

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

2021 (FIRST) Regular Session

VOTING RECORD

Bill No. 106-36 (COR) As amended by the Committee on Public Safety, Emergency Response, Military and Veteran Affairs, Mayors Council, and Public Transit.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building December 15, 2021					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator Telen Cruz Nelson	✓					
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedro" Terlaje	✓				✓	✓
Speaker Therese M. Terlaje						
Senator Mary Camacho Torres	✓					

TOTAL

13

0

**Not
Voting/
Abstained**

**Out
During
Roll Call**

2

Absent


2

Excused

Aye

Nay

CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

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Bill No. 106-36 (COR)

As amended by the Committee on Public Safety,
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*

Introduced by:

James C. Moylan
Joe S. San Agustin
Jose "Pedo" Terlaje
Frank Blas Jr.

**AN ACT TO *AMEND* § 60109.1(I) OF CHAPTER 60, TITLE
10, GUAM CODE ANNOTATED, RELATIVE TO
INCLUDING POLICE PRECINCTS UNDER THE LIST OF
EXCEPTIONS WHERE AN AUTHORIZED INDIVIDUAL
SHALL NOT OPENLY CARRY A FIREARM OR CARRY A
CONCEALED FIREARM.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Guam law establishes several public and private jurisdictions where an
4 individual shall not carry a concealed firearm, even if they are licensed to carry one
5 with a valid firearm identification. This includes private properties and businesses
6 who are authorized to place a sign prohibiting the carrying of such firearms onto
7 their premises. The law also includes a few government facilities, inclusive of the
8 Guam Congress Building, the Superior Court of Guam, Guam Department of
9 Education Schools, the Department of Corrections, and the Department of Youth

1 Affairs; however, what is not included are police precincts and offices under the
2 control of the Guam Police Department, where one can walk into a police station
3 with a firearm.

4 This Act does not take away the right for one to bear arms. Rather, it prevents
5 the carrying of a firearm into a police station, just as one cannot carry a firearm today
6 into the Judiciary of Guam, the Guam Congress Building, the prison, or many
7 business establishments. An individual may simply secure their weapon in their
8 vehicle prior to entering the entity, which is authorized by statute.

9 **Section 2.** § 60109.1(l) of Chapter 60, Title 10, Guam Code Annotated, is
10 hereby *amended* to read as follows:

11 “(l)(1)A license issued under this Section does not authorize any person
12 to openly carry a firearm or carry a concealed firearm into:

13 (A) any detention facility, prison, or jail;

14 (B) any courthouse;

15 (C) any courtroom, except that nothing in this Section would
16 preclude a judge from carrying a concealed weapon or determining who
17 will carry a concealed weapon in his or her courtroom;

18 (D) *I Liheslaturan Guåhan*;

19 (E) private property or business premises where carrying of
20 firearms is prohibited by the property owner, lessee, or business owner,
21 and said prohibition is posted on the premises;

22 (F) while under the influence of alcohol (blood alcohol
23 content of .08% or higher) or a controlled substance;

24 (G) any place where the carrying of firearms is prohibited by
25 federal law;

26 (H) as stated in Title 9 GCA Chapter 71, “The Guam Gun Free
27 School Zone Act of 2004;” or

1 (I) any property rented, leased, owned, or controlled by the
2 Guam Police Department, including, but not limited to, any police
3 station or precinct, sub-station, administrative office, and office space,
4 with the only exception being the Guam Police Armory for the purposes
5 of inspection, registration, or transfer of firearm, and the firearm *shall*
6 be unloaded.

7 (2) A person licensed under this Section shall not be prohibited from
8 carrying or storing a firearm in a vehicle for lawful purposes.

9 (3) Nothing in this statute shall be construed to prohibit a property
10 owner or lessee of a residential or business property to carry a firearm,
11 concealed or otherwise within their own property with a valid firearm
12 identification, or allow any person employed and/or authorized by the owner,
13 operator, or manager to carry a firearm on such premises with a valid firearm
14 identification.

15 (4) Any person who knowingly and willfully violates any provision
16 of this Subsection commits a misdemeanor.”

17 **Section 3. Severability.** If any provision of this Act or its application to any
18 person or circumstance is found to be invalid or contrary to law, such invalidity shall
19 not affect other provisions or applications of this Act that can be given effect without
20 the invalid provision or application, and to this end the provisions of this Act are
21 severable.

22 **Section 4. Effective Date.** This Act shall be effective upon enactment.