



Office of the Governor of Guahan

P.O. Box 2950 Hagåtña, GU 96932  
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

2010 MAY 27

AM 10: 25

W

Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

MAY 26 2010

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

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 327-30 (COR) "AN ACT TO AMEND §§2301(d), (e), AND (f), AND 2303(b), AND TO AD NEW §§2301(h), 2303(g) AND 2304 TO ARTICLE 3, CHAPTER 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PETROLEUM SALE, ACCOUNTING AND INSPECTION OF PETROLEUM PRODUCTS" which was signed into law on April 14, 2010 as **Public Law 30-132**.

Sinseru yan Magahet,

MICHAEL W. CRUZ, M.D.  
I Maga'lâhen Guahan para pa'go  
Acting Governor of Guahan

Attachment: copy of Bill

30-10-0479

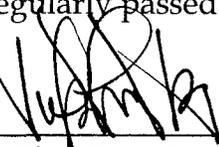
Office of the Speaker  
Judith T. Won Pat, Ed. D.

Date \_\_\_\_\_  
Time 5/26/10  
Received by S. I. K

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2010 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 327-30 (COR), "AN ACT TO AMEND §§2301(d), (e) AND (f), AND 2303(b), AND TO ADD NEW §§2301(h), 2303(g) AND 2304 TO ARTICLE 3, CHAPTER 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PETROLEUM SALE, ACCOUNTING AND INSPECTION OF PETROLEUM PRODUCTS," was on the 19<sup>th</sup> day of March, 2010, duly and regularly passed.

  
Tina Rose Muña Barnes  
Acting Speaker

Attested: 

  
Rory J. Respicio  
Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 2 day of April, 2010, at 4:30 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahaen's* Office

APPROVED:

  
FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: April 14, 2010

Public Law No. P.L. 30-132

***I MINA'TRENTA NA LIHESLATURAN GUAHAN***  
**2010 (SECOND) Regular Session**

**Bill No. 327-30 (COR)**

As substituted and amended on the Floor.

Introduced by:

v. c. pangelinan  
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  
Adolpho B. Palacios, Sr.  
R. J. Respicio  
Telo Taitague  
Ray Tenorio  
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §§2301(d), (e) AND (f), AND 2303(b),  
AND TO ADD NEW §§2301(h), 2303(g) AND 2304 TO  
ARTICLE 3, CHAPTER 2 OF TITLE 11, GUAM CODE  
ANNOTATED, RELATIVE TO PETROLEUM SALE,  
ACCOUNTING AND INSPECTION OF PETROLEUM  
PRODUCTS.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* has  
3 received a request from the Department of Revenue and Taxation for assistance in  
4 implementing the temperature compensation calibration of retail gasoline  
5 dispensing pumps. In March 2008, the Weights and Measures Branch of the  
6 Department of Revenue and Taxation obtained two (2) five (5) gallon Metal

1 Provers calibrated for the eighty-five degrees Fahrenheit (85°F) observed  
2 temperature adopted in Title 11 G.C.A. §2301(g). There are nine hundred ninety-  
3 three (993) meters being used with gas dispensers located in forty-seven (47) gas  
4 stations throughout the island dispensing gasoline.

5 It is the intent of *I Liheslaturan Guåhan* to correct certain omissions and  
6 inconsistencies that exist in Chapter 2 of Title 11 of the Guam Code Annotated so  
7 that temperature compensation can be implemented at these gas stations. The price  
8 of gasoline makes it imperative that this government ensures that our people  
9 receive the correct quantity of gasoline in exchange for their hard earned dollars.  
10 The sale of motor oil and gasoline additives *shall* be exempted from this Act.

11 **Section 2.** §2301(d) of Article 3 of Chapter 2, Title 11, Guam Code  
12 Annotated, is hereby *amended* to read as follows:

13 “(d) ‘*Guam standard petroleum measurement tables*’ means  
14 procedures 11.1.6.1 and 11.1.6.2 within ASTM D1250-04 and API MPMS  
15 Chapter 11.1–2004/Adjunct to ASTM D1250–04 (ADJD1250CD).”

16 **Section 3.** §2301(e) of Article 3 of Chapter 2, Title 11, Guam Code  
17 Annotated, is hereby *amended* to read as follows:

18 “(e) ‘*Petroleum products*’ include automotive gasoline; diesel fuels;  
19 fuel oils; liquefied petroleum gas (both liquid and vapor); residuals,  
20 distillates and fractions; kerosene; aviation fuels; turbine fuels; solvent;  
21 hydro-carbons or synthetics; crude oil; lubrication oil; or any other oil or  
22 distillates or blends of the above, or any other product or byproduct normally  
23 considered petroleum product and synthetic natural gas, or natural gas and  
24 manufactured gas or blends. This Section *shall not* apply to products sold in  
25 packages, such as motor oil sold in quart, liter or gallon containers;  
26 performance fuel additives; or engine cleaners.”

