

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

2023 (FIRST) Regular Session

VOTING RECORD

Bill No. 42-37 (COR) As amended by the Committee on Education, Public Safety, and the Arts; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building June 30, 2023					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

TOTAL

15

0

Aye

Nay

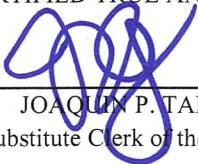
**Not
Voting/
Abstained**

**Out
During
Roll Call**

Absent

Excused

CERTIFIED TRUE AND CORRECT:



JOAQUIN P. TAITAGUE

Substitute Clerk of the Legislature

I = Pass

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Introduced by:

Chris Barnett
Telo T. Taitague
Joe S. San Agustin
Amanda L. Shelton
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Tina Rose Muña Barnes
Sabina Flores Perez

**AN ACT TO *ADD* NEW §§ 7117 AND 7117.1 TO CHAPTER
7 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE
TO REQUIRING THE AVAILABILITY OF AUTOMATED
EXTERNAL DEFIBRILLATORS AT ALL SCHOOL
CAMPUSES OF THE GUAM DEPARTMENT OF
EDUCATION BY JUNE 30, 2024.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the near death of twenty-four (24)-year-old Buffalo Bills safety Demar Hamlin

1 of the National Football League (NFL) serves as a recent reminder of the higher risk
2 of sudden cardiac arrest among young people who participate in athletics. The saving
3 of Hamlin’s life is credited not just to the quick thinking of the Buffalo Bill’s training
4 staff but also to a device known as an *Automated External Defibrillator* or AED.
5 Thanks to the efforts of former Vice Speaker Larry Kasperbauer, AEDs have been
6 available for emergency use on Guam since March of 2000.

7 *I Liheslaturan Guåhan* further finds that organizations such as the *Louis J.*
8 *Acompora Memorial Foundation* and *Project ADAM* (“Automated Defibrillation in
9 Adam’s Memory,” named in memory of Adam Lemel) have raised awareness of the
10 risk of sudden cardiac arrest among teenagers and young adults.

11 On March 25, 2000, Louis J. Acompora died from a condition known as
12 commotio cordis, which resulted from a blow to his chest while playing lacrosse
13 during his first high school game. Louis was only fourteen (14) years old. Adam
14 Lemel died doing what he loved best – playing basketball. The seventeen (17)-year-
15 old Whitefish Bay High School in Wisconsin student died of cardiac arrest on
16 January 22, 1999.

17 *I Liheslaturan Guåhan* further finds that as of September 2021, out of fifty
18 (50) states, only seventeen (17) have requirements for the installation of AEDs on
19 school campuses. The requirements vary for different school grades, public or
20 private schools, and for different school events.

21 *I Liheslaturan Guåhan* further finds that AEDs typically range in price from
22 One Thousand One Hundred Dollars (\$1,100) to Two Thousand Five Hundred
23 Dollars (\$2,500) which is about one-tenth (1/10th) of the price of the devices from
24 the time the Guam’s AED law was enacted in March 2000.

25 Therefore, it is the intent of *I Liheslaturan Guåhan* that AEDs be deployed
26 and made available at all public-school campuses for possible use during school
27 hours, school sporting events and school activities.

1 **Section 2.** A new § 7117 is *added* to Chapter 7 of Title 17, Guam Code
2 Annotated, to read as follows:

3 “§ 7117. **Access to Automated External Defibrillators (AEDs) at All**
4 **Public Schools.**

5 (a) Each public school campus, including charter school campuses, shall
6 have on its premises at least one (1) automated external defibrillator (AED) as
7 defined in Chapter 96, Title 10, Guam Code Annotated. The AED shall be available
8 during school hours, school sporting events and school activities. The Guam
9 Education Board shall, by policy, create the provisions for deployment and use of
10 AEDs, to include, but not be limited to, the following:

11 (1) the locations and quantities of AEDs on the campuses and
12 facilities;

13 (2) the training on the use of AEDs and requirements for staff,
14 coaches and volunteers;

15 (3) monitoring and testing of AEDs to ensure the devices will
16 function correctly when needed; and

17 (4) security and protection of the AEDs from theft, criminal mischief
18 (vandalism), and damage or destruction from acts of nature.

19 (b) Access to AEDs, as required by Subsection (a), *supra*, must be
20 completed by June 30, 2024.

21 (c) The Guam Department of Education shall annually request from *I*
22 *Liheslaturan Guåhan* additional funding or amendments to the law herein as may be
23 necessary to comply with this Section.”

24 **Section 3.** A new § 7117.1 is *added* to Chapter 7, Title 17, Guam Code
25 Annotated, to read as follows:

26 “§ 7117.1. **AED Use and Tort Immunity.**

1 (a) Any person or entity who in good faith and without compensation
2 renders emergency care or treatment by the use of an automated external defibrillator
3 is immune from civil liability for any personal injury as a result of the care or
4 treatment, or as a result of any act or failure to act in providing or arranging further
5 medical treatment, if the person acts as an ordinary, reasonably prudent person
6 would have acted under the same or similar circumstances.

7 (b) The immunity from civil liability for any personal injury under
8 Subsection (a) of this Section includes: (1) the physician or medical authority who
9 is involved with AED site placement; (2) the person or entity who provides the CPR
10 and AED training; and (3) the person or entity responsible for the site where the
11 AED is located.

12 (c) The immunity from civil liability under Subsection (a) of this Section
13 does not apply if the personal injury results from the gross negligence, or willful or
14 wanton misconduct of the person rendering the emergency care.”

15 **Section 4. Request for Appropriation.** The Guam Department of
16 Education shall submit a request for appropriation to *I Liheslaturan Guåhan* to fund
17 Section 2 of this Act.

18 **Section 5. Effective Date.** This Act shall be effective upon enactment.