



*Office of the Governor of Guam*

P.O. Box 2950 Hagåtña, Guam 96932

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Felix P. Camacho  
*Governor*

Michael W. Cruz, M.D.  
*Lieutenant Governor*

DEC 01 2009

2009 DEC -2 PM 2:31 me

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*Mina' Trenta Na Liheslaturan Guåhan*  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 151-30(COR) "AN ACT TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION TO DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL PARK SYSTEM AS "ALCOHOL FREE ZONES", AND TO PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY ADDING NEW SUBSECTIONS 77101(d) AND 77104(i), AND §§77104.1 AND 77104.2 TO CHAPTER 77, ARTICLE 1, TITLE 21 GUAM CODE ANNOTATED" which I signed into law on November 27, 2009 as **Public Law 30-65**.

*Sinseru yan Magåhet,*

**FELIX P. CAMACHO**

*I Maga'låhen Guåhan*  
Governor of Guam

Attachment: copy of Bill

30-09-1419

12/02/09  
10-


**I MINA'TRENTA NA LIHESLATURAN GUÅHAN**  
**2009 (FIRST) Regular Session**

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

This is to certify that Bill No. 151-30 (COR), "AN ACT TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION TO DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL PARK SYSTEM AS "ALCOHOL FREE ZONES", AND TO PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY ADDING NEW SUBSECTIONS 77101(d) AND 77104(i), AND §§77104.1 AND 77104.2 TO CHAPTER 77, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED," was on the 13<sup>th</sup> day of November, 2009, duly and regularly passed.

  
Benjamin J.F. Cruz  
Acting Speaker


Attested:

  
Rory J. Respicio  
Acting Legislative Secretary

This Act was received by I Maga'lahaen Guåhan this 18 day of Nov, 2009, at  
2:10 o'clock P.M.

  
Assistant Staff Officer  
Maga'lahi's Office

APPROVED:

  
FELIX P. CAMACHO  
I Maga'lahaen Guåhan

Date: 27 Nov 2009

Public Law No. 30-65

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2009 (FIRST) Regular Session**

**Bill No. 151-30 (COR)**

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

T. C. Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

T. R. Muña Barnes

v. c. pangelinan

M. J. Rector

R. J. Respicio

Ray Tenorio

Telo Taitague

Judith T. Won Pat, Ed.D.

**AN ACT TO AUTHORIZE THE DIRECTOR OF THE  
DEPARTMENT OF PARKS AND RECREATION TO  
DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL  
PARK SYSTEM AS “ALCOHOL FREE ZONES”, AND TO  
PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY  
*ADDING* NEW SUBSECTIONS 77101(d) AND 77104(i), AND  
§§77104.1 AND 77104.2 TO CHAPTER 77, ARTICLE 1, TITLE  
21, GUAM CODE ANNOTATED.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3        that there is a need to give the Director of the Department of Parks and Recreation  
4        the authority to designate areas within the Guam Territorial Park System (GTPS)

1 as “Alcohol Free Zones”, and to establish penalties for individuals who violate the  
2 provisions of this Act.

3 *I Liheslaturan Guåhan* finds that there is a trend to designate areas such as  
4 schools and bus shelters as alcohol and drug free zones for purposes of public  
5 safety, to deter criminal activity, litter and loitering, and to promote a wholesome  
6 atmosphere in these areas.

7 *I Liheslaturan Guåhan* further finds that the open consumption of alcohol in  
8 our parks and its intoxicating effects upon an individual often becomes annoying  
9 and disturbing to families who gather to enjoy a nice family outing.

10 On several occasions, Territorial Park Patrol officers deal with intoxicated  
11 and belligerent individuals in the Guam Territorial Park System with no statutory  
12 authority to effectively and safely deal with the situation.

13 It is, therefore, the intent of *I Liheslaturan Guåhan* to authorize the Director  
14 of the Department of Parks and Recreation to designate “Alcohol Free Zones” and  
15 to establish penalties for non-compliance by adding new subsections 77101(d) and  
16 77104(i), and §§77104.1 and 77104.2 to Chapter 77, Article 1 Title 21 Guam Code  
17 Annotated.

18 **Section 2.** A new subsection (d) is *added* to §77101, Chapter 77, Article 1,  
19 Title 21, Guam Code Annotated, to read as follows:

20 “(d) *Alcohol Free Zone* means children’s playgrounds and the twenty-  
21 five (25) feet from the perimeter of the playgrounds, and any other area  
22 within the Guam Territorial Park System (GTPS), as designated by the  
23 Director of the Department of Parks and Recreation and as recorded with the  
24 Department of Land Management, where the possession *or* consumption of  
25 alcohol is prohibited.”

26 **Section 3.** A new subsection (i) is *added* to §77104, Chapter 77, Article 1,  
27 Title 21, Guam Code Annotated, to read as follows:

1           “(i) Guam Territorial Park System as an “Alcohol Free Zone.” The  
2 Director *shall* develop policies and procedures for the effective designation,  
3 implementation and administration of “Alcohol Free Zones” in accordance  
4 with the Administrative Adjudication Act. “Alcohol Free Zone” designation  
5 shall *not exceed more than* fifteen percent (15%) of the combined total  
6 number of beaches and parks, *not* inclusive of playground-only parks under  
7 the jurisdiction of the Department of Parks and Recreation.”

8       **Section 4.** A new §77104.1 is hereby *added* to Chapter 77, Article 1, Title  
9 21, Guam Code Annotated, to read:

10           **“§77104.1. Establishment of an Alcohol Free Zone.**

11 Notwithstanding any other law, rule *or* regulation, there is established within  
12 the Guam Territorial Park system “Alcohol Free Zones”, as defined in this  
13 Chapter. Any person who possesses *or* consumes alcohol in an “Alcohol  
14 Free Zone” *shall* be in violation of this provision and *shall* be issued a  
15 citation and punished in accordance with §77104.2 of this Chapter. All  
16 Territorial Park Patrol and Guam Police officers *shall* have jurisdiction to  
17 enforce this provision of law.”

18       **Section 5.** A new §77104.2 is hereby *added* to Chapter 77, Article 1, Title  
19 21, Guam Code Annotated, to read:

20           **“77104.2. Penalties/Fines for Violation of Alcohol Free Zone.**

21           (a) *If* any person is guilty of a first violation of §77104.1 of  
22 this Chapter, that person *shall* be punished by a fine of *not less than*  
23 One Hundred Fifty Dollars (\$150.00), but *no more than* Five Hundred  
24 Dollars (\$500.00). In addition, the judge may impose any additional  
25 penalties, including requiring the offenders to pay restitution to  
26 persons injured *or* for property damaged. Any credit for community

1 service against the fine imposed *shall* be given at an hourly rate  
2 that equals the minimum wage prevailing in Guam.

3 (b) *If* any person is guilty of a second violation of §77104.1  
4 of this Chapter, that person *shall* be punished by a fine of *not less than*  
5 Two Hundred Fifty Dollars (\$250.00), but *no more than* Five Hundred  
6 Dollars (\$500.00). In addition, the judge may impose any additional  
7 penalties, including requiring the offenders to pay restitution to  
8 persons injured *or* for property damaged. Any credit for community  
9 service against the fine imposed *shall* be given at an hourly rate  
10 that equals the minimum wage prevailing in Guam.

11 (c) *If* any person is guilty of a third violation of §77104.1 of  
12 this Chapter, that person *shall* be punished by a fine of *not less than*  
13 Three Hundred Fifty Dollars (\$350.00), but *no more than* Five  
14 Hundred Dollars (\$500.00). In addition, the judge may impose any  
15 additional penalties, including requiring the offenders to pay  
16 restitution to persons injured *or* for property damaged. Any credit for  
17 community service against the fine imposed *shall* be given at an  
18 hourly rate that equals the minimum wage prevailing in Guam.

19 (d) All fines collected as a result of penalties imposed by this  
20 Section *shall* be deposited in the “Public Recreation Services Fund”  
21 and administered in accordance with §77114 of this Chapter.”

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# I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2009 (FIRST) Regular Session

Date: Nov. 13, 2009

## VOTING SHEET

Bill No. 151-30 (COR)

Resolution No. \_\_\_\_\_

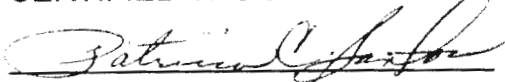
Question: \_\_\_\_\_

<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.	✓				
AGUON, Frank B., Jr.					EA
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera /		✓			
RECTOR, Matthew		✓			
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

12    2    \_\_\_\_\_    \_\_\_\_\_    1

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



***I Mina'Trenta Na Liheslaturan Guahan***

**Office of The Legislative Secretary**

***Tina Rose Muna Barnes***

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hesler Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

October 8, 2009

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

Speaker

I Mina'Trenta Na Liheslaturan Guahan

155 Hesler Place

Hagatna, Guam 96910

**VIA: The Honorable Rory J. Respicio**

Chairperson, Committee on Rules

**RE: Committee Report – Bill No. 151-30 (COR)**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 151-30 (COR) – **“An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties for non-compliance, by adding a new subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.2 to chapter 77, title 21 Guam Code Annotated.”**- sponsored by Senator Adolpho B. Palacios, Sr., and referred to the Committee on Municipal Affairs, Aviation, Housing and Recreation.