1           **Section 4.** §2301(f) of Article 3 of Chapter 2, Title 11, Guam Code  
2 Annotated, is hereby *amended* to read as follows:

3           “(f) ‘*U.S. petroleum gallon*’ means that amount of petroleum  
4 product which occupies two hundred thirty-four point five (234.5) cubic  
5 inches exactly when its temperature is eighty-five degrees (85°) Fahrenheit,  
6 *or* the expanded *or* contracted equivalent thereto at any other temperature  
7 calculated using the observed temperature and observed API gravity.”

8           **Section 5.** A new §2301(h) is hereby *added* to Article 3 of Chapter 2, Title  
9 11, Guam Code Annotated, to read as follows:

10           “(h) ‘*Observed API gravity*’ means fifty-three point one degrees  
11 (53.1°).

12           **Section 6.** §2303(b) of Article 3 of Chapter 2, Title 11, Guam Code  
13 Annotated, is hereby *amended* to read as follows:

14           “(b) All meters with a maximum rated capacity of twenty-five (25)  
15 gallons per minute *or less shall* be calibrated using the observed temperature  
16 and observed API gravity.”

17           **Section 7.** A new §2303(g) is hereby *added* to Article 3 of Chapter 2, Title  
18 11, Guam Code Annotated, to read as follows:

19           “(g) All existing meters with a maximum rated capacity of twenty-  
20 five (25) gallons per minute *or less shall* comply with §2303(b) *no later*  
21 *than* October 1, 2010.”

22           **Section 8.** A new §2304 is hereby *added* to Article 3 of Chapter 2, Title  
23 11, Guam Code Annotated, to read as follows:

24           “**§2304.** To the extent that any of the requirements of this Article  
25 are inconsistent with other provisions of this Chapter, the provisions of this  
26 Article supersede the inconsistent provisions.”

27           **Section 9. Effective Date.** This Act *shall* be effective upon its enactment.



Mina'Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

March 16, 2010

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. 327-30 (COR),  
As Substituted

Dear Speaker Won Pat:

The Committee on Appropriations, Taxatio, Banking, Insurance, Retirement and Land, to which was referred **Bill No. 327-30 (COR), An Act to Amend §§2301(e) and 2303(b) and to add a new §2303(g) to Article 3, Chapter 2 of Title 11, Guam Code Annotated relative to Petroleum Sale, Accounting and Inspection of Petroleum Products** hereby reports out Bill No. 327-30 (COR) As Substituted TO REPORT OUT ONLY.

Committee votes are as follows:

2 TO PASS  
       NOT TO PASS  
3 REPORT OUT  
       TO ABSTAIN  
       INACTIVE FILE

*Si Yu'os Ma'ase,*

Senator vicente c. pangelinan  
Chairperson

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

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

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

**Committee Report on**

**Bill No. 327-30 (COR)  
As Substituted**

**An Act to Amend §§2301(d), 2301(e), 2301(f),  
2301 (h) and 2303(b), and to Add a New  
§§2303(g) and 2304 to Article 3, Chapter 2 of  
Title 11 Guam Code Annotated Relative to  
Petroleum Sale, Accounting and Inspection of  
Petroleum Products**



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

March 12, 2010

MEMORANDUM

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

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

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

To: Committee Members

From: Chairman, Committee on Appropriations, Taxation,  
Banking, Insurance, Retirement, and Land

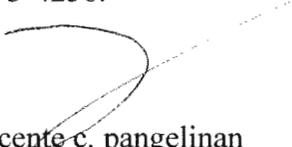
Subject: Committee report on Bill No. 327-30 (COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 327-30(COR) An Act to Amend §§2301(e) and 2303(b), and to Add a New §2303(g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated Relative to Petroleum Sale, Accounting and Inspection of Petroleum Products As Substituted.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 327-30 (COR)
4. Copy of Bill No. 327-30 (COR), As Substituted
5. Public Hearing Sign In Sheet
6. Copies of Written Testimonies
7. Copy of COR Referral of Bill No, 327-30(COR)
8. Public Hearing Agenda
9. Notice of Public Hearing
10. Fiscal Note

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated. