

EDDIE BAZA CALVO
Governor



NOV 22 PM 8:58

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

November 21, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-1115
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 11/21/11
Time 4:49 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 329-31 (COR) "AN ACT TO AMEND §71501 OF ARTICLE 5, CHAPTER 71 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INSURANCE REQUIREMENTS FOR PRIVATE SECURITY ORGANIZATIONS", which I signed into law on November 17, 2011 as **Public Law 31-144**.

Senseramente,


EDDIE BAZA CALVO

Attachment: copy of Bill

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that Bill No. 329-31 (COR), "AN ACT TO AMEND §71501 OF ARTICLE 5, CHAPTER 71 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INSURANCE REQUIREMENTS FOR PRIVATE SECURITY ORGANIZATIONS," was on the 8th day of November, 2011, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 9th day of Nov, 2011, at
4:25 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: NOV 17 2011

Public Law No. 31-144

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 329-31 (COR)

As amended by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land;
and further amended on the Floor.

Introduced by:

R. J. Respicio
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §71501 OF ARTICLE 5, CHAPTER
71 OF TITLE 10, GUAM CODE ANNOTATED,
RELATIVE TO INSURANCE REQUIREMENTS FOR
PRIVATE SECURITY ORGANIZATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that Public Law 17-14, which was enacted in June 27, 1983, established the
regulations for the use of firearms by private security officers. Included within this
law was a provision for employers in the industry to acquire liability insurance

1 coverage as a means to address risks associated when security personnel carry
2 firearms in the performance of their duties.

3 *I Liheslaturan Guåhan* finds that the requirement for private security
4 organizations to obtain liability insurance coverage is critical to ensuring that
5 individuals, who become victims as a result of a private security officer's wrongful
6 use of a firearm, are able to acquire appropriate medical, financial and other forms
7 of assistance from the security service provider responsible for its officer's misuse
8 of a firearm.

9 *I Liheslaturan Guåhan* finds that the private security services industry has
10 evolved since the enactment of Public Law 17-14 in 1983. Private security
11 personnel today are generally used to help deter unlawful acts throughout Guam's
12 hospitality, banking and retail industries, as opposed to the sometimes violent
13 environment in the 1980s when drug use and robbery activities were common
14 encounters in their line of work. Given the nature of their responsibilities, *I*
15 *Liheslatura* acknowledged at the time the importance of requiring liability
16 insurance coverage when firearms are used by private security officers.

17 In recognizing the evolution of this industry over the years, however, *I*
18 *Liheslaturan Guåhan* finds that companies which *do not* employ armed security
19 personnel continue to be subjected to the same insurance mandates required of
20 employers of armed security officers. Private security employers with unarmed
21 personnel continue to pay for general liability insurance coverage for risks limited
22 primarily to companies that employ security officers who use firearms in the
23 performance of their duties.

24 It is, therefore, the intent of *I Liheslatura* to exempt employers of unarmed
25 private security personnel from the provisions of §71501 of Article 5, Chapter 71,
26 Title 10, Guam Code Annotated.

1 **Section 2. Insurance Requirements for Private Security**
2 **Organizations.** §71501 of Article 5, Chapter 71, Title 10, Guam Code Annotated,
3 is hereby *amended* to read:

4 **“71501. Insurance Requirements.**

5 Each employer of armed private security personnel *shall* file with the
6 Department of Revenue and Taxation a certificate of insurance evidencing
7 general liability coverage for bodily injury, personal injury, and property
8 damage with endorsements for assault and battery in the minimum annual
9 aggregate amount of One Hundred Fifty Thousand Dollars (\$150,000) for
10 bodily or personal injury, and a minimum annual aggregate amount of One
11 Hundred Thousand Dollars (\$100,000) for property damage. All private
12 security employers are required to secure a policy with the least deductible
13 amount. Any policy issued to a private security employer with a deductible
14 amount *shall* bear a certification from the insurer, or its duly appointed
15 general agent or sub-agent, and *shall* state that the deductible set forth in the
16 policy is the least amount duly approved by the Commissioner of Banking
17 and Insurance.

18 The certificate of insurance required herein *does not* apply to
19 employers of unarmed security personnel who *do not* provide armed security
20 services. For this purpose, employers of unarmed security personnel *shall*
21 mean employers who *shall* prohibit or *shall not* allow security personnel to
22 use physical force, and/or possess or have access to firearms, clubs or
23 batons, shock or stun devices, and incapacitating agents.

24 The Department of Revenue and Taxation *shall* adopt a designation
25 that *shall* identify on a business license that such business is licensed to
26 provide armed security services.

1 If at any time the certificate of insurance is revoked, or cancelled, then the
2 Department *shall* revoke the business license of such business that is required to
3 maintain a certificate of insurance.”

