence of adequate enforcement of accessible parking laws. Therefore, the Committee recommends that *I Liheslaturan Guåhan* appropriate the funds necessary for the Guam Police Department to provide instruction and training to qualified volunteers who will be authorized to issue citations.

The Committee on Finance, Taxation, and Commerce, to which Bill no. 134 (EC) *"An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws"*, was referred, does hereby submit its findings and recommendations to *I Mina' Bente Ocho Na Liheslaturan Guåhan* TO PASS Bill no. 134 (EC), as substituted by the Committee.

JUL 15 2005

Honorable Edward J.B. Calvo
Senator
Committee on Finance, Taxation & Commerce
Office of Finance & Budget
155 Hesler Street
Hagatña, Guam 96913

Hafa Adai Senator Calvo,

On behalf of the Guam Community College, we want to submit this written testimony in support Bill 134 (EC) relative to the repeal and re-enact subsection (F) and (H) of Section 3401.1, Article 4, Chapter 3 of Title 16 of the Guam Code Annotated.

Based on the language of the law, we are certain that the training we can provide volunteers appointed by the Chief of Police of the Guam Police Department will help enforce Guam's accessible parking laws.

We thank you for the opportunity in providing this written testimony by the Guam Community College. Please feel free to contact my office should you have any questions regarding the college's testimony.

Sincerely,



H. delos Santos, Ed.D.

Senator Edward J.B. Calvo
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Nikole
Print Name & Initial

Time: 9:58

Date: 7-18-05



GUAM POLICE DEPARTMENT



FELIX P. CAMACHO
Governor of Guam

KALEO S. MOYLAN
Lieutenant Governor

Government of Guam
Bldg No. 233, Central Avenue, Tiyan, Guam 96913
Telephone: (671) 475-8473 (Switchboard); (671) 475-8508 / 8509 / 8512
Fax: (671) 472-4036

FRANKIE T. ISHIZAKI
Chief of Police

MAJOR JOAQUIN G. REYES
Acting Police Commander

August 17, 2005

Honorable Senator Edward J.B. Calvo
Chairman, Committee on Finance, Taxation, and Commerce
Office of Finance and Budget
28th Guam Legislature
155 Hesler Street
Hagatna, Guam 96910

RE: Additional Written Testimony (Bill No. 131 and Bill No. 134)

Dear Senator Calvo:

As a follow-up letter, I would like to share with you additional input and concerns from our staff in order to strengthen the enforcement of accessible parking violations for persons with disabilities.

- 1) The Chief of Police, Guam Police Department, should have the authority and responsibility in the management and implementation of the program through the Volunteers in Police Services Program (VIPS);
- 2) Volunteers, authorized to issue citations, may come from various agencies of the Government of Guam and from the community at large, subject to screening, background investigation, and selection;
- 3) Volunteers must go through appropriate training and certification provided by the Guam Police Department instead of the Guam Community College;
- 4) Amend the Civilian Volunteer Police Reserve Law (10 GCA, Chapter 66, Section 66104) to grant temporary peace officer status and to provide coverage under the Workers Compensation Act to civilian volunteers while in the lawful performance of their duties in the issuance of citations to violators of accessible parking spaces designated for vehicles of persons with disabilities.

Senator Edward J.B. Calvo

ACKNOWLEDGEMENT RECEIPT

By: Nikole

Print Name & Initial

4:03

8-18-05

Page 2 of 2

Follow-up Letter to Honorable Senator Edward J.B. Calvo

RE: Bill No. 131 and Bill No. 134

August 17, 2005

- 5) Assaulting the volunteers while they are engaged in the performance of that duty should be treated equally as an assault to a police officer or volunteers who may sustain injuries in the process, or any other liability issues must be addressed;
- 6) Accountability of citations will be closely supervised and coordinated with the Traffic Court, Superior Court of Guam, through the VIPS Program of the Guam Police Department;
- 7) **Title 16, GCA, must be amended to deal with vehicle impoundment:**
 - a. Impounding of vehicles, in addition to the citation, may be overly punitive and may escalate further dangerous confrontations between civilian volunteers and violators;
 - b. If towing is allowed by the proposed law, it will require more training on processing vehicle impoundments, selection of towing services, liability of the operator, not just the vehicle owner, for reasonable towing expenses, and it should free the Guam Police Department from incurring any towing and storage liability.
 - c. Responsibility of the owner and/or the operator of the vehicle must be clearly addressed; and
- 8) Since issuance of a parking violation is a law enforcement function, the Guam Police Department should retain management control, supervision, and evaluation of the entire enforcement program.