Committee votes are as follows:

1  
0

TO PASS

1  
0

NOT TO PASS

1  
0

TO REPORT OUT ONLY

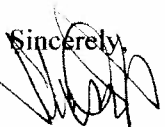
1  
0

TO ABSTAIN

1  
0

TO PLACE IN INACTIVE FILE

Sincerely,

  
Tina Rose Muña Barnes  
Senator

*Cor*  
**RECEIVED**  
10/23/09  
4:30 p

10/08/09 11:02 AM



**COMMITTEE REPORT  
ON  
BILL NO. 151-30(COR)  
ADOLPHO B. PALACIOS, SR.**

**“AN ACT TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION TO DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL PARK SYSTEM AS "ALCOHOL FREE ZONE" AND TO PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY ADDING A NEW SUBSECTION 77101 (d), 77104.(i), 77104.1,77104.2, 77104.2.1, 77104.2.2 TO CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED.”**

**30th Guam Legislature  
Senator Tina Rose Muna Barnes**



***I Mina'Trenta Na Liheslaturan Guahan***

**Office of The Legislative Secretary**

***Tina Rose Muna Barnes***

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation  
155 Hesler Place Hagatna, Guam 96910 | Tel: 671-472-3455/6 Fax: 671-472-3400

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October 08, 2009

**MEMORANDUM**

**To:**           **All Members**  
                  Committee on Municipal Affairs, Aviation, Housing, and Recreation

**From:**       **Senator Tina Rose Muna Barnes**  
                  Committee Chairperson

**Subject:**     **Committee Report Bill No. 151-30 (COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 151-30 (COR) **“An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties for non-compliance, by adding a new subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.2 to chapter 77, title 21 Guam Code Annotated.”- sponsored by Senator Adolpho B. Palacios, Sr.**

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative
- Copy of Bill No. 151-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of submitted testimony & supporting documents
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Related News Articles

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 me.

*Si Yu'os Ma'åse!*



***I Mina'Trenta Na Liheslaturan Guahan***

**Office of The Legislative Secretary**

***Tina Rose Muna Barnes***

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hesler Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

**COMMITTEE VOTING SHEET**

**BILL NO. 151-30(COR) AN ACT TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION TO DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL PARK SYSTEM AS "ALCOHOL FREE ZONE" AND TO PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY ADDING A NEW SUBSECTION 77101 (d), 77104.(i), 77104.1,77104.2, 77104.2.1, 77104.2.2 TO CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED.**

Senators	Signature	To Pass	Not To Pass	To Report Out Only	To Abstain	Place In Inactive File
Tina Rose Muna Barnes <b><i>Chairperson</i></b>		✓				
Benjamin J. F. Cruz <b><i>Vice Chairperson</i></b>		✓				
Judith T. Won Pat, Ed. D.		10/23/09 ✓				
vicente c. pangelinan						
Judith P. Guthertz						
Thomas C. Ada		10/23/09 ✓				
Rory J. Respicio						
Frank B. Aguirre, Jr. <sup>nd</sup>		10/23/09 ✓				
Edward J. B. Calvo						
Frank F. Blas, Jr.		10/23 ✓				
Ray Tenorio						
Matt Rector						
Telo Taitague		10/23/09 ✓				



**TINA ROSE MUNA BARNES**  
**LEGISLATIVE SECRETARY**  
**COMMITTEE ON MUNICIPAL AFFAIRS, AVIATION, HOUSING &**  
**RECREATION**  
*I Mina'Trenta na Liheslaturan Guåhan*

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**PUBLIC HEARING**

**BILL NO. 151-30(COR) AN ACT TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION TO DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL PARK SYSTEM AS "ALCOHOL FREE ZONE" AND TO PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY ADDING A NEW SUBSECTION 77101 (d), 77104.(i), 77104.1,77104.2, 77104.2.1, 77104.2.2 TO CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED.**

**I. OVERVIEW**

The Committee on Municipal Affairs, Aviation, Housing, & Recreation convened the public hearing on September 18, 2009. Hearing began at 9:00am on Bill No. 151-30(COR). Notices of the hearing were disseminated to all local media outlets via facsimile on September 10, 2009 and on September 15, 2009, pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature's website.

**Committee Members and Senators present:**

Senator Adolpho B. Palacios, Sr., Chairman

Senator Frank B. Aguon Jr.

Senator Tina R. Muña-Barnes

Senator Thomas C. Ada

Senator Matt Rector

Senator Vicente C. Pangelinan

Senator Telo Taitague

**Individual(s) Registered for oral or written testimony:**

1. Mr. Joseph D. Dueñas, Dept. of Parks & Rec., Written Testimony, In Favor
2. Mr. Ernest T. Chargualaf, Merizo Mayor, Oral testimony, Not in Favor
3. Mr. Paul Suba, Chief, Guam Police Department, Oral Testimony, In Favor
4. Mr. Terlaje, Yoña Mayor, Oral Testimony, Not In Favor

## **II. SUMMARY OF TESTIMONIES**

**Chairperson Tina Rose Muña Barnes** called the **Committee on Municipal Affairs, Aviation, Housing, & Recreation** to order at 9:20am, welcomed and introduced Senators present.

**Chairperson Muña Barnes** recognized the author of the bill, Senator Adolpho B. Palacios, Sr., who gave a brief presentation of the bill. Senator Palacios stated that Bill 151-30 (COR) was introduced on behalf of the Department of Parks and Recreation as they have been experiencing problems with those who were intoxicated. It was introduced at his request. Right now the statute and the designation in parks and beaches, relies on the general authority that mandates that the Director of Park and Recreation will implement Alcohol Free Zones in the Territorial Park System. This bill will authorize parks and beaches as Alcohol Free Zone and administering penalties in order to enforce these zones. It is a heightening of the director's power to do something with respect to controlling some of these problems they have experienced in the past.

**Chairperson Muña Barnes** called those who are present to testify.

**Mr. Joe Dueñas, Director of Parks and Recreation, Written Testimony, In Favor**

- (See Attached Testimony)

**Mayor Ernest Chargualaf, Mayor of Merizo, Oral Testimony, Not In Favor**

Mayor Chargualaf stated that he is in opposition because he has a park under his jurisdiction. He tries to control the alcohol consumption in his park and that he will designate this park as alcohol free zone. He states that down in Merizo, they have a venue that we can go to unlike other places where people do not have a back yard.

Some of the residents want to relax and have a good time. He does not see why we have to penalize the majority of residents when one person is belligerent for consuming alcohol. As soon as that person is belligerent, we must have the Police Department on standby. He stated that he has a bill before him, but I want to protect the powers that I have as mayor.

**Mayor Vicente Gumataotao, Mayor of Piti, Oral Testimony, In Favor**

Mayor Gumataotao stated that he is in favor of controlling alcohol in parks and beaches around Guam. He stated that public places should be kept clean whereby families can have the freedom to enjoy, especially with children present. Money is spent on keeping the parks clean and it is a hard job when there is no control. By having this law, it also promotes tourism because tourists visit these public places. He stated that he used to work in a bar for a very long time, but drinking alcohol shouldn't be in public places.

**Mr. Paul Suba, Chief of Police, Oral Testimony, In Favor**

Chief Suba stated that he is in favor of the bill. He states that today the norm is that our citizens are abusing their rights to use public parks and beaches. When you hear of a drowning, it is usually associated with someone who had been consuming alcohol. Even though we are short of personnel in monitoring the tailgate parties at mom and pop stores, we are overwhelmed with people abusing the rights to use public places. We are also seeing a lot of stench because people are urinating in the parks. The one concern that he had was on strict penalties. Some people may not know that their vehicle may be confiscated and that there will be heavy fines. GPD doesn't like to impound vehicles, but if the courts are insistent that they should tow, we will come in and help to impound vehicles.

**Jose T. Terlaje, Mayor of Yoña, Oral Testimony, Not In Favor**

Mayor Terlaje states that every year we have a Labor Day picnic for all Guam workers. He states that a lot of those people will not be showing up if this bill passes. Mayor Terlaje states that we don't have a problem with drinking in the park yet there has to be some conditions on this because the Department of Parks and Recreation is in charge of these parks. However, the Mayor too has the overall power to govern their village. We talk about enforcement, yet this is the problem, not drinking alcohol. If a person is beyond control and unable to maintain themselves, law enforcement must come in to tell this person to leave. The mayor states, "Why are we going to restrict a person from using a park when they come to ask the mayor for permission? Why would they use a park if they can't even drink their alcohol?" The mayor states that he has not seen a

person who is so drunk and beyond control in all his years of public service. This has been his experience. Many of our villages' parks are under the Department of Parks and Recreation. If the law states that when a park is under the purview of the Department of Parks and Recreation, its passage will hurt the mayors because the Department can designate any and all parks in the villages as alcohol free zone. He states again that we have not had any problems in our village. Mayor Terlaje also stated that he has been a police officer for 18 years and I have never responded to people who are really drunk in the parks. I ask that we look into this and set some conditions with regards to the power of the Director and the powers of the Mayor. We are taking away the freedom of our people if we allow this bill to pass. Let us represent those who like to drink and those who do not drink. Let us not enforce a law only for those who don't like to drink. Ultimately, we are taking away people's privileges and the people who like to drink beer or alcohol in parks. Enforcement is what we really need instead of a law that will give power to a director.