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: 11/08/11

VOTING SHEET

ABill No. 329-31(COR)

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>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.			✓		
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

14

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

OCT 27 2011

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'trentai Una Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

Rory J. Respicio

RE: Committee Report on Bill No. 329-31 (COR), As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 329-31 (COR), As Amended, "An Act to Amend §71501 of Article 5, Chapter 71, Title 10, Guam Code Annotated, Relative to insurance requirements for private security organizations" sponsored by Senator Rory Respicio, which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

<u>2</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>5</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse'

Vicente (ben) Cabrera Pangelinan
Chairman

*gms
10/27/11
11:03
[Signature]*

**COMMITTEE REPORT
ON**

**Bill No. 329-31 (COR), As Amended
Sponsored by Senator Rory Respicio**

**An Act to Amend §71501 of Article 5,
Chapter 71, Title 10, Guam Code
Annotated, Relative to insurance
requirements for private security
organizations**



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

OCT 27 2011

MEMORANDUM

To: All Members

Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 329-31 (COR), As Amended

Transmitted herewith for your consideration is the Committee Report on Bill No. 329-31 (COR), As Amended, "An Act to Amend §71501 of Article 5, Chapter 71, Title 10, Guam Code Annotated, Relative to insurance requirements for private security organizations" sponsored by Senator Rory Respicio.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No.329-31 (COR), As Introduced
4. Copy of Bill No.329-31 (COR), As Amended
5. Public Hearing Sign-in Sheet
6. Copies of Written Testimonies
7. Fiscal Note
8. Copy of COR referral Bill No.329-31 (COR)
9. Notices of Public Hearing
10. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'os Ma'åse'

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

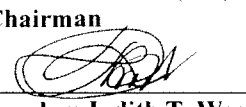
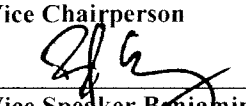
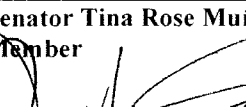
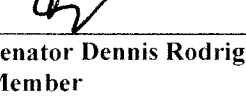
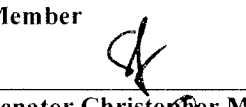
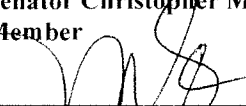
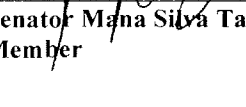
Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

**Committee on Appropriations, Taxation, Banking, Public Debt, Insurance,
Retirement, and Land**

Bill No. 329-31 (COR), As Amended, "An Act to Amend §71501 of Article 5,
Chapter 71, Title 10, Guam Code Annotated, Relative to insurance requirements for
private security organizations"

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	☒	☐	☐	☐	☐
 Speaker Judith T. Won Pat, Ed.D Vice Chairperson	☐	☐	☒ 10/26/11	☐	☐
 Vice Speaker Benjamin J. F. Cruz Member	☒ 10/26/11	☐	☐	☐	☐
 Senator Tina Rose Muña-Barnes Member	☐	☐	☒	☐	☐
 Senator Judith P. Guthertz Member	☐	☐	☒ 10/24/11	☐	☐
 Senator Dennis Rodriguez, Jr. Member	☐	☐	☐	☐	☐
 Senator V. Anthony Ada Member	☐	☐	☒ 10/24/11	☐	☐
 Senator Christopher M. Duenas Member	☐	☐	☒ 10/25/11	☐	☐
 Senator Mana Silva Taijeron Member	☐	☐	☒	☐	☐



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 329-31 (COR), As Introduced: "An Act to Amend §71501 of Article 5, Chapter 71, Title 10, Guam Code Annotated, Relative to insurance requirements for private security organizations"

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
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Member
Committee on Rules,
Federal, Foreign &
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Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on October 19, 2011 at 5:30 pm in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on October 12, 2011 (5-Day Notice), and again on October 17, 2010 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator Tina Muna Barnes, Member
Senator V. Anthony Ada, Member
Senator Christopher M. Duenas, Member
Senator Tom Ada
Senator Rory Respicio
Senator Frank Blas

(b) Appearing before the Committee

Mr. Anthony J. Palacios

(c) Written Testimonies Submitted

Mr. Anthony J. Palacios
Mr. Artemio B. Illagan, Banking & Insurance Commissioner

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Chairman Pangelinan. Thank you very much, Ladies and Gentlemen. We are now convening this public hearing by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land on a matter on three proposed legislation to be addressed by the body and by this Committee. Bill No. 344, 329, 330 and 343. We would like to thank my colleagues that have joined me: Senator Respicio, Senator Tony Ada, Senator Blas and Senator Muna Barnes.

We will now call for the public hearing on Bill No. 329, “An Act to Amend §71501 of Article 5, Chapter 71, Title 10, Guam Code Annotated, Relative to insurance requirements for private security organizations”.

We have the author of the bill joining us, Senator Rory Respicio. We would like to give him an opportunity give us the intent behind the bill.

Senator Rory Respicio. Thank you very much, Mr. Chairman for hearing this bill. We stumbled across Public Law 17-14, which was enacted on June 27, 1983 that provided for the liability insurance coverage as a means to address risks associated when security personnel carry firearms in the performance of their duties and while this law has never been amended, it doesn’t recognize the evolution of security guards. We have armed security guards and unarmed security guards. What this bill would do is to make it clear that each employer of armed private security personnel shall file with the Department of Revenue and Taxation a certificate of insurance evidencing general liability coverage. So, for those unarmed private security guards, they would not have to have this kind of requirement. The bill makes a distinction between armed and unarmed.

Chairman Pangelinan. Thank you very much, Senator Respicio. I have Mr. Anthony Palacios who signed up to testify. Please come forward. Mr. Palacios, you may proceed.

(b) Oral Testimonies

Mr. Anthony Palacios. *Buenas yan Hafa Adai*, Mr. Chairman Pangelinan and members of this Committee

Mr. Palacios proceeded to read his testimony verbatim. [attached to Committee Report]

Chairman Pangelinan. Thank you very much, Mr. Palacios. Senator Respicio?

Senator Rory Respicio. Thank you, Mr. Chairman and thank you [Mr. Palacios] for providing testimony in support of the bill. As I understand it, security guard companies are required to maintain this insurance for liability. So, you have been over-insured. You have been insuring

your security guards even though they are unarmed. The law right now requires that all security guards personnel must have this insurance.

Mr. Anthony Palacios. Yes, that's true.

Senator Rory Respicio. So, this has negatively impacted companies, such as yours where you are required by the government to have some kind of coverage when it doesn't match up to what that coverage is used for.

Mr. Anthony Palacios. Yes.

Senator Rory Respicio. That is the motivation behind this legislation, Mr. Chairman is to look at ways that we can tweak our laws to help these kinds of small business owners.

Chairman Pangelinan. Thank you very much. Senator [Tony] Ada?

Senator Tony Ada. I was just wondering for insurance purposes under the liability, being an armed security guard, does that include things like pepper spray, Taser guns or night sticks?

Mr. Anthony Palacios. The insurance covers for assaults and any actions that can put the company liable. That's what the insurance is for. Armed basically is firearms, deadly force.

Senator Tony Ada. So, in essence the liability insurance, regardless why they are armed or unarmed, you are still going to need to carry it?

Mr. Anthony Palacios. Yes.

Senator Tony Ada. Because of the fact of personnel injury or other means of liability on part of the company.

Mr. Anthony Palacios. Especially with the use of firearms. When [PL] 17-14 was first passed, the security companies were just starting and it has evolved at this point. That is the only standard that was made at that time. It's been over 20+ years.

Senator Tony Ada. Probably then, Mr. Chair we can include a definition for the word "armed". Thank you.

Chairman Pangelinan. Senator Blas?

Senator Frank Blas. Thank you, Mr. Chair. I think as a result of the conversation, we probably need to further define the word "armed". Mr. Palacios, with regards to the liability insurance that you currently now are required to get, is it specific to firearm or is it bodily injury, death as a result of?

Mr. Anthony Palacios. It's general coverage. Obviously, if you are insuring for firearms, then that's an additional charge on the premium.

Senator Frank Blas. Ok, so we are looking at the additional charge.

Mr. Anthony Palacios. It's across the board regardless whether you have armed or unarmed officers.

Senator Frank Blas. I recognize and agree with regards to the concern and that you may have to pay the additional premium for service you don't provide, as far as the armed services. I think it's just prudent to have liability insurance. I just want to make sure that the proposal continues to require some liability insurance on your part, but recognizing that you don't have to pay additional premium for the firearm.

Mr. Anthony Palacios. Yes.

Senator Frank Blas. Thank you, Mr. Chair.

Chairman Pangelinan. Thank you very much. Senator Muna Barnes? There being no further questions or comments --- did you [Mr. Palacios] want to make a final statement?

Mr. Anthony Palacios. Just to thank the Committee for giving me this opportunity.

Chairman Pangelinan. Thank you very much and *Si Yu'os Ma'ase*, Mr. Palacios. This hearing on Bill No. 329 is hereby concluded. The record will remain open for anyone who wishes to provide additional testimony.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriation, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 329-31 (COR), As Amended, with the recommendation TO REPORT OUT ONLY.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 329-31 (COR)

Introduced by:

R.J. Respicio
T.C. Ada

2011 OCT -14 PM 3:45
R.J. Respicio
T.C. Ada

**AN ACT TO AMEND §71501 OF ARTICLE 5,
CHAPTER 71, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO INSURANCE
REQUIREMENTS FOR PRIVATE SECURITY
ORGANIZATIONS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that P.L. 17-14, which was enacted in June 27, 1983, established the
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7 security personnel carry firearms in the performance of their duties.

8 *I Liheslaturan Guåhan* finds the requirement for private security
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10 that individuals, who become victims as a result of a private security
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15 has evolved since the enactment of P.L. 17-14 in 1983. Private security

1 personnel today are generally used to help deter unlawful acts throughout
2 Guam's hospitality, banking and retail industries as opposed to the
3 sometimes violent environment in the 1980s when drug use and robbery
4 activities were common encounters in their line of work. Given the nature
5 of their responsibilities, *I Liheslatura* acknowledged at the time the
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7 by private security officers.

8 In recognizing the evolution of this industry over the years, however, *I*
9 *Liheslaturan Guåhan* finds that companies which do not employ armed
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11 required of employers of armed security officers. Private security employers
12 with unarmed personnel continue to pay for general liability insurance
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14 officers who use firearms in the performance of their duties.

15 It is therefore the intent of *I Liheslatura* to exempt employers of
16 unarmed private security personnel from the provisions of Section 71501 of
17 Article 5, Chapter 71, Title 10, Guam Code Annotated.

18 **Section 2. Insurance Requirements for Private Security**
19 **Organizations.** Section 71501 of Article 5, Chapter 71, Title 10, Guam
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26 and battery in the minimum annual aggregate amount of One Hundred
27 Fifty Thousand Dollars (\$150,000) for bodily or personal injury and a

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6 duly appointed general agent or sub-agent, and shall state that the
7 deductible set forth in the policy is the least amount duly approved by
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11 security services.

12 The Department of Revenue and Taxation shall adopt a
13 designation that shall identify on a business license that such business
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-0-

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 329-31 (COR)

As Amended by the Committee on
Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement and Land

Introduced by:

R.J. Respicio
T.C. Ada

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25 with the Department of Revenue and Taxation a certificate of
26 insurance evidencing general liability coverage for bodily injury,
27 personal injury, and property damage with endorsements for assault

1 and battery in the minimum annual aggregate amount of One Hundred
2 Fifty Thousand Dollars (\$150,000) for bodily or personal injury and a
3 minimum annual aggregate amount of One Hundred Thousand
4 Dollars (\$100,000) for property damage. All private security
5 employers are required to secure a policy with the least deductible
6 amount. Any policy issued to a private security employer with a
7 deductible amount shall bear a certification from the insurer, or its
8 duly appointed general agent or sub-agent, and shall state that the
9 deductible set forth in the policy is the least amount duly approved by
10 the Commissioner of Banking and Insurance.

11 The certificate of insurance required herein does not apply to
12 employers of unarmed security personnel who do not provide armed
13 security services. For this purpose, employers of unarmed security
14 personnel shall mean employers who shall prohibit or shall not allow
15 security personnel to use firearms, taser guns, stun guns and pepper
16 spray.

17 The Department of Revenue and Taxation shall adopt a
18 designation that shall identify on a business license that such business
19 is licensed to provide armed security services.

20 If at any time the certificate of insurance is revoked, or
21 cancelled, then the department shall revoke the business license of
22 such business that is required to maintain a certificate of insurance.
23



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND**

Wednesday, October 19, 2011

Bill No. 329-31 (COR)

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
ANTHONY PALACIOS	PO BOX 326743 ITALIANA	687-5830	NONE	✓	✓	YES	

PALACIOS SECURITY AGENCY

Suite 103-A Market Wholesale Building, Rt. 8 Maite • Tel. 477-0501

October 19, 2011

Honorable Vicente C. Pangelinan
Chairman, Committee on Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement and Land
Mina' Trentai Unu na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

RE: Testimony in support of Bill No. 329-31 (COR)

Håfa adai, Chairman Pangelinan:

My name is Anthony J. Palacios and I am the Operations Manager for Palacios Security Agency. I, on behalf of my family's security company, which has provided security services since October 1986, would like to provide this testimony in support of Bill No. 329-31 (COR). I would also like to thank Senators Rory Respicio and Tom Ada for introducing this legislation and would also like to thank you, Chairman Pangelinan, for conducting a public hearing.

As a retired Guam Police Department officer who dedicated over twenty (20) years to serving and protecting the people of Guam, I have seen first-hand the important role security companies have in helping to ensure a peaceful and orderly community. Palacios Security Agency was established in 1986 at a time when many security personnel carried firearms. This, I believe, was due to the environment these individuals were exposed to including acts of aggression, theft and similar criminal activities. The implementation of P.L. 17-14 established a minimum standard for private security guards, in response to the new and emerging industry. There was no standard prior to P.L. 17-14.

The carrying of a firearm allowed for private security personnel to extend some form of a police image. And, because private security services were just emerging on Guam at the time with more armed than unarmed personnel, it was essential for security companies to obtain liability insurance coverage. This was to ensure that the security companies were able to deal with the risks associated

with the carrying, and potential use of, firearms. The use of unarmed security guards is now widely accepted for hotels, resorts, shopping centers and retail outlets.

Since the establishment of Palacios Security Agency over twenty (20) years ago, the role of Guam's private security industry continues to improve. The security services my family's company provides today can be described primarily as hospitality service in nature. We do not employ armed security personnel and our services mirror much of those performed by security officers employed by various hotels, retail outlets and business establishments. With improved technologies in communications and training, a security guard today is much safer with these technologies than with a sidearm.

Thank you for the opportunity to provide testimony in support of Bill No. 329-31 (COR). I am available to respond to questions any member of the Committee may have regarding my comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony J. Palacios', with a long horizontal flourish extending to the right.

Anthony J. Palacios



Dipattamenton Kontribusion yan Adu'ana

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guahan

EDDIE BAZA CALVO, Governor / *Maga'låhi*
RAY TENORIO, Lt. Governor / *Tiñente Gubetnadot*

JOHN P. CAMACHO, Acting Director
Akto Direktot
MARIE M. BENITO, Deputy Director
Sigundo Direktot

October 19, 2011

The Honorable Vicente C. Pangelinan
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance
Retirement, and Land
Thirty First Guam Legislature
324 West Soledad Avenue, Suite 100
Hagatna, Guam 96910



Re: Bill No. 329-31 "AN ACT TO AMEND §71501 OF ARTICLE 5, CHAPTER 71, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO INSURANCE REQUIREMENTS FOR PRIVATE SECURITY ORGANIZATIONS."

Dear Senator Pangelinan:

My name is Artemio B. Ilagan. I am the Banking and Insurance Commissioner. I am in favor of the concept of Bill No. 329-31 for the following reasons:

- ❖ Our Department welcomes the proposal to require general liability insurance only from armed private security personnel as opposed to unarmed private security personnel. This will reduce costs for small private security employers.
- ❖ To prevent any ambiguity for this purpose, it is suggested that armed private security personnel and unarmed private security personnel be defined. The definition can be added after the following proposed amendment.

The certificate of insurance required herein does not apply to employers of unarmed security personnel who do not provide armed security services. {For this purpose, employers of unarmed security personnel shall mean employers who shall prohibit or shall not allow security personnel to use firearms, taser guns, stun guns, pepper spray, batons or similar devices in the performance of their duties as security personnel.}

The above bracketed sentence is a language suggestion for the consideration of this Committee. With the foregoing suggestion, our office is in favor of Bill No. 329.

Sincerely,

Artemio B. Ilagan
ARTEMIO B. ILAGAN

Banking and Insurance Commissioner



COMMITTEE ON RULES

I Mina'trentai Unu na Libeslaturan Guahan • The 31st Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

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LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

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ASST. MINORITY LEADER

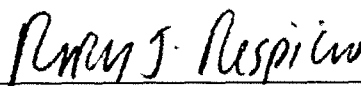
Senator
Christopher M. Duenas

Certification of Waiver of Fiscal Note Requirement

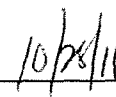
This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 329-31 (COR) – "AN ACT TO AMEND §71501 OF ARTICLE 5, CHAPTER 71, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INSURANCE REQUIREMENTS FOR PRIVATE SECURITY ORGANIZATIONS."** – on October 7, 2011. COR hereby certifies that BBMR confirmed receipt of this request on October 7, 2011.

COR further certifies that a response to this request was not received by 5:00 P.M. on October 27, 2011, the fourteenth day after the request was received by BBMR. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 329 to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio



Date



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

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Judith P. Guthertz
VICE CHAIRPERSON
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Senator
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Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

October 7, 2011

VIA FACSIMILE
(671) 472-2825

John A. Rios
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note -
Bill Nos. 323-31 (COR through 337-31 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Unu na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,


Rory J. Respicio

Attachments

Cc: Clerk of the Legislature

10/11/11
7:11 PM
epm

MESSAGE CONFIRMATION

OCT-07-2011 04:29 PM FRI

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 11
START TIME : OCT-07-2011 04:28PM FRI
ELAPSED TIME : 01' 48"
MODE : STD ECM
RESULTS : [O.K]



COMMITTEE ON RULES

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Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Gutierrez
VICE CHAIRPERSON
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Vice Speaker
Benjamin J. F. Cruz

Senator
Rose Muñoz Barnes
LEGISLATIVE SECRETARY
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Rafael G. Rodriguez, Jr.
ST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Alpho B. Palacios, Sr.

Senator
Vicente C. Pangolinan

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Senator
Aline A. Yamashita
MINORITY LEADER

Senator
Christopher M. Ducas

October 7, 2011

VIA FACSIMILE
(671) 472-2825

John A. Rios
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

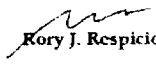
RE: Request for Fiscal Note -
Bill Nos. 323-31 (COR through 337-31 (COR)

Hafa Adan Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Umu na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'ase' for your attention to this matter

Very Truly Yours,


Rory J. Respicio

Attachments

Cc: Clerk of the Legislature

Rec'd by Jackie
date: 10/7/11
time 4:48pm

I Mina'Trentai Unu Na Liheslaturan Guåhan

**Bill Log Sheet
October 04, 2011**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
329-31 (COR)	R.J. Respicio, T.C. Ada	AN ACT TO AMEND §71501 OF ARTICLE 5, CHAPTER 71, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INSURANCE REQUIREMENTS FOR PRIVATE SECURITY ORGANIZATIONS.	10/04/11 3:49 p.m.	10/5/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			
330-31 (COR)	R. J. Respicio T.C. Ada B.J.F. Cruz J.P. Guthertz, DPA A.B. Palacios, Sr.	AN ACT TO REQUIRE THAT BUDGETARY SAVINGS OR COST AVOIDANCES REALIZED WITHIN ANY GENERAL FUND BUDGET APPROPRIATION FOR ANY EXECUTIVE BRANCH AGENCY DUE TO / <i>MAGALAHÍ'S</i> REORGANIZATION OF THE GOVERNMENT, BE USED FOR THE PURPOSE OF REDUCING THE GOVERNMENT OF GUAM'S GENERAL FUND DEFICIT	10/04/11 3:49 p.m	10/5/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			



COMMITTEE ON RULES

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2011 OCT -5 PM 11:16
Pat Santos

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

October 5, 2011

MEMORANDUM

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

From: Senator Rory J. Respicio *[Signature]*

Vice Speaker
Benjamin J. F. Cruz

Subject: Referral of Bill Nos. 326-31(COR) through 336-31 (COR)

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 326-31 (COR) through 336-31 (COR).

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Senator
Thomas C. Ada

Should you have any questions, please feel free to contact our office at 472-7679.

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

Si Yu'os Ma'åse!

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

(6) Attachment

Senator
Christopher M. Duenas

I Mina'Trentai Unu Na Liheslaturan Guåhan

**Bill Log Sheet
October 04, 2011**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
329-31 (COR)	R.J. Respicio, T.C. Ada	AN ACT TO AMEND §71501 OF ARTICLE 5, CHAPTER 71, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INSURANCE REQUIREMENTS FOR PRIVATE SECURITY ORGANIZATIONS.	10/04/11 3:49 p.m.	10/5/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			
330-31 (COR)	R. J. Respicio T.C. Ada B.J.F. Cruz J.P. Guthertz, DPA A.B. Palacios, Sr.	AN ACT TO REQUIRE THAT BUDGETARY SAVINGS OR COST AVOIDANCES REALIZED WITHIN ANY GENERAL FUND BUDGET APPROPRIATION FOR ANY EXECUTIVE BRANCH AGENCY DUE TO / <i>MAGALAHÍ'S</i> REORGANIZATION OF THE GOVERNMENT, BE USED FOR THE PURPOSE OF REDUCING THE GOVERNMENT OF GUAM'S GENERAL FUND DEFICIT	10/04/11 3:49 p.m	10/5/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			



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Public Hearing - FIRST NOTICE

from: **Lisa Cipollone** cipo@guamlegislature.org
 to: phnotice@guamlegislature.org
 date: Wed, Oct 12, 2011 at 4:14 PM
 subject: Public Hearing - FIRST NOTICE
 mailed-by: guamlegislature.org

4:14 PM (0 minutes ago) [Reply](#)

phnotice

phnotice@guamlegislature.org[Show details](#)

Hafa Adai,
 Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing beginning at 5:30pm on Wednesday, October 19, 2011. The agenda is as follows:

INEKUNGOK PUBBLEKO (PUBLIC HEARING)

gi Metkoles, gi diha 19 gi Oktubre, 2011
 (Wednesday, October 19, 2011)

Kuáttion Inekungok Pubbleko gi I Liheslaturan Guåhan
 (Guam Legislature Public Hearing Room)

TAREHA (AGENDA)

media ora para alas saís gi pipuengi
 (5:30 PM)

Priniponi Siha (Bills)

Bill No. 344-31 (COR): An Act to *Amend* §24102(a) and §24102(f) and §24103 of Article 1 Chapter 24 Division 2 of Title 11 Guam Code Annotated and to *Amend* §24401 of Article 4 Chapter 24 Division 2 of Title 11 Guam Code Annotated and to *Amend* §75112(l) of Chapter 75 of Title 21 Guam Code Annotated Relative to Chamorro Land Trust Properties.

Bill No. 329-31 (COR): An Act to Amend §71501 of Article 5, Chapter 71, Title 10, Guam Code Annotated, Relative to insurance requirements for private security organizations.

Bill No. 330-31 (COR): An Act to require that budgetary savings or cost avoidances realized within any General Fund Budget Appropriation for any Executive Branch Agency due to *I Maga'laha's* Reorganization of the government, be used for the purpose of reducing the government of Guam's General Fund Deficit.

Bill No. 345-31 (COR): An Act to *Add* a Chapter 11A to Division 1 of Title 5 of the Guam Code Annotated, Relative to establishing the "Government of Guam Reorganization Accountability and Transparency Act" and to establish a Reorganization Accountability and Transparency Fund.