Our men and women in the Guam Police Department wholeheartedly welcome and support the intent of these bills.

Sincerely,



FRANKIE T. ISHIZAKI

Attachment

of the regular personnel.

SOURCE: GC §8961, as repealed and reenacted by P.L. 13-140.

§66102. Recruitment. The Chief of Police shall recruit on an entirely volunteer basis, local residents who desire to make available their services to assist the Guam Police Department in carrying out its crime prevention, fire control and emergency functions. The Chief of Police shall further promulgate rules and regulations regarding the age, health and other requirements for recruitment purposes.

SOURCE: GC §8962, repealed and reenacted by P.L. 13-140, amended by P.L. 17-75.

§66103. Training, Equipping and Maintenance of Records. The Chief of Police shall devise a program whereby the police and fire divisions of the Guam Police Department, and the Civil Defense Office, provide the members of the Civilian Volunteer Police Reserve training in crime and fire prevention control, and operational techniques and procedures for natural and man-made emergencies. The Civilian Volunteer Police Reserve shall maintain a roster of volunteers who have received the training prescribed herein. In order to maintain membership in the Reserve, each member must keep up with his scheduled training and no volunteer may remain in the Reserve if he or she is unable to keep up with or otherwise absorb the training. Additionally, basic supplies and equipment shall be provided to assure a constant and operability of the Civilian Volunteer Police Reserve, including a continuing program for replacement.

SOURCE: GC §8963, as repealed and reenacted by P.L. 13-140.

§66104. Volunteer: Authority. Whenever either the police or fire units of the Civilian Volunteer Police Reserve, and the members thereof are rendering assistance to the police or fireman, as the case may be, such volunteers shall have the same powers, duties, rights (including coverage under the Worker's Compensation Act), privileges and immunities, as if they were paid, full-time members of the Guam Police Department, except that they shall earn recruitment credit for services performed as volunteers.

during such time as I am a member of the Civilian Volunteer Police Reserve I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States or of this Territory by force or violence."

SOURCE: GC §8965, as repealed and reenacted by P.L. 13-140.

§66106. Rules and Regulations: Recommendations. The Chief of Police is authorized and empowered to recommend to the Governor for issuance as executive orders the making, amendment and recession of such orders, rules and regulations as may be necessary to carry out the provisions of this Chapter.

SOURCE: GC §8966, as repealed and reenacted by P.L. 13-140.

**Honorable Senator Eddie Calvo
Chairman, Committee on Finance and Taxation
Twenty-Eighth Guam Legislature
Agana, Guam 96910**

June 14, 2005

Dear Senator Calvo and Member of this Committee,

Thank you for gathering testimony on Bill 134 "An Act to repeal and re-enact subsections (F) and (H) of Section 3401.1, Article 4, Chapter 3, Title 16 of the Guam Code Annotated, relative to Accessible Parking for Persons with Disabilities". I am most especially grateful to Senator Judy Won Pat for crafting Bill 134.

I am here to testify in support of Bill 134.

But before I go into the details of my testimony, I am hoping that this committee quickly and positively acts on this very important and serious piece of legislation which directly impacts the quality of life for individual with disabilities, their families, and the wholesomeness of this community. I come before this honorable Committee not to sound arrogant but to share my views based on my life time experiences as a person who rely on a wheelchair to get around, someone who has contributed to the current legislation in the past, someone who has kept an open eye for issues that affect persons with disability, and someone who has advocated for person with disabilities personally and professionally.

Without much hesitation, I must say that the current law, GCA 3401.1 needs to be calibrated for it to become effective in terms of its intent. Its current form has become outdated, for example, the law makes reference to the Governor's Commission on Persons with Disabilities. I believe this entity does not exist as it was initially intended and now has faded somewhere into the dark space of this government. In its current form, the Commission plays a critical role in allowing more effectively the issuance of citation for violators of Title 16 Articles 4, GCA 3401.1.