**Mr. Dueñas in response to Mayor Terlaje**

The Dept. of parks and rec. has only one park under its jurisdiction in the village of Yoña. The other 6 are under the jurisdiction of the mayor of Yoña. Mr. Dueñas stated that it is not our intent to make all parks alcohol free zone. Ipao Beach, for example, will not be alcohol free and some of the more popular places.

**Chief Suba in response to Mayor Terlaje**

In addition to Mr. Dueñas' comments, and after hearing my former supervisor Mayor Terlaje, I have seen people who have been intoxicated. At the Labor Day picnic for example, we had some people who were crashing into bishop's circle. When you see the after effects or the next morning, you can see the trash and the alcohol cans spread all over the park. This bill will comprehend to the public that something is being done and perhaps in the future, all parks will be designated as alcohol free. Now that this island has a mix of people, with people who do not care, perhaps there should be some consideration as the mayor stated to designate parks as alcohol free.

**Senator Palacios** stated that from looking at the director's of parks and rec's testimony, it is good to know that there are rules that set aside for alcohol free zones. The parks currently designated that would qualify for alcohol free zone such as Alupang beach, even without Bill 151-30, the Director has the power to designate parks and beaches as alcohol free zone. Again, 151-30 feature is the penalty phase of that power. The

authority exists with the director and I would like to ask the Director to comment and the objection raised.

**Mr. Joe Dueñas responding to Senator Palacios**

Mr. Dueñas stated that people should have the right to drink, but people should not have the right to drink next to a play ground. If one were to go to Paseo Loop, you will see a number of people drinking right next to the playground. Some people who jog at 5am have stated to us that they encountered people who are still drinking in that early hour of the morning. We are seeing more abuse of alcohol in these places. We are not asking for any more authority or power than what we already have, but we want to enforce this policy through the penalty phase.

**Mayor Chargualaf responding to Mr. Dueñas**

As everyone knows, we have the fiesta Tasi in Merizo. Part of the fundraising effort for our village is the selling of beer and alcohol. Mayor states that he has an historical preservation park. If the director has the authority to designate my park as alcohol free, if he has that authority, then who do we go to stop that authority from being a practice of the director? I too have the authority in my village and we are the first responders if incidences do occur. Where do we go to stop him from designating these parks as alcohol free?

**Mr. Joe Dueñas responding to Mayor Chagualaf**

The facility that the mayor is talking about is the school located on the park. He has the authority to regulate the use of the school building. A lot of the facilities are under the mayors but they don't know this yet. This specific historic site is under his jurisdiction.

**Mayor Chargualaf responding to Mr. Dueñas**

Like Mr. Dueñas stated, I am a tenant in his park. The building is under my jurisdiction, but the land is still under his purview. I am pretty cordial with Mr. Joe Dueñas, but if you are dealing with the wrong personality at the Department of Parks and Rec., then who do we go too to off set this authority? Perhaps as my colleague has stated, perhaps the mayor should be consulted with regards to this provision. At any given time, the director can designate all parks under his purview. It makes my job easier, but it makes my people upset at the same time. I want my people to enjoy themselves, but enforcement should come in to remove these people who spoil the usage of the public park.



**Chairperson Muña-Barnes** then allowed Senators to give comments and/or questions.

**Speaker Ben Pangelinan** stated that generally, I don't have the problem with the concept. Because the government can't do its job, we are now not going to allow people to come to the park. The restrictions of our citizens are a bit disconcerting. We just want to go in and make people feel uncomfortable. If there are people going in there after hours, then make that restriction. We can't do this anymore because of these rules of the government. Why do we think that some people don't behave responsibly, we restrict some many others. This doesn't speak well to how government operates. All we want to do is to restrict people from using a park and not allowing them to drink alcohol. I understand belligerence and public drunkenness and we already have laws now that allow for them to be removed and to be cited. The bill will destroy what Guam is all about. It is 10-20% of the time and now to restrict fully in order to act responsibly, I understand the intent. However, to say that we want to wipe out all parks, this does not represent what we are doing currently doing. Get your park rangers Mr. Dueñas to remove that person who is belligerent. We have to protect people and we have to let our current system work. I know that graffiti is not done during the day, it usually happens at night. So consuming alcohol during the day doesn't bring graffiti, it occurs at night. While I support the intent of the bill, we don't have to go this far because there are already laws in place that govern our parks. I don't agree with the direction we are going and we have to open our options more because the real issue here is enforcement. The bill does not mention which parks will be alcohol free. It is not readily stated and we need to be very clear with the parks being considered. It is not explicit in here except the Triple AAA process, but that is for inside rules and regulations, not for the designation of which parks.

**Senator Matt Rector** stated, "How many parks are under Parks and Rec? How many Park Rangers? How many vehicles?"

**Mr. Joe Dueñas** stated that there are 70, 10 of which are Alcohol Free Zone. We only have three Park Rangers at this time. We only have two vehicles for the 70 parks.

**Senator Rector** stated that now we see where the real problem is. I have heard complaints already. Isn't littering already against the law? What we need is good enforcement and three park rangers with only two vehicles is not enough.

**Mr. Joe Dueñas** in response stated that when people are littering, it not in front of a ranger.

**Senator Rector** asked, currently there are laws of public intoxication isn't this right Chief Suba?

**Chief Paul Suba** responded yes. There are laws in place. However, the problem is that not many people are reporting it. For specifics, there needs to be a way to address public intoxication at some of the beaches during certain hours. We have been tolerant with alcohol consumption. However, if the park is alcohol free zone, then we will see less of the problem.

**Senator Pangelinan** stated that the problem is not the drinking, it is the tolerance.

**Senator Rector** stated that realistically, I understand the intent. I believe we need clean parks. However, not a lot of families can afford to do a party at their house. Not many families can go to a bar to have a good time. As far as all night goes, it is hard to understand graveyard shift. My brother used to work these hours and this was his way of his happy hour. All people should understand the circumstances of people.

**Mr. Joe Dueñas** in responding to Senator Rector stated, "Should people have the right to drink in the play ground?" We need a vehicle to curb this problem. We need a vehicle to site people a citation. Drinking alcohol is not compatible with the intent of the park. It is not a litter problem, but an alcohol problem.

**Senator Taitague** stated Mayor Terlaje, it seems that you have 6 parks under your purview. Do you think that you should have the authority to have some flexibility like Mr. Joe Dueñas to designate parks as alcohol free zone?

**Mayor Terlaje** responding stated that I have the right to stop it whether it is under the mayor or Parks and Rec. I want to see the bill that designates the parks under my purview as Mr. Joe Dueñas stated earlier. The director mentioned seeing people drinking alcohol near a play-ground. Kids see people drinking everywhere on Guam. We use the kids as being there and people are not supposed to be drinking when kids are around. Kids see parents drinking, including my grand kids. Going back to your question, I have not had any problems in my village not because they are drunk, but because there are differences between people or disagreements. I agree with Senator

Pangelinan and Senator Rector, why do we want to punish people at 3:00pm if they just want to have a beer in a park after work? What we need is enforcement not punishment.

**Senator Taitague** asked Mayor Terlaje, "Would you welcome that authority to designate parks as alcohol free zone?"

**Mayor Terlaje** stated that parks are already designated as alcohol free.

**Senator Taitague** stated that there are certain areas where families want to take their families to enjoy the day. It is like where we have smoke free areas. This is not going to start any fights, but we have those areas that are designated. I appreciate with giving up your authority if we implement all places. There are quite a few people who want to go to a place that is safe. It is amazing that you have to go to 70 parks with only 3 park rangers.

**Senator Aguon** stated that it is interesting, just looking at this legislation, when I approached parks and rec. with regards to a permit, I was instructed that the park was alcohol free and we were planning a party. I understand the intent, but it would be important to have an additional fee for the consumption of alcohol at these parks. If the applicant wants to drink alcohol, perhaps you should have an additional fee. This was a pilot program and resulted in a clean beach. I am looking at the formulation of the general concept and I understand the intent of the bill. I look at a number of parks that you have identified and some of these places are are historical places. I don't think that this goes out of the way for families and individuals who want a wholesome party. It seems that some of the penalties may be too harsh such as the forfeiture of vehicles in light of consumption of alcohol as opposed to an illegal act committed at these parks.

**Chief Suba** responded that the bill is almost like the safe street act and when a person is convicted. The court could impose a clean up. I like the language that says that GPD may impound, but I agree that the Court will decide who will impound. On occasion if violence happens, such as the Tagachang Beach in Yoña, Park Rangers have the power to cite. But GPD would like to help the Department of Parks and Rec. to enforce this citation.

**Senator Aguon** stated that in essence, an individual will be cited for consuming alcohol in parks that are designated as alcohol free. There is not a conviction because there are

only citations. I don't think it will go to the courts because it is not a conviction. I have an issue with this because I would hate that all of our parks would be alcohol free. Yet, we should recognize the presence of family and children. I would hate to see all parks designated as alcohol free but I support the intent of this legislation. Some families would want a wholesome family event and people should have that choice.

**Senator Ben Pangelinan** stated that he would like to make the distinction that a person may smoke next to someone and it will harm you. We know of the scientific facts of second hand smoke. However, you can sit next to someone who drinks, but you may not harm that person. This is what a smoke free zone is unlike that of an alcohol free zone.

**Senator Taitague** retorted that there is a length of time to have a problem with regards to drinking alcohol. With alcohol, it takes 2-3 drinks to harm a person to have a person be aggressive.

**Senator Ben** responded to Senator Taitague that it doesn't mean that there is some responsibility assumed.

**Chairperson Muña-Barnes** called the Senators to order and stated that the issue at hand is about alcohol free zones in parks and the penalties associated with the bill. She then allowed Senator Adolpho B. Palacios, Sr. to give his final comments on his bill.

**Senator Palacios** stated that it is good that we have the public hearing. There is on page 2, section 3, when you develop the policies and procedures, etc. For example, when a park is already alcohol free, then the Director can designate certain hours of alcohol free zone. I like to ask the director of parks and rec. to submit to us a courtesy copy of the Triple AAA process before this legislation goes through to address some of the concerns of the mayors and the members of the legislation. Not so much to share the authority, but to develop a mechanism to implement the procedures of the rules and regulations. Perhaps we can improve on this provision.

**Chairperson Muña Barnes**

Chairperson Muna Barnes clarified on the inquiry presented by Mayor Terlaje and motioned by Senator Aguon to gain clarification on the actual law the designates parks in villages under the jurisdiction of the Mayor as some of the Mayors were not aware of this transfer.

**Chairperson Muña Barnes** concluded the hearing and requested that written testimony be submitted within the next ten (10) days. He adjourned the hearing at 10:30am.

### III. FINDINGS AND RECOMMENDATIONS

The Committee on Municipal Affairs, Aviation, Housing and Recreation finds that Bill No. 151-30 (COR) intends to impose penalties on existing territorial parks which have been designated by the Department of Parks and Recreation as alcohol free zone. Bill 151-30(COR) would help the Department of Parks and Recreation to establish enforcement policies with regards to alcoholic consumption in territorial parks and ultimately gives authority to the director of the Department of Parks and Recreation to implement rules and regulations in accordance to the Administrative Adjudication Act.

Accordingly, the Committee on Municipal Affairs, Aviation, Housing and Recreation to which **Bill No. 151-30(COR)** was referred does hereby submit its findings and recommendations to *I Mina'Trenta na Liheslaturan Guåhan* **TO PASS**, Bill No. 151-30 (COR) AN ACT TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION TO DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL PARK SYSTEM AS "ALCOHOL FREE ZONE" AND TO PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY ADDING A NEW SUBSECTION 77101 (d), 77104.(i), 77104.1,77104.2, 77104.2.1, 77104.2.2 TO CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED.

**I MINA'TRENTA NA LIHESLATURAN GUÅHAN**  
**2009 (FIRST) Regular Session**

Bill No. 151 (cor)

Introduced by:

Adolpho B. Palacios, Sr. 

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2009 JUN 15 AM 11:56  
W M

AN ACT TO AUTHORIZE THE DIRECTOR OF THE  
DEPARTMENT OF PARKS AND RECREATION TO  
DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL  
PARK SYSTEM AS "ALCOHOL FREE ZONE" AND TO  
PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY  
ADDING A NEW SUBSECTION 77101 (d), 77104.(i), 77104.1,  
77104.2, 77104.2.1, 77104.2.2 TO CHAPTER 77, TITLE 21  
GUAM CODE ANNOTATED.

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that there is a need to give the Director of the Department of Parks and Recreation the authority to designate areas within the Guam Territorial Park System (GTPS) as "Alcohol Free Zone" and to establish penalties for individuals who violate the provisions of this Act.

*I Liheslaturan Guåhan* finds that there is a trend to designate areas such as schools and bus shelters as alcohol and drug free zones for purposes of public safety to deter criminal activity, litter and loitering, and to promote a wholesome atmosphere in these areas.

1           *I Liheslaturan Guåhan* further finds that the open consumption of alcohol in our  
2 parks and its intoxicating effects upon an individual often becomes annoying and  
3 disturbing to families who gather to enjoy a nice family outing.

4           On several occasions Territorial Park Patrol officers deal with intoxicated and  
5 belligerent individuals in the Guam Territorial Park System with no statutory authority to  
6 effectively and safely deal with the situation.

7           It is therefore, the intent of *I Liheslaturan Guåhan* to authorize the Director of the  
8 Department of Parks and Recreation to designate “Alcohol Free Zones” and to establish  
9 penalties for non-compliance by adding new subsections §77101(d), §77104.(i),  
10 §77104.1, §77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code  
11 Annotated.

12           **Section 2. A new subsection (d) is added to §77101, Chapter 77, Title 21**  
13 **Guam code Annotated, to read as follows:**

14           “(d) *Alcohol Free Zone* means any area within the Guam Territorial Park System  
15 (GTPS) as designated by the Director of the Department of Parks and Recreation and as  
16 recorded with the Department of Land Management where the possession or  
17 consumption of alcohol is prohibited.”

18           **Section 3. A new subsection (i) is added to §77104, Chapter 77, Title 21**  
19 **Guam Code Annotated, to read as follows:**

20           “(i) To designate certain beaches and public park areas in the Guam Territorial  
21 Park System as an “Alcohol Free Zone.” The Director shall develop policies and  
22 procedures for the effective implementation and administration of “Alcohol Free Zones”  
23 in accordance with the Administrative Adjudication Act.”

1           **Section 4. A new section 77104.1 is hereby added to, Chapter 77, Title 21**  
2   **Guam Code Annotated, to read:**

3           **“77104.1. Establishment of an Alcohol Free Zone.** Notwithstanding any other  
4   law, rule or regulation, there is established within the Guam Territorial Park system  
5   “Alcohol Free Zone” as defined in this Chapter. Any person who possesses or consumes  
6   alcohol in an “Alcohol Free Zone” shall be in violation of this provision and shall be  
7   issued a citation and punished in accordance with Section 77104.2 of this Chapter. All  
8   Territorial Park Patrol and all Guam Police Officer shall have jurisdiction to enforce this  
9   provision of law”

10          **Section 5. A new Section 77104.2, Chapter 77, Title 21 Guam Code**  
11   **Annotated is hereby added to read:**

12          **“77104.2. Penalties/Fines for Violation of Alcohol Free Zone.**

13          **(a)** If any person is guilty of a first violation of § 77104.1 of this Chapter, that  
14   person shall be guilty of a violation and shall be punished by fine of not less than One  
15   Hundred Fifty Dollars (\$150.00) but no more than Five Hundred Dollars (\$500.00). In  
16   addition, the judge may impose any additional penalties, including requiring the  
17   offenders to pay restitution to persons injured or for property damaged.

18          **(b)** If any person is guilty of a second violation of § 77104.1 of this Chapter, that  
19   person shall be guilty of a violation and shall be punished by fine of not less than Two  
20   Hundred Fifty Dollars (\$250.00) but no more than Five Hundred Dollars (\$500.00). In  
21   addition, the judge may impose any additional penalties, including requiring the  
22   offenders to pay restitution to persons injured or for property damaged.



1           (c) If any person is guilty of a third violation of § 77104.1 of this Chapter, that  
2 person shall be guilty of a violation and shall be punished by fine of not less than Three  
3 Hundred Fifty Dollars (\$350.00) but no more than Five Hundred Dollars (\$500.00). In  
4 addition, the judge may impose any additional penalties, including requiring the  
5 offenders to pay restitution to persons injured or for property damaged.

6           (d) Any or all fines collected as a result of penalties imposed by this section shall  
7 be deposited into the "Public Services Recreation Fund" and administered in accordance  
8 with §77114 of this Chapter.

9           **Section 6. A new subsection 77104.2.1 is hereby added to Chapter 77, Title**  
10 **21 Guam code Annotated, to read:**

11           **"77104.2.1. Impoundment of Vehicle of Registered Owner Convicted or**  
12 **Charged of Violation of § 77104.1; Prior Offenses; Considerations; Exemption.** At  
13 the time of arrest for an offense under said § 77104.1, the vehicle in which the offense  
14 was committed may be impounded by the Guam Police Department or Territorial Park  
15 Patrol officer and released only upon the approval of the Prosecution Division of the  
16 Attorney General's Office when it is determined that the vehicle is not subject to  
17 forfeiture under this Section."

18           **Section 7. A new subsection 77104.2.2 is hereby added to Chapter 77, Title**  
19 **21 Guam code Annotated, to read:**

20           **"77104.2.2. Forfeiture of Vehicle.**

21 Any person convicted of violating the provisions of § 77104.1 of this Chapter, three (3)  
22 or more times with the use of a motor vehicle, shall forfeit the vehicle in which the third  
23 offense, or more, was committed and forfeiture shall be conducted in accordance with

1 rules established by the Guam Police Department . However, in those cases where there  
2 is a showing of extreme circumstances, or where the vehicle is owned by a person other  
3 than the person convicted of three (3) or more violations of said § 77104.1, and the owner  
4 had no knowledge that the vehicle would be involved in the violation or that the driver  
5 had been convicted of prior violations of said § 77104.1, the Court, instead of ordering  
6 the forfeiture of the vehicle, shall suspend the convicted person's driving privilege for a  
7 minimum period of one (1) year, and no limited privilege to drive may be allowed.



*I Mina'Trenta Na Liheslaturan Guahan*

Office of The Legislative Secretary

*Tina Rose Muna Barnes*

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

**SEPTEMBER 18, 2009 – PUBLIC HEARING**

**Bill No. B151-30 (COR) – A.B. Palacios, Sr.**

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

NAME (PRINT)	REPRESENTING?	IN FAVOR?	OPPOSE?	CONTACT #
<i>Annex L. Palacios</i>	<i>City of Agaña</i>			
<i>Joseph W. Palacios</i>	<i>DPTC</i>	<i>✓</i>		<i>475-6296</i>
<i>Bob Guzman</i>	<i>Mayor</i>	<i>✓</i>		<i>472-1222</i>
<i>Ernest T. Chardon</i>	<i>Mezozo Mayor's Office</i>		<i>✓</i>	<i>828-8343</i>
<i>Paul Suba</i>	<i>SPD</i>	<i>✓</i>		<i>475-8508</i>
<i>Mayor Parks</i>	<i>MCCL</i>	<i>?</i>	<i>?</i>	<i>789-1575</i>

*Y Ben*  
*no Ben*  
*yes Efrain*  
*- Tuma*  
*no Maff*



**Felix P. Camacho**  
*Governor*

**Michael W. Cruz, MD**  
*Lt. Governor*

**Department of Parks, Recreation and  
Historic Preservation**

**Government of Guam**  
490 Chalan Palasyo  
Agana Heights, Guam 96910  
Director's Office: (671) 475-6289  
Facsimile: (671) 477-0997  
Parks Division: (671) 475-6289  
Guam Historic Preservation Office: (671) 475-6295  
Facsimile: (671) 477-2822  
Email: [joe.duenas@dpr.guam.gov](mailto:joe.duenas@dpr.guam.gov)



**Joseph W. Dueñas**  
*Director*

**Jose M. Quinata, Jr.**  
*Deputy Director*

**Testimony in Support of Bill 151 Authorizing the DPR Director the  
Authority to Designate Areas within the Park System Alcohol Free  
Zones and to Provide Penalties for Non-Compliance**

- *Joseph W. Duenas; Director, Department of Parks and Recreation  
September 18, 2009*

I'd like to begin by thanking Senator Palacios for working with the Department of Parks and Recreation on Bill 151 which authorizes the department the specific authority to designate areas within the Territorial Park System Alcohol Free Zones, and allows our Park Rangers and Police Officers to issue tickets for violations. These fines would then go back into the department for improvements to the public park system and the various sports facilities around the island. DPR is in full support of Bill 151.

On any given day if you drive around Guam's public parks you will find people consuming alcohol or the evidence of alcohol consumption. If you drive by Paseo or Tanguissan Beach Park, you will find people drinking there as early as 9 am in the morning. On a daily basis, beer cans and beer bottles are left scattered throughout the island's park system and public beaches. Alcohol-related litter can be found anywhere from under playground equipment to on top of ancient latte stones.

While I'm not one who readily supports new regulations that restrict my personal freedom to choose, I am willing to give up certain freedoms when-

- Guam's citizens no longer feel safe exercising at public parks like Paseo or on public beaches because there are people drinking there.
- Our children have to share a public playground with persons under the influence of alcohol.
- We are embarrassed to take our off-island visitors to public parks, historic sites, and beaches because they are littered with beer cans.
- An estimated twenty-five percent of adult drownings at Guam's public beaches are related to alcohol consumption.

- People start to actually believe that drinking alcohol in public places is part of the Chamorro culture.

On March 24<sup>th</sup>, 2008, the Department of Parks and Recreation (DPR) launched a pilot program, designating seven of 70 public parks “alcohol free zones.” The seven parks identified met one or more of the following criteria: parks with children present; parks with historic resources present; and parks near major thoroughfares, where auto-pedestrian accidents and fatalities have occurred. The parks designated for the pilot project were:

- \* Fort Santa Agueda
- \* Senator Angel Santos Latte Stone Memorial Park
- \* Padre Palomo Park
- \* East Agana Beach Park
- \* West Agana Park/ Alupang Park
- \* Adelup
- \* Joanna Jasmin Skate Park

While there have been occasional violations, and there is still room for improvement, overall the program has been a success. Today these parks are notably cleaner and safer than they were prior to the pilot program. Graffiti and vandalism in these areas has gone down significantly. The success of the program has been due largely to the public who have complied with the posted “alcohol free zone” signage.

Since the pilot project began, we have received inquiries from certain village mayors on how they can implement this program at parks in their village- especially in parks with youth. We have also received requests from youth sports organizers, coaches, and parents requesting that we make certain athletic venues “alcohol free zones.”

I’d like to point out, that it is not the Department’s intention to make all public parks “alcohol free zones.’ The department recognizes that we live in a community that celebrates important family occasions in the park system, and that responsible alcohol consumption takes place there. We would like to see more “alcohol free zones” in parks with children present (parks with playgrounds), and certain parks with historic resources present.

In closing I’d like to thank Senator Palacios for introducing Bill 151, as the law makes very clear that this is a policy that the Department has the authority to implement (with public input), and most importantly put’s teeth into enforcing violations, allowing park rangers and police officers to ticket offenders, which then go back into funding and improving our public park and various sports facilities

While I respect the rights of those who choose to drink in certain public areas, our island’s families should also have the right to enjoy public parks and playgrounds where they don’t have to worry about those under the influence of alcohol.

Guam’s public parks should reflect us at our best rather than our worst. Bill 151 is an effective tool in achieving this goal.



## COMMITTEE ON RULES

*I Mina'Trenta na Liheslaturan Guåhan* • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR  
RORY J.  
RESPICIO  
CHAIRPERSON**

**SENATOR  
Judith P. Guthertz  
VICE  
CHAIRPERSON**

**MAJORITY  
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**Judith T. Won Pat  
SPEAKER**

**Benjamin J. F. Cruz  
VICE SPEAKER**

**Tina Rose Mufia Barnes  
LEGISLATIVE SECRETARY**

**Thomas C. Ada  
SENATOR**

**Frank B. Aguon, Jr.  
SENATOR**

**Adolpho B. Palacios, Sr.  
SENATOR**

**Vicente C. Pangelinan  
SENATOR**

**Matthew Rector  
SENATOR**

**MINORITY  
MEMBERS:**

**Frank F. Blas, Jr.  
SENATOR**

**James V. Espaldon  
SENATOR**

June 16, 2009

Memorandum

To: Clerk of the Legislature  
*I Mina'Trenta Na Liheslaturan Guåhan*

Attorney Therese M. Terlaje, Legislative Legal Counsel  
*I Mina'Trenta Na Liheslaturan Guåhan*

From: Senator Rory J. Respicio  
*Chairperson, Committee on Rules*  
*I Mina'Trenta Na Liheslaturan Guåhan*

Subject: Referral of Bills No. 147(COR) through 149(COR) and Bill  
No. 151(COR)

As Acting Chairperson of the Committee on Rules, I am forwarding my  
referral of Bills No. 147(COR) through 149(COR) and Bill No.  
**151(COR).**

Please ensure that the subject Bills are referred, in my name, to the  
respective Chairpersons, as shown on the attachment. I am also  
requesting that the same be forwarded to all Senators of *I Mina'Trenta  
Na Liheslaturan Guåhan*.

Should you have any questions, please contact Elaine Tajalle or  
Stephanie Mendiola from my office.

*Si Yu'os Ma'åse.*

*Attachment*

2009 JUN 16 PM 6:49

**Bill/Resolution Introduction/Referral**

<b>Bill</b>	<b>Sponsor</b>	<b>Description</b>	<b>Date Introduced</b>	<b>Date Referred</b>	<b>Committee Referred</b>
151(COR)	A.B. Palacios, Sr.	An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.	6-15-09	6-16-09	Committee on Municipal Affairs, Aviation, Housing, and Recreation



**Senator Tina Muña Barnes**

Legislative Secretary

Ministro de la Legislatura, Guam / Thirdly Guam Legislature

September 10, 2009

## Memorandum

**TO:** All Senators

**FROM:** Committee on Municipal Affairs, Aviation, Housing and Recreation

**SUBJECT:** Public Hearing Notice

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

- 1.) Appointment: John H. Edwards, II, as a member of Guam Boxing & Wrestling Commission
- 2.) Bill No. B196-30 (COR) – T.R. Muna-Barnes  
An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.
- 3.) Bill No. B198-30 (COR) – T.R. Muna-Barnes  
An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.
- 4.) Bill No. B193-30 (COR) – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.  
An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office
- 5.) Bill No. B151-30 (COR) – A.B. Palacios, Sr.  
An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

The public hearing will take place on Friday, September 18, 2009 at 9:00 A.M- 5:00 P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated

*Sincerely yours magahet,*

**Tina Rose Muña-Barnes**

Cc: Clerk of Legislature  
Protocol

<b>GUAM LEGISLATURE</b>	
<b>REPRODUCTION/MAIL ROOM</b>	
DATE:	9/10/09
TIME:	10:50 [AM] [PM]
RECEIVED BY:	[Signature]





rich jerd <legislativesecretary1@gmail.com>

## First Notice Public Hearing

5 messages

rich jerd <legislativesecretary1@gmail.com>

Thu, Sep 10, 2009 at 3:48 PM

To: speaker@judiwonpat.com, senadotbjcruz@aol.com, tinamunabarnes@gmail.com, roryforguam@gmail.com, judiguthertz@pticom.com, tom@senatorada.org, matt@mattrector.com, senbenp@guam.net, senabpalacios@gmail.com, aguon4guam@gmail.com, sencalvo@gmail.com, ray@raytenorio.com, senator@espaldon.com, senatortelo@gmail.com, frank.blasjr@gmail.com  
Cc: psantos@guamlegislature.org, Stephanie Mendiola <sem@guamlegislature.org>, Robert Tupaz <rob.tupaz@gmail.com>, rennae@guamlegislature.org, ez2plez57@yahoo.com, dot@guamlegislature.org, joyunpingco@gmail.com, fbtorres@judiwonpat.com, fred@mattrector.com, clerkoffice1@guamlegislature.com, ciquinata@mail.com, elainevtll@gmail.com, emew@guamlegislature.org, fba\_irenem@yahoo.com, vbermudes@guamlegislature.org

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

1.) Appointment: John H. Edwards, II, as a member of Guam Boxing & Wrestling Commission

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An act to place the Merzo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

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An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

*Si Yu'os Ma'ase,*



# Senator Tina Rose Muna Barnes

Legislative Secretary

(Mina' Trenta Na Lihesiaturan Guahan /Thirtieth Guam Legislature)



## PRESS RELEASE

(September 10, 2009 – For Immediate Release)

**NOTICE OF PUBLIC HEARING  
BY SENATOR TINA ROSE MUNA BARNES  
FRIDAY, SEPTEMBER 18, 2009 – 9:00 A.M. – 5:00 P.M. - GUAM  
LEGISLATURE PUBLIC HEARING ROOM.**

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

1.) Appointment: John H. Edwards, II, as a member of Guam Boxing & Wrestling Commission

2.) Bill No. B196-30 (COR) – T.R. Muna-Barnes

An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.

3.) Bill No. B198-30 (COR) – T.R. Muna-Barnes

An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.

4.) Bill No. B193-30 (COR) – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.

An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

5.) Bill No. B151-30 (COR) – A.B. Palacios, Sr.

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

*St. Yu'os Ma'ase,*

**Tina Rose Muna Barnes**

rich jerd <legislativesecretary1@gmail.com>

## Press Release (First Notice)

6 messages

**rich jerd <legislativesecretary1@gmail.com>**

Thu, Sep 10, 2009 at 3:06 PM

To: jac.cherry@gmail.com, john@kuam.com, john@marianasmedia.com, news@guampdn.com, news@spbgum.com, sabrina <Sabrina@kuam.com>, Kevin Kerrigan <Kevin@spbgum.com>, therese@mvguam.com, thebigshow@k57.com, admin@mvguam.com, clynt@kuam.com, editor@mvguam.com, parroyo@k57.com, rgibson@k57.com

Cc: mayormcdonald@hotmail.com, mayoralvarez@live.com, mayorortai@yahoo.com, mtm\_mayors\_office@yahoo.com, msavares@guamcell.net, agatmayorsoffice@hotmail.com, agatvicemayor@yahoo.com, talomayor@teleguam.net, tatuhamo@ecommm.com, vmyigo@yahoo.com, vicemayor\_allan.ungacta@yahoo.com, rbblas@gmail.com, rslizama@yahoo.com, ammo@teleguam.net, ocp.mayor@gmail.com, hagatnamayor@hotmail.com, piti\_mayor@yahoo.com, umatacmo@gmail.com, yonamayor@guam.net, mcogadmin@teleguam.net, angehet@hotmail.com

Please find attached press release on public hearing scheduled on September 18, 2009, at Guam Legislature Public hearing room.

The Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

- 1.) Appointment: John H. Edwards, II, as a member of Guam Boxing & Wrestling Commission

- 2.) Bill No. B196-30 (COR) – T.R. Muna-Barnes

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*Si Yu'os Ma'ase,*

***Richard Dohrumal***  
***Legislative Assistant***  
***Office of The Legislative Secretary***



Senator Tina Muña Barnes

Legislative Secretary

Ministro de la Legislatura / Thirtieth Guam Legislature

September 11, 2009

## Memorandum

TO: All Senators

FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation

SUBJECT: Public Hearing Notice (AS AMENDED)

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

- 1.) BILL No. B151-30 (COR) – **A.B. Palacios, Sr.**  
An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.
- 2.) Appointment: John H. Edwards, II, as a member of *Guam Boxing & Wrestling Commission & Guam Unarmed Combat Commission*.
- 3.) BILL No. B196-30 (COR) – **T.R. Muna-Barnes**  
An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.
- 4.) BILL No. B198-30 (COR) – **T.R. Muna-Barnes**  
An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.
- 5.) BILL No. B193-30 (COR) – **J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.**  
An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

The public hearing will take place on Friday, September 18, 2009 at 9:00 A.M- 5:00 P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated.

Sincerely,  


Tina Rose Muña-Barnes

Cc: Clerk of Legislature  
Protocol  
Sergeant At Arms

GUAM LEGISLATURE  
REPRODUCTION/MAIL ROOM

DATE: 9/14/09

TIME: 11:10 AM

RECEIVED BY: 



rich jerd &lt;legislative secretary1@gmail.com&gt;

## P/H Notice As Amended

4 messages

rich jerd &lt;legislative secretary1@gmail.com&gt;

Mon, Sep 14, 2009 at 11:37 AM

To: speaker@judiwonpat.com, office@senatorada.org, aguon4guam@gmail.com, tinamunabarnes@gmail.com, frank.blasjr@gmail.com, sencalvo@gmail.com, senadotbjcruz@aol.com, senator@espaldon.com, judiguthertz@gmail.com, senabpalacios@gmail.com, senbenp@guam.net, matt@mattrector.com, roryforguam@gmail.com, senatortelo@gmail.com, ray@raytenorio.com, tterlaje@guam.net  
 Cc: mark@judiwonpat.com, fba\_irenem@yahoo.com, fbtorres@judiwonpat.com, Robert Tupaz <rob.tupaz@gmail.com>, elainevtll@gmail.com, ez2plez57@yahoo.com, mike.lidia9@gmail.com, Stephanie Mendiola <sem@guamlegislature.org>, yong@guamlegislature.org, vbermudes@guamlegislature.org, archives2@guamlegislature.com, clerkoffice1@guamlegislature.com, ciquinata@mail.com, clerkoffice2@guamlegislature.com, clerkoffice3@guamlegislature.com, clerkofflegis@guamlegislature.com, dot@guamlegislature.org, david.peredo@gfd.guam.gov, doc.wytenbachsantos@gmail.com, epogogue@hotmail.com, fred@mattrector.com, info@judiwonpat.com, joyunpingco@gmail.com, justin@mattrector.com, jessica@raytenorio.com, josecruzjr17@yahoo.com, jamespcastro@gmail.com, jonbdiaz@gmail.com, mona.duenas@gmail.com, mermae@raytenorio.com, psantos@guamlegislature.org, patrickcepeda@hotmail.com, phillipsguam@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sgtrams@guamlegislature.com, sayama01@yahoo.com, vel.komiyama@yahoo.com

Please find attached copy of Sept. 18, 2009 Public Hearing As Amended.

Si Yu'os Ma'ase

Richard Dohrmel  
 Office of Legislative Secretary  
 166 Hester Place  
 Hagatna, Guam 96910  
 Tel: (671) 472-3465/6 Fax: (671) 472-3400



Public Hearing Notice As Amended.jpg  
 1120K

Mail Delivery Subsystem &lt;mailer-daemon@googlemail.com&gt;

Mon, Sep 14, 2009 at 11:37 AM

To: legislative secretary1@gmail.com

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

mike.lidia9@gmail.com



**Senator Tina Rose Muna Barnes**

**Legislative Secretary**

*I Mina' Trenta Na Liheslaturan Guahan / Thirtieth Guam Legislature*



## **PRESS RELEASE**

(September 11, 2009 – For Immediate Release (AS AMENDED))

**NOTICE OF PUBLIC HEARING  
BY SENATOR TINA ROSE MUNA BARNES  
FRIDAY, SEPTEMBER 18, 2009 – 9:00 A.M. – 5:00 P.M. - GUAM  
LEGISLATURE PUBLIC HEARING ROOM.**

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

**1.) BILL No. B151-30 (COR) – A.B. Palacios, Sr.**

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

**2.) Appointment: John H. Edwards, II, as a member of *Guam Boxing & Wrestling Commission & Guam Unarmed Combat Commission*.**

**3.) BILL No. B196-30 (COR) – T.R. Muna-Barnes**

An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.

**4.) BILL No. B148-30 (COR) – T.R. Muna-Barnes**

An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.

**5.) BILL No. B193-30 (COR) – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.**

An act to place the Merzo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

*Si Yu'os Ma'ase*

**Tina Rose Muna Barnes**



rich jerd &lt;legislativesecretary1@gmail.com&gt;

## Press Release As Amended

5 messages

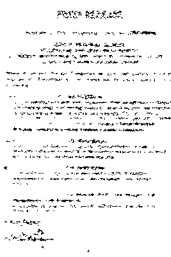
rich jerd &lt;legislativesecretary1@gmail.com&gt;

Mon, Sep 14, 2009 at 12:10 PM

To: admin@mvguam.com, clynt@kuam.com, carlospguam@yahoo.com, editor@mvguam.com, john@kuam.com, john@marianasmedia.com, jtquiengco@spbgum.com, Kevin Kerrigan <kevin@spbgum.com>, news@guampdn.com, news@spbgum.com, parroyo@k57.com, rgibson@k57.com, sabrina <Sabrina@kuam.com>, therese@mvguam.com, thebigshow@k57.com, agatmayoroffice@hotmail.com, agatvicemayor@yahoo.com, anghet@hotmail.com, bmoadmin@teleguam.net, vicemayor@gmail.com, ernest.merizomayoroffice@yahoo.com, fcblas\_tatuhamayor@hotmail.com, hagatnamayor@hotmail.com, mayoralvarez@live.com, mayormcdonald@hotmail.com, mayorortai@yahoo.com, msavares@guamcell.net, mtaitano@ghura.org, mtm\_mayors\_office@yahoo.com, mcogadmin@teleguam.net, nblas\_mangilaomayor@yahoo.com, ocp.mayor@gmail.com, piti\_mayor@yahoo.com, rbblas@gmail.com, talomayor@teleguam.net, tatuhamo@eccomm.com, umatacmo@gmail.com, vicemayor\_allan.ungacta@yahoo.com, vmyigo@yahoo.com, yonamayor@guam.net, joe.duenas@dprguam.gov

Please find attached copy of Sept. 18, 2009 public hearing as amended.

Richard Dohrumai  
Office of legislative Secretary  
155 Hesler Place  
Haganta, Guam 96910  
Tel: (671) 472-3455/6 Fx: (671) 472-3400



Press Release As Amended.jpg  
1199K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>  
To: legislativesecretary1@gmail.com

Mon, Sep 14, 2009 at 12:11 PM

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

jtquiengco@spbgum.com

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the recipient domain. We recommend contacting the other email provider for further information about the cause of this error. The error that the other server returned was: 550 550-5.1.1 The email account that you tried to reach does not exist. Please try



Senator Tina Muña Barnes

Legislative Secretary

1 Mina Trente Na Liheslaturan Guanán / Thirtieth Guam Legislature

September 15, 2009

## Memorandum

TO: All Senators

FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation

SUBJECT: Public Hearing Notice (**SECOND NOTICE**)

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

1.) Bill No. B151-30 (COR) – **A.B. Palacios, Sr.**

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

2.) Appointment: John H. Edwards, II, as a member of **Guam Boxing & Wrestling Commission & Guam Unarmed Combat Commission.**

3.) Bill No. B196-30 (COR) – **T.R. Muna-Barnes**

An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.

4.) Bill No. B198-30 (COR) – **T.R. Muna-Barnes**

An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.

5.) Bill No. B195-30 (COR) – **J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.**

An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

The public hearing will take place on Friday, September 18, 2009 at 9:00 A.M- 5:00 P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated.

Sincerely,  


Tina Rose Muña-Barnes

Cc: Clerk of Legislature  
Protocol  
Sergeant At Arms

Chairperson  
Committee on Municipal  
Affairs, Aviation, Housing  
and Recreation

Vice Chairperson  
Tourism, Culture Affairs,  
Sports and Public  
Recreation







rich jerd <legislative secretary1@gmail.com>

## PH Second Notice

3 messages

rich jerd <legislative secretary1@gmail.com>

Tue, Sep 15, 2009 at 2:36 PM

To: speaker@judiwonpat.com, senadotbjcruz@aol.com, tinamunabarnes@gmail.com, roryforguam@gmail.com, judiguthertz@pticom.com, tom@senatorada.org, matt@mattrector.com, senbenp@guam.net, senabpalacios@gmail.com, aguon4guam@gmail.com, sencalvo@gmail.com, ray@raytenorio.com, senator@espaldon.com, senatortelo@gmail.com, frank.blasjr@gmail.com, anghet@hotmail.com, mayormcdonald@hotmail.com, agatmayorsoffice@hotmail.com, agatvicemayor@yahoo.com, bmoadmin@teleguam.net, vmayorjublas@yahoo.com, ocp.mayor@gmail.com, msavares@guamcell.net, hagatnamayor@hotmail.com, mayortai@yahoo.com, nblas\_mangilaomayor@yahoo.com, vicemayor\_allan.ungacta@yahoo.com, mtm\_mayors\_office@yahoo.com, umatacmo@gmail.com, yonamayor@guam.net, ernest.merizomayorsoffice@yahoo.com, piti\_mayor@yahoo.com, rbblas@gmail.com, vicemayor@gmail.com, fcbblas\_tatuhamayor@hotmail.com, tatuhamo@eccomm.com, rslizama@yahoo.com, vmyigo@yahoo.com  
Cc: archives2@guamlegislature.com, clerkoffice1@guamlegislature.com, clerkoffice4@guamlegislature.com, ciquinata@gmail.com, clerkoffice2@guamlegislature.com, clerkoffice3@guamlegislature.com, clerkofflegis@guamlegislature.com, dot@guamlegislature.org, doc.wytenbachsantos@gmail.com, derickhills@live.com, ez2plez57@yahoo.com, elainevtll@gmail.com, emew@guamlegislature.org, epgogue@hotmail.com, elg@guamlegislature.org, fba\_irenem@yahoo.com, fbtorres@judiwonpat.com, fred@mattrector.com, tterlaje@guamlegislature.org, info@judiwonpat.com, joyunpingco@gmail.com, justin@mattrector.com, jessica@raytenorio.com, josecruzjr17@yahoo.com, Stephanie Mendiola <sem@guamlegislature.org>, mark@judiwonpat.com, mona.duenas@gmail.com, mermae@raytenorio.com, office@senatorada.org, psantos@guamlegislature.org, phillipsguam@gmail.com, patrickcepeda@hotmail.com, phill@raytenorio.com, Robert Tupaz <rob.tupaz@gmail.com>, rennae@guamlegislature.org, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sgtarms@guamlegislature.com, tq@guamlegislature.org, vel.komiyama@yahoo.com, vbermudes@guamlegislature.org, yong@guamlegislature.org

Please find attached copy of public hearing second notice.

Thank you,  
Richard Dohrumal

September 15 , 2009

### Memorandum

**TO:** All Senators  
**FROM:** Committee on Municipal Affairs, Aviation, Housing and Recreation  
**SUBJECT:** Public Hearing Notice (**SECOND NOTICE**)

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

**1.) Bill No. B151-30 (COR) – A.B. Palacios, Sr.**

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the



**Senator Tina Rose Muna Barnes**

**Legislative Secretary**

*I Mina' Trenia Na Liheslaturan Guahan /Thirtieth Guam Legislature*

## **PRESS RELEASE**

### **SECOND NOTICE**

(September 15, 2009 – For Immediate Release)

### **NOTICE OF PUBLIC HEARING**

**BY SENATOR TINA ROSE MUNA BARNES**

**FRIDAY, SEPTEMBER 18, 2009 – 9:00 A.M. – 5:00 P.M. - GUAM  
LEGISLATURE PUBLIC HEARING ROOM.**

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

**1.) BILL No. B151-30(COR) – A.B. Palacios, Sr.**

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

**2.) Appointment: John H. Edwards, II, as a member of *Guam Boxing & Wrestling Commission & Guam Unarmed Combat Commission*.**

**3.) BILL No. B196-30(COR) – T.R. Muna-Barnes**

An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.

**4.) BILL No. B198-30(COR) – T.R. Muna-Barnes**

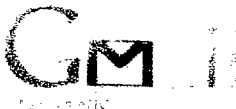
An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.

**5.) BILL No. B199-30(COR) – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.**

An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

*Si Yu'os Ma'ase,*

**Tina Rose Muna Barnes**



rich jerd <legislative secretary1@gmail.com>

## Second Notice

3 messages

rich jerd <legislative secretary1@gmail.com>

Tue, Sep 15, 2009 at 2:10 PM

To: admin@mvguam.com, clynt@kuam.com, editor@mvguam.com, john@kuam.com, john@marianasmedia.com, jtquiengco@spbgum.com, Kevin Kerrigan <Kevin@spbgum.com>, news@guampdn.com, news@spbgum.com, parroyo@k57.com, rgibson@k57.com, sabrina <Sabrina@kuam.com>, therese@mvguam.com, thebigshow@k57.com, jac.cherry@gmail.com, jeff@marianasmedia.com, jac@marianasmedia.com

Please find attached copy of press release (second notice).

### PRESS RELEASE

#### SECOND NOTICE

(September 15, 2009 – For Immediate Release)

#### NOTICE OF PUBLIC HEARING

BY SENATOR TINA ROSE MUNA BARNES

FRIDAY, SEPTEMBER 18, 2009 – 9:00 A.M. – 5:00 P.M. - GUAM LEGISLATURE  
PUBLIC HEARING ROOM.

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

1.) Bill No. B151-30 (COR) – A.B. Palacios, Sr.

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

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An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.

5.) Bill No. B193-30 (COR) – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.



***I Mina'Trenta Na Liheslaturan Guahan***

**Office of The Legislative Secretary**

***Tina Rose Muna Barnes***

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hesler Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

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**PUBLIC HEARING**

**Friday, September 18, 2009 • 9:00 AM**

**Public Hearing Room • I Liheslatura • Hagåtña, Guam**

**AGENDA**

- I. Call to Order**
- II. Announcements**
- III. Items for Public Consideration**

**9:00 AM**

- 1. **Bill No. B151-30 (COR)** – A.B. Palacios, Sr.  
An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.
- 2. **Appointment: John H. Edwards, II**, as a member of:
  - a. ***Guam Boxing & Wrestling Commission***
  - b. ***Guam Unarmed Combat Commission***
- 3. **Bill No. B196-30 (COR)** – T.R. Muna-Barnes  
An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.
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- 5. **Bill No. B193-30 (COR)** – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna- Barnes  
A.B. Palacios, Sr.  
An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor’s Office

- IV. Remarks**
- V. Adjournment**

---

The Public is invited to observe the discussion in person or on the legislative cable TV channel MCV Channel 13. Testimony, questions and comments may be addressed to SENATOR TINA ROSE MUNA BARNES, Chairwoman, Committee on Municipal Affairs, Aviation, Housing and Recreation, by e-mail to [tinamunabarnes@gmail.com](mailto:tinamunabarnes@gmail.com) , fax to 671-472-3400, delivery to the legislative mail room at 155 Hesler Place, Hagatña, Guam 96910.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

Bill No. 151 (cor)

Introduced by:

Adolpho B. Palacios, Sr. 

---

2009 JUN 15 AM 11:56  
MM

AN ACT TO AUTHORIZE THE DIRECTOR OF THE  
DEPARTMENT OF PARKS AND RECREATION TO  
DESIGNATE AREAS WITHIN THE GUAM TERRITORIAL  
PARK SYSTEM AS "ALCOHOL FREE ZONE" AND TO  
PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, BY  
ADDING A NEW SUBSECTION 77101 (d), 77104.(i), 77104.1,  
77104.2, 77104.2.1, 77104.2.2 TO CHAPTER 77, TITLE 21  
GUAM CODE ANNOTATED.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
3 there is a need to give the Director of the Department of Parks and Recreation the  
4 authority to designate areas within the Guam Territorial Park System (GTPS) as "Alcohol  
5 Free Zone" and to establish penalties for individuals who violate the provisions of this  
6 Act.

7 *I Liheslaturan Guåhan* finds that there is a trend to designate areas such as  
8 schools and bus shelters as alcohol and drug free zones for purposes of public safety to  
9 deter criminal activity, litter and loitering, and to promote a wholesome atmosphere in  
10 these areas.

1           *I Liheslaturan Guåhan* further finds that the open consumption of alcohol in our  
2 parks and its intoxicating effects upon an individual often becomes annoying and  
3 disturbing to families who gather to enjoy a nice family outing.

4           On several occasions Territorial Park Patrol officers deal with intoxicated and  
5 belligerent individuals in the Guam Territorial Park System with no statutory authority to  
6 effectively and safely deal with the situation.

7           It is therefore, the intent of *I Liheslaturan Guåhan* to authorize the Director of the  
8 Department of Parks and Recreation to designate “Alcohol Free Zones” and to establish  
9 penalties for non-compliance by adding new subsections §77101(d), §77104.(i),  
10 §77104.1, §77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code  
11 Annotated.

12           **Section 2. A new subsection (d) is added to §77101, Chapter 77, Title 21**  
13 **Guam code Annotated, to read as follows:**

14           “(d) *Alcohol Free Zone* means any area within the Guam Territorial Park System  
15 (GTPS) as designated by the Director of the Department of Parks and Recreation and as  
16 recorded with the Department of Land Management where the possession or  
17 consumption of alcohol is prohibited.”

18           **Section 3. A new subsection (i) is added to §77104, Chapter 77, Title 21**  
19 **Guam Code Annotated, to read as follows:**

20           “(i) To designate certain beaches and public park areas in the Guam Territorial  
21 Park System as an “Alcohol Free Zone.” The Director shall develop policies and  
22 procedures for the effective implementation and administration of “Alcohol Free Zones”  
23 in accordance with the Administrative Adjudication Act.”

1           **Section 4. A new section 77104.1 is hereby added to, Chapter 77, Title 21**  
2 **Guam Code Annotated, to read:**

3           **“77104.1. Establishment of an Alcohol Free Zone.** Notwithstanding any other  
4 law, rule or regulation, there is established within the Guam Territorial Park system  
5 “Alcohol Free Zone” as defined in this Chapter. Any person who possesses or consumes  
6 alcohol in an “Alcohol Free Zone” shall be in violation of this provision and shall be  
7 issued a citation and punished in accordance with Section 77104.2 of this Chapter. All  
8 Territorial Park Patrol and all Guam Police Officer shall have jurisdiction to enforce this  
9 provision of law”

10           **Section 5. A new Section 77104.2, Chapter 77, Title 21 Guam Code**  
11 **Annotated is hereby added to read:**

12           **“77104.2. Penalties/Fines for Violation of Alcohol Free Zone.**

13           **(a)** If any person is guilty of a first violation of § 77104.1 of this Chapter, that  
14 person shall be guilty of a violation and shall be punished by fine of not less than One  
15 Hundred Fifty Dollars (\$150.00) but no more than Five Hundred Dollars (\$500.00). In  
16 addition, the judge may impose any additional penalties, including requiring the  
17 offenders to pay restitution to persons injured or for property damaged.

18           **(b)** If any person is guilty of a second violation of § 77104.1 of this Chapter, that  
19 person shall be guilty of a violation and shall be punished by fine of not less than Two  
20 Hundred Fifty Dollars (\$250.00) but no more than Five Hundred Dollars (\$500.00). In  
21 addition, the judge may impose any additional penalties, including requiring the  
22 offenders to pay restitution to persons injured or for property damaged.

1 (c) If any person is guilty of a third violation of § 77104.1 of this Chapter, that  
2 person shall be guilty of a violation and shall be punished by fine of not less than Three  
3 Hundred Fifty Dollars (\$350.00) but no more than Five Hundred Dollars (\$500.00). In  
4 addition, the judge may impose any additional penalties, including requiring the  
5 offenders to pay restitution to persons injured or for property damaged.

6 (d) Any or all fines collected as a result of penalties imposed by this section shall  
7 be deposited into the "Public Services Recreation Fund" and administered in accordance  
8 with §77114 of this Chapter.

9 **Section 6. A new subsection 77104.2.1 is hereby added to Chapter 77, Title**  
10 **21 Guam code Annotated, to read:**

11 **"77104.2.1. Impoundment of Vehicle of Registered Owner Convicted or**  
12 **Charged of Violation of § 77104.1; Prior Offenses; Considerations; Exemption.** At  
13 the time of arrest for an offense under said § 77104.1, the vehicle in which the offense  
14 was committed may be impounded by the Guam Police Department or Territorial Park  
15 Patrol officer and released only upon the approval of the Prosecution Division of the  
16 Attorney General's Office when it is determined that the vehicle is not subject to  
17 forfeiture under this Section."

18 **Section 7. A new subsection 77104.2.2 is hereby added to Chapter 77, Title**  
19 **21 Guam code Annotated, to read:**

20 **"77104.2.2. Forfeiture of Vehicle.**

21 Any person convicted of violating the provisions of § 77104.1 of this Chapter, three (3)  
22 or more times with the use of a motor vehicle, shall forfeit the vehicle in which the third  
23 offense, or more, was committed and forfeiture shall be conducted in accordance with



1 rules established by the Guam Police Department . However, in those cases where there  
2 is a showing of extreme circumstances, or where the vehicle is owned by a person other  
3 than the person convicted of three (3) or more violations of said § 77104.1, and the owner  
4 had no knowledge that the vehicle would be involved in the violation or that the driver  
5 had been convicted of prior violations of said § 77104.1, the Court, instead of ordering  
6 the forfeiture of the vehicle, shall suspend the convicted person's driving privilege for a  
7 minimum period of one (1) year, and no limited privilege to drive may be allowed.