Yanggen un nisisita espesial na setbision, put fabot ágang i Ifisinaan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com. Yanggen para un na'hálom testigu-mu, chule' para i ifisinaan-mami gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisio inapasi nu i fendon gubetnamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net

Lisa Cipollone
 Chief of Staff
 Office of Senator Vicente Pangelinan
 (671) 473-4236
cipo@guamlegislature.org

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Listserv: phnotice@guamlegislature.org

As of Oct. 17, 2011

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pris@senatorpalacios.com
rfteehan@yahoo.com
richard@tinamunabarnes.com
rob.tupaz@gmail.com
roryforguam@gmail.com
Santos.duenas@gmail.com
sem@guamlegislature.org
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senator@tinamunabarnes.com
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val.g@senatormabini.com
victoria@senatorpalacios.com
vkomiyama.senatordrodriguez@gmail.com
wilcastro671@gmail.com



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

October 12, 2011

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **5:30pm, Wednesday, October 19, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Bill No. 344-31 (COR): An Act to Amend §24102(a) and §24102(f) and §24103 of Article 1 Chapter 24 Division 2 of Title 11 Guam Code Annotated and to Amend §24401 of Article 4 Chapter 24 Division 2 of Title 11 Guam Code Annotated and to Amend §75112(i) of Chapter 75 of Title 21 Guam Code Annotated Relative to Chamorro Land Trust Properties.

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gi Motkoles, gi diha 19 gi Oktubre, 2011
 (Wednesday, October 19, 2011)

Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan
 (Guam Legislature Public Hearing Room)

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 (5:30 PM)

Prinipóni Siha
 (Bills)

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*gi Metkoles, gi diha 19 gi Oktubre, 2011
 (Wednesday, October 19, 2011)*

*Kuátton Inekungok Pubbleko gi i Liheslaturan Guåhan
 (Guam Legislature Public Hearing Room)*

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*media ora para alas sais gi pipuengi
 (5:30 PM)*

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 (Bills)

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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

October 17, 2011

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

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Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

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**INEKUNGOK PUPBLEKO
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***gi Metkoles, gi diha 19 gi Oktubre, 2011
(Wednesday, October 19, 2011)***

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November 15, 2011

MEMORANDUM

To: Patricia C. Santos
Clerk of the Legislature

From: Senator Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules

Subject: Supplement to Committee Reports

Hafa Adai!

Transmitted herewith is a memo from Senator vicente (ben) c. pangelinan, Chairperson, Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, forwarding additional testimony on Bill Nos. 236, 329 & 330.

Please include this memo and the attachments as a "Supplement" to the Committee Report on Bill Nos. 236-31 (COR), 329-31 (COR) & 330-31 (COR).

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Si Yu'os ma'åse'!



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

November 10, 2011

Memorandum

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

To: Senator Rory Respicio
Chair, Committee on Rules

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Testimonies

Vice Chairman
Committee on Education

The Committee received testimonies after the following bills were filed with the Committee on Rules. I hereby request that they be included in the committee reports as official testimonies. The bills and testimonies include:

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

1) Bill No. 330-31 (COR). Testimony received from the Bureau of Budget Management & Research

2) Bill No. 236-31 (COR). Testimony received from Juan M. Rapadas, PH.D., M.S., Licensed Clinical Psychologist

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

3) Bill No. 329-31 (COR). Testimony from G4S.

4) Bill No. 236-31 (COR). Testimony from the Federal Management Team.

Member
Committee on the Guam
Military Buildup and
Homeland Security

Si Yu'os Ma'ase.

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

RECEIVED

11-14-11

[Signature]



COMMITTEE ON RULES

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

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Senator
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LEGISLATIVE SECRETARY
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Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

Supplement to the Committee Report on Amended Bill No. 329-31 (COR)

**"AN ACT TO AMEND §71501 OF ARTICLE 5,
CHAPTER 71, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO INSURANCE
REQUIREMENTS FOR PRIVATE SECURITY
ORGANIZATIONS."**

*NOTE: The original Committee Report on
Amended Bill No. 329-31 (COR)
was filed on October 28, 2011.



Senator Pangelinan

324 W. Soledad Ave.,

Suite 100

Hagatna, Guam 96910

October 26, 2011

G4S Security Services (Guam) Inc.
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1350 North Marine Corps Drive,
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Fax: (671) 646-8334

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Email:cnmi@gu.g4s.com

www.g4s.com/gu

Dear Senator Pangelinan,

Re: Bill No. 329-31

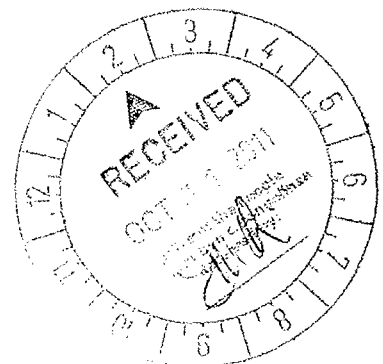
I was not able to attend your public hearing for Bill No. 329-31 last week, however, please accept my written comments for your consideration.