Matter of fact it currently states under subsection (h) **“Private Persons Authorized to Issue Citations. Private Security Personnel, and persons who are designated by the Governor’s Commission on Persons with Disabilities and employed by Non-Profit Organizations (NPO) representing or serving people with disabilities, are hereby authorized to issue citation to enforce the provisions of this Act....”**.


Not only is the law in its current form outdated, it is too restrictive and places too much trust in institutions and not enough on citizens. It limits the issuance of citations only to organized entities, that is, private security personnel, persons designated by the Governor’s Commission on Disabilities and employed by Non-Profit Organizations representing or serving People with disabilities, who often times are too pre-occupied with their primary business. It almost gives the impression that if you are not wearing a uniform, or a club member to some prestigious disabilities organization, your out, when really all we are focusing on here is **expanding the enforcement and resource arm of the Police**. And when you look deep into what we really want to accomplish, a regular Joe can do the job. Yes, a regular citizen who meet all the requirements pursuant to Bill 134. Everyone authorized by the current Law will still be included under the caption **“Volunteer Citizen”**. The real issue here is not whether your connected to an organize entity, or having a disability, or serving persons with disabilities, the issue here is **enforcement** and by also targeting citizens to do the job, we **expand the enforcement and resource arms of the police**.

As proposed by Bill 134, the amendment to Section 1. Subsection (f) to read **“Citations. The Guam Police Department, all law enforcement personnel, and volunteers appointed by the Chief of Police may cite vehicles parked in violation of this Act ...”** frees the current Act from its restrictive mode and **stretches the enforcement and resource arms of the Police**. It seems proper that it would be the responsibility of the Police to coordinate the appointments of private citizens willing to perform a community volunteer police service as oppose to entities that mutate whenever political priorities change thus leaving a gapping hole that ultimately lead to unnecessary suffering for persons with disabilities and their families.

Furthermore, I support the entire provision of Section 2. Subsection (h) of 3401, Article 4, Title 16 as proposed by Bill 134. I especially like item number 3 of the aforementioned provision because it invites retired Police Officers, a trained resource base, should they wish to continue police work but now on a volunteer basis. Item 3 states “... *he/she shall be trained on the requirements for citations for vehicles parked in marked, zoned or designated accessible parking areas by an accredited law enforcement academy or institute. Retired law enforcement officers shall be exempted from the training requirements.*”

Honorable Members of this Committee, Bill 134 is simple but pierces through the root of the problem. We do not need more verbiage and fancy institution to accomplish this specific goal, but concise and meaningful language. In closing, I want to sincerely thank you for giving this issue a level of importance by just hearing it.

Sincerely,



Roland L.G. Taimanglo

PO Box 23822

GMF, Barrigada

Gu 96921

Email r_lionwar@hotmail.com



MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN,
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

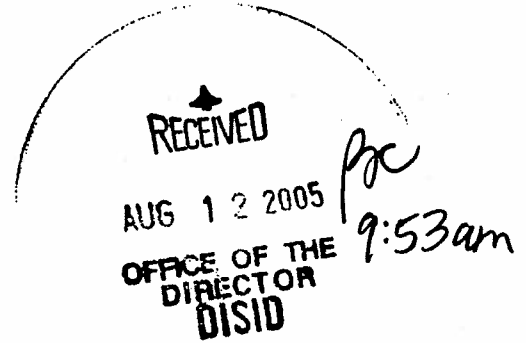
COPY

E-Mail address: sencalvo@eccomm.com
155 Hesler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

August 10, 2005

Mrs. Rosanne Ada
Director
Department of Integrated Services for Individuals with Disabilities
1313 Central Avenue
Tiyán, Guam 96913



Håfa adai, Mrs. Ada:

The Committee on Finance, Taxation, and Commerce has scheduled a public hearing on Thursday, August 18, 2005, 9:30 a.m. at *I Liheslaturan Guåhan's* Public Hearing Room in *Hagåtña*. The *Committee* will receive written and verbal testimonies from the Public regarding the following measures:

- **Bill 131 (EC):** An Act To Strengthen The Enforcement Of Accessible Parking For Persons With Disabilities Act Through The Amendment Of Sections 3401.1 (h) And (e) Of Article 4 Of Chapter 3 Of Title 16, Guam Code Annotated; By Adding A New Item (3)(d) To Section 12108 Of Chapter 12 Of Title 16, Guam Code Annotated; And To Appropriate Five Thousand Dollars (\$5,000) To The Department Of Integrated Services For Individuals With Disabilities (DISID) For Training Of Persons Designated To Issue Citations.
- **Bill 134 (EC):** An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws.

Copies of the aforementioned bills may be obtained at *I Liheslaturan Guåhan's* website, http://guamlegislature.com/28th_Guam_Legislature/Bills-Introduced-28th.htm The *Committee* encourages verbal testimony, however, written testimony is preferred and should be submitted to my office by 12 noon the day prior to the public hearing. Should you be unable to attend, please contact my office at 475-8801 as soon as possible. *Si Yu'os Ma'åse'!*


Senator Edward J.B. Calvo



MINA BENTE OCHO NA LIHESLATURAN GUAHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

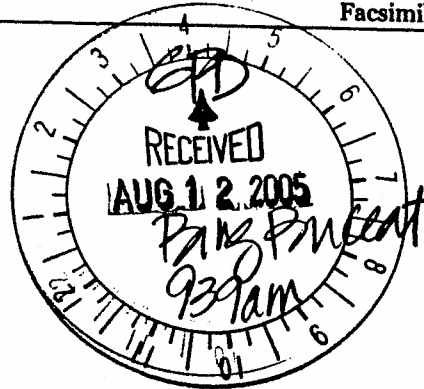
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E-Mail address: sencalvo@eccomm.com
155 Hesler Street Hagatña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

August 10, 2005

Mr. Frank Ishizaki
Chief of Police
Guam Police Department
233 Central Avenue
Tiyan, Guam 96913



Håfa adai, Chief Ishizaki:

Please be advised that the Committee on Finance, Taxation, and Commerce has scheduled public hearings on Thursday and Friday, August 18 and 19, 2005, 9:30 a.m. at *I Liheslaturan Guahan's* Public Hearing Room. The Committee will receive written and verbal testimonies from the Public on the following measures:

Thursday, August 18, 2005, 9:30 a.m.:

Bill 131 (EC): An Act To Strengthen The Enforcement Of Accessible Parking For Persons With Disabilities Act Through The Amendment Of Sections 3401.1 (h) And (e) Of Article 4 Of Chapter 3 Of Title 16, Guam Code Annotated; By Adding A New Item (3)(d) To Section 12108 Of Chapter 12 Of Title 16, Guam Code Annotated; And To Appropriate Five Thousand Dollars (\$5,000) To The Department Of Integrated Services For Individuals With Disabilities (DISID) For Training Of Persons Designated To Issue Citations.

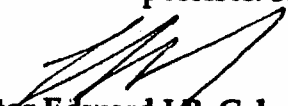
Bill 134 (EC): An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws.

Friday, August 19, 2005, 9:30 a.m.:

Bill 135 (EC): An Act Relative To Limiting The Availability Of An Individual's Social Security In order To Reduce Identity Theft.

Bill 146 (EC): An Act To Add A New Chapter 55a To 10 Guam Code Annotated, Constituting The "Public Safety And Forensic Laboratory Building Act" And To Appropriate The Sum Of Fifteen Million Dollars (\$15,000,000) From The Proceeds Of Sale Of The Guam Telephone Authority For The Construction Of Public Safety Facilities.

Copies of the aforementioned bills may be obtained at I *Legislatura* *Guahan's* website, <http://guamlegislature.com/28th-Guam-Legislature/Bills-Introduced-28th.htm> The *Committee* encourages verbal testimony, however, written testimony is preferred and should be submitted to my office by 12 noon the day prior to the public hearing. Should you be unable to attend, please contact my office at 475-8801 as soon as possible. *Si Yu'os Ma'ase'!*



Senator Edward J.B. Calvo



MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

MCC
3:30 pm
at 8/11/05

COPY

E-Mail address: sencalvo@eccomm.com
155 Hesler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

August 10, 2005

Mr. John Blas
Executive Director
Mayors' Council of Guam
P.O. Box 786
Hagatna, Guam 96932

Håfa adai, Mr. Blas:

The Committee on Finance, Taxation, and Commerce has scheduled a public hearing on Thursday, August 18, 2005, 9:30 a.m. at *I Liheslaturan Guåhan's* Public Hearing Room in *Hagåtña*. The *Committee* will receive written and verbal testimonies from the Public regarding the following measures:

- **Bill 116 (LS):** An Act To Allow Contributors To The Construction, Development, Upgrading, Repair And Maintenance Of Any Community Recreational Or Sports Facilities To Be Eligible For Tax Credits, Through The Amendment Of Sections 77402 And 77403(a) Of Article 4 Of Chapter 77 Of Division 2 Of Title 12, Guam Code Annotated.
- **Bill 131 (EC):** An Act To Strengthen The Enforcement Of Accessible Parking For Persons With Disabilities Act Through The Amendment Of Sections 3401.1 (h) And (e) Of Article 4 Of Chapter 3 Of Title 16, Guam Code Annotated; By Adding A New Item (3)(d) To Section 12108 Of Chapter 12 Of Title 16, Guam Code Annotated; And To Appropriate Five Thousand Dollars (\$5,000) To The Department Of Integrated Services For Individuals With Disabilities (DISID) For Training Of Persons Designated To Issue Citations.
- **Bill 134 (EC):** An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws.

Copies of the aforementioned bills may be obtained at *I Liheslaturan Guåhan's* website, http://guamlegislature.com/28th_Guam_Legislature/Bills-Introduced-28th.htm The *Committee* encourages verbal testimony, however, written testimony is preferred and should be submitted to my office by 12 noon the day prior to the public hearing. Should you be unable to attend, please contact my office at 475-8801 as soon as possible. *Si Yu'os Ma'åse'!*

Senator Edward J.B. Calvo



MINA BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

COPY

E-Mail address: sencalvo@eccomm.com
155 Hesler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

August 10, 2005

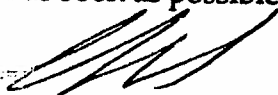
Dr. Herminiano Delos Santos
President
Guam Community College
Mangilao, Guam 96913

Håfa adai, Dr. Delos Santos:

The Committee on Finance, Taxation, and Commerce has scheduled a public hearing on Thursday, August 18, 2005, 9:30 a.m. at *I Liheslaturan Guåhan's* Public Hearing Room in *Hagåtña*. The Committee will receive written and verbal testimonies from the Public regarding the following measures:

- **Bill 131 (EC):** An Act To Strengthen The Enforcement Of Accessible Parking For Persons With Disabilities Act Through The Amendment Of Sections 3401.1 (h) And (e) Of Article 4 Of Chapter 3 Of Title 16, Guam Code Annotated; By Adding A New Item (3)(d) To Section 12108 Of Chapter 12 Of Title 16, Guam Code Annotated; And To Appropriate Five Thousand Dollars (\$5,000) To The Department Of Integrated Services For Individuals With Disabilities (DISID) For Training Of Persons Designated To Issue Citations.
- **Bill 134 (EC):** An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws.

Copies of the aforementioned bills may be obtained at *I Liheslaturan Guåhan's* website, http://guamlegislature.com/28th_Guam_Legislature/Bills-Introduced-28th.htm The Committee encourages verbal testimony, however, written testimony is preferred and should be submitted to my office by 12 noon the day prior to the public hearing. Should you be unable to attend, please contact my office at 475-8801 as soon as possible. *Si Yu'os Ma'åse'!*


Senator Edward J.B. Calvo





MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TIENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

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155 Hesler Street Hagåtña, Guam 96910

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August 11, 2005

Confirmation and Public Hearing Notice

5 GCA §8108 (Special)

The Committee on Finance, Taxation, and Commerce has scheduled public and confirmation hearings beginning on Thursday, August 18, 2005 thru Friday, August 19, 2005 at I Liheslaturan Guåhan's Public Hearing Room in Hagåtña. The Committee solicits any written and verbal testimonies from the Public on the following appointments by I Maga'låhen Guåhan and on the following measures:

Thursday, August 18, 2005, 9:30 a.m. (continuation of June 14, 2005 Public Hearing):

- Governor's appointment of Lourdes T. Sanchez to serve as a member of the GEDCA Board of Directors.
- Governor's appointment of Dennis Larsen to serve as a member of the Alcohol Beverage Control Board.
- **Bill 95 (EC):** An Act To Authorize The Director Of The Department Of Revenue And Taxation To Hire An Attorney To Represent The Department In Litigation Concerning The Affairs Of The Department And To Appropriate The Sum Of One Hundred Thousand Dollars For Such Purpose.
- **Bill 106 (LS):** An Act To Appropriate The Sum Of Seven Hundred Forty-Five Thousand Dollars (\$745,000) From The General Fund To The Guam Fire Department For Personnel Expenses Such As Promotions, Specialty Pay And/Or Differential Pay, And Uniform Stipends.
- **Bill 109 (EC):** An Act To Earmark The Proceeds Of The Sale Of GTA To Pay For Contributions Owed To The Government Of Guam Retirement Fund By The Department Of Education And Guam Memorial Hospital Authority.
- **Bill 116 (LS):** An Act To Allow Contributors To The Construction, Development, Upgrading, Repair And Maintenance Of Any Community Recreational Or Sports Facilities To Be Eligible For Tax Credits, Through The Amendment Of Sections 77402 And 77403(a) Of Article 4 Of Chapter 77 Of Division 2 Of Title 12, Guam Code Annotated.
- **Bill 130 (EC):** An Act To Amend 11 GCA §1111 To Allow Expenditures From The Public School Library Resources Fund.
- **Bill 131 (EC):** An Act To Strengthen The Enforcement Of Accessible Parking For Persons With Disabilities Act Through The Amendment Of Sections 3401.1 (h) And (e) Of Article 4 Of Chapter 3

DECLINED
8-11-05

Of Title 16, Guam Code Annotated; By Adding A New Item (3)(d) Section 12108 Of Chapter 12 Of Title 16, Guam Code Annotated; And To Appropriate Five Thousand Dollars (\$5,000) To The Department Of Integrated Services For Individuals With Disabilities (DISID) For Training Of Persons Designated To Issue Citations.

- **Bill 134 (EC):** An Act To Repeal And Re-Enact Subsections (F) And (H) Of Section 3401.1, Article 4, Chapter 3 Of Title 16, Guam Code Annotated, Relative To Accessible Parking For Persons With Disabilities And To Appropriate The Sum Of Five Thousand Dollars (\$5000.00) To The Guam Community College To Fund The Cost Of The Training Of Volunteers Appointed By The Chief Of Police To Issue Citations To Enforce The Accessible Parking Laws.

Friday, August 19, 2005, 9:30 a.m.:

- **Bill 135 (EC):** An Act Relative To Limiting The Availability Of An Individual's Social Security In order To Reduce Identity Theft.
- **Bill 142 (EC):** An Act To Amend Section 3306 Of Article 3, Chapter 3, Division 1 Of Title 11 Guam Code Annotated, Relative To Prohibiting The Issuance Of An On Sale Liquor License For Premises Located Within A Distance Of 500 Feet From Any Childcare Center Or Preschool.
- **Bill 144 (LS):** An Act To Appropriate One Hundred Fifty Thousand Dollars (\$150,000) To The Department Of Mental Health And Substance Abuse For The Sole Purpose Of Contracting To A Non-Governmental Organization To Establish A Coalition For A Tobacco-Free Guam.
- **Bill 146 (EC):** An Act To Add A New Chapter 55a To 10 Guam Code Annotated, Constituting The "Public Safety And Forensic Laboratory Building Act" And To Appropriate The Sum Of Fifteen Million Dollars (\$15,000,000) From The Proceeds Of Sale Of The Guam Telephone Authority For The Construction Of Public Safety Facilities.
- **Bill 153 (EC):** An Act To Earmark The Revenues From The Collection Of The Four Percent (4%) Gross Receipts Tax On The Sale Of Medicine, Pharmaceuticals, Medical Equipment, Medical Supplies, Provision Of Medical Services And The Use Tax On The Importation Of Medical Equipment And Specifically Utilize These Revenues To Fund The Medically Indigent Program, And To Add New Subsections (p), (q), (r), (s), And (t) To §2906 Of Chapter 2, Article 9, Title 10, Of The Guam Code Annotated, Relative To Establishing The Medically Indigent Fund Within The Department Of Public Health And Social Services.

Copies of the aforementioned bills may be obtained at *I Liheslaturan Gudhan's* website, http://guamlegislature.com/28th_Guam_Legislature/Bills-Introduced-28th.htm Individuals wanting to submit written testimony or requiring special accommodations or services should contact the Office of Senator Edward J.B. Calvo at 475-8801/2 or send an e-mail to sencalvo@eccomm.com.

cc: All Senators Clerk's Office All Media
Protocol Office Audio/Visual
Executive Director all media

S Bill Accepted 6/15/06 ~~3rd~~ 6/15/06



MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 134 (EC)

As substituted by the Committee on
Finance, Taxation and Commerce and
further substituted on the floor.

Introduced by:

J. T. Won Pat
Ray Tenorio
Edward J. B. Calvo

**AN ACT TO REPEAL AND RE-ENACT
SUBSECTIONS (f) AND (h) AND TO ADD A NEW
SUBSECTION (I) TO § 3401.1, ARTICLE 4, CHAPTER 3
OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE
TO ACCESSIBLE PARKING FOR PERSONS WITH
DISABILITIES AND TO REPEAL SUBSECTION (C)
OF § 50111 OF TITLE 5, GUAM CODE ANNOTATED
AND TO APPROPRIATE THE SUM OF FIVE
THOUSAND DOLLARS (\$5,000.00) FROM THE
ACCESSIBLE PARKING FUND TO THE GUAM
POLICE DEPARTMENT FOR THE PURPOSE OF
TRAINING VOLUNTEERS APPOINTED BY THE
CHIEF OF POLICE TO ISSUE CITATIONS IN THE
ENFORCEMENT OF ACCESSIBLE PARKING LAWS.**

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

2 **Section 1. Authorization to Issue Citations.** Subsection (f) of 3401.1,
3 Article 4, Chapter 3 of Title 16, Guam Code Annotated is repealed and re-
4 enacted to read:

1 “(f) Citations. Law enforcement “*uniformed personnel*” as
2 defined within 4 GCA §8104(p) and volunteers appointed by
3 the Chief of Police shall issue citations for vehicles parked in
4 violation of this Section. Identification cards shall be issued to
5 volunteers meeting the requirements of Subsection (h) *infra*,
6 which shall be carried by the volunteer at all times while
7 issuing citations. Citation forms shall be distributed by the
8 Guam Police Department for use in the enforcement of this
9 Section.”

10 **Section 2. Recruitment of Volunteers.** Subsection (h) of 3401.1, Article
11 4, Chapter 3 of Title 16, Guam Code Annotated is repealed and re-enacted to
12 read as follow:

13 “(h) **Volunteers Authorized to Issue Citations.** The
14 Chief of Police shall recruit individuals on an entirely volunteer
15 basis who desire to assist the Guam Police Department in
16 carrying out the enforcement of this Section. Before a volunteer
17 can issue citations, the volunteer must meet the following
18 criteria:

19 (1) be at least eighteen (18) years of age;

- 1 (2) be a citizen of the United States and a resident of Guam;
- 2 (3) not have been convicted of a felony or crime of family
- 3 violence;
- 4 (4) obtain a certificate from the Guam Police Department
- 5 demonstrating the completion of a required course of
- 6 instruction and training which shall include safety
- 7 measures to avoid dangerous confrontations with
- 8 operators failing to comply with this Section. The course
- 9 of instruction and training shall be at no cost to the
- 10 volunteer. Retired "*uniformed personnel*" are exempted
- 11 from this subsection; and
- 12 (5) satisfy any other qualifications ^{and require} established by the ^{Chief of} Guam
- 13 Police [Department]"

R. Klitzke
#10

14 **Section 3. Revocation of a Volunteer to Issue Citations.** Subsection (l)

15 of 3401.1, Article 4, Chapter 3 of Title 16, Guam Code Annotated is hereby

16 added to read as follows:

17 "(l) The Chief of Police may at any time, revoke the

18 certificate issued to a volunteer who has violated Subsection

19 (h)(3) or has conducted its affairs in an unauthorized manner."