As I understand the bill, it aims to amend Article 5, Chapter 71, Title 10 in as much as unarmed security guarding companies will not require general liability insurance however armed security guarding will require \$150k of general liability insurance.

We find that the pre-ambble rationale does not support the proposal for unarmed security officers not to require general liability insurance in as much as the role of security officers in general business has matured and in many instances the risk to the officer or the risks that the officer may present to the customer or general public are as high as they have ever been. As there are training, testing and industry licensing standards in the U.S. mainland for all security officers, whether armed or non-armed, no such standards have been established on Guam. We might also consider the litigious environment we live in today and \$150k insurance coverage is barely adequate for the most frivolous of claims.

We do agree that insurance limits need to be reviewed and that the limit should be increased across the board for armed and unarmed security officers. Our opinion is that there should be a policy of not less than \$1,000,000 for any security agency activity. Almost all commercial security contracts require insurance levels well in excess of \$150k and many in the region of \$2 - \$5m.

We believe that any security agency that would consider operating without GL Insurance is irresponsible within the industry; we strongly oppose such a bill supporting this level of irresponsibility.





I will be very happy to meet with you and discuss this bill and any other safety and security related initiatives you may have affecting our industry.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Philip Law', written in a cursive style.

Philip Law

General Manager

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 329-31 (COR)

Introduced by:

R.J. Respicio
T.C. Ada

R.J. Respicio
T.C. Ada

**AN ACT TO AMEND §71501 OF ARTICLE 5,
CHAPTER 71, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO INSURANCE
REQUIREMENTS FOR PRIVATE SECURITY
ORGANIZATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*

finds that P.L. 17-14, which was enacted in June 27, 1983, established the regulations for the use of firearms by private security officers. Included within this law was a provision for employers in the industry to acquire liability insurance coverage as a means to address risks associated when security personnel carry firearms in the performance of their duties.

I Liheslaturan Guåhan finds the requirement for private security organizations to obtain liability insurance coverage is critical to ensuring that individuals, who become victims as a result of a private security officer's wrongful use of a firearm, are able to acquire appropriate medical, financial and other forms of assistance from the security service provider responsible for its officer's misuse of a firearm.

I Liheslaturan Guåhan finds that the private security services industry has evolved since the enactment of P.L. 17-14 in 1983. Private security

1 personnel today are generally used to help deter unlawful acts throughout
2 Guam's hospitality, banking and retail industries as opposed to the
3 sometimes violent environment in the 1980s when drug use and robbery
4 activities were common encounters in their line of work. Given the nature
5 of their responsibilities, *I Liheslatura* acknowledged at the time the
6 importance of requiring liability insurance coverage when firearms are used
7 by private security officers.

8 In recognizing the evolution of this industry over the years, however, *I*
9 *Liheslaturan Guåhan* finds that companies which do not employ armed
10 security personnel continue to be subjected to the same insurance mandates
11 required of employers of armed security officers. Private security employers
12 with unarmed personnel continue to pay for general liability insurance
13 coverage for risks limited primarily to companies that employ security
14 officers who use firearms in the performance of their duties.

15 It is therefore the intent of *I Liheslatura* to exempt employers of
16 unarmed private security personnel from the provisions of Section 71501 of
17 Article 5, Chapter 71, Title 10, Guam Code Annotated.

18 **Section 2. Insurance Requirements for Private Security**
19 **Organizations.** Section 71501 of Article 5, Chapter 71, Title 10, Guam
20 Code Annotated, is hereby *amended* to read:

21 **“71501. Insurance Requirements.**

22 Each employer of armed private security personnel shall file
23 with the Department of Revenue and Taxation a certificate of
24 insurance evidencing general liability coverage for bodily injury,
25 personal injury, and property damage with endorsements for assault
26 and battery in the minimum annual aggregate amount of One Hundred
27 Fifty Thousand Dollars (\$150,000) for bodily or personal injury and a

1 minimum annual aggregate amount of One Hundred Thousand
2 Dollars (\$100,000) for property damage. All private security
3 employers are required to secure a policy with the least deductible
4 amount. Any policy issued to a private security employer with a
5 deductible amount shall bear a certification from the insurer, or its
6 duly appointed general agent or sub-agent, and shall state that the
7 deductible set forth in the policy is the least amount duly approved by
8 the Commissioner of Banking and Insurance.

9 The certificate of insurance required herein does not apply to
10 employers of unarmed security personnel who do not provide armed
11 security services.

12 The Department of Revenue and Taxation shall adopt a
13 designation that shall identify on a business license that such business
14 is licensed to provide armed security services.

15 If at any time the certificate of insurance is revoked, or
16 cancelled, then the department shall revoke the business license of
17 such business that is required to maintain a certificate of insurance.

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