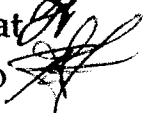
1 **Section 4. Appropriation.** The sum of Five Thousand Dollars (\$5,000.00)
2 is hereby appropriated from the Accessible Parking Fund to the Guam Police
3 Department for the purpose of implementing §3401.1(h) of Title 16, Guam
4 Code Annotated.

5 **Section 5. Repeal of the Accessible Parking Fund.** (a) The findings
6 and recommendations contained within "*OPA Report Number 06-03,*
7 *Department of Administration Review of Dormant and Inactive Funds as Mandated*
8 *by Public Law 28-68*", prepared by the Public Auditor and the Compiler of
9 Laws; received by the Legislative Secretary on April 18, 2006; identifying the
10 Accessible Parking Fund (Fund) as an inactive and dormant account;
11 recommends for the closure and repeal of the Fund. (b) Subsection (c) of
12 §50111 of Title 5, Guam Code Annotated is hereby repealed. (c) All
13 remaining fund balances of the Fund shall be transferred to the General Fund;
14 provided, however, that the appropriation of Section 4 above, is first
15 effectuated.

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 134(LEC)

Introduced by:

J. T. Won Pat
Ray Tenorio 

AN ACT TO REPEAL AND RE-ENACT
SUBSECTIONS (F) AND (H) OF SECTION 3401.1,
ARTICLE 4, CHAPTER 3 OF TITLE 16, GUAM CODE
ANNOTATED, RELATIVE TO ACCESSIBLE
PARKING FOR PERSONS WITH DISABILITIES
AND TO APPROPRIATE THE SUM OF FIVE
THOUSAND DOLLARS (\$5000.00) TO THE GUAM
COMMUNITY COLLEGE TO FUND THE COST OF
THE TRAINING OF VOLUNTEERS APPOINTED BY
THE CHIEF OF POLICE TO ISSUE CITATIONS TO
ENFORCE THE ACCESSIBLE PARKING LAWS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Subsection (f) of 3401.1, Article 4, Chapter 3, Title 16 of the
3 Guam Code Annotated is repealed and re-enacted to read:
4 "(f) Citations. The Guam Police Department, peace officers as defined in 8
5 GCA §5.55, retired law enforcement personnel and volunteers appointed by
6 the Chief of Police shall cite vehicles parked in violation of this Act. Each
7 retired law enforcement personnel and volunteer appointed by the Chief of
8 Police will be issued an identification card that shall be carried at all times
9 while issuing citations."

1 **Section 2.** Subsection (h) of 3401.1, Article 4, Chapter 3, Title 16 of the
2 Guam Code Annotated is repealed and re-enacted to read as follows:

3 **“(h) Private Persons Authorized to Issue Citations.** The Chief of Police shall
4 recruit on an entirely volunteer basis, local residents who desire to make
5 available their services to assist the Guam Police Department in carrying out
6 its accessible parking enforcement. Before a volunteer can issue citations, the
7 volunteer shall meet the following criteria:

8 (1) he/she shall be at least eighteen (18) years of age;

9 (2) he/she shall not be convicted of a felony; and

10 (3) he/she shall be trained on the requirements for the issuance of citations
11 to vehicles illegally parked in marked, zoned or designated accessible
12 parking areas by the institution or agency designated by the Chief of
13 Police. The training shall include safety measures to avoid dangerous
14 confrontations with operators of cited vehicles. The cost for such
15 training shall be the responsibility of the government of Guam.”

16 **Section 3.** The sum of Five Thousand Dollars (\$5,000.00) is hereby
17 appropriated from the General Fund to the Guam Police Department for the
18 purpose of funding the cost of training as specified in 16 GCA §3401.1(h).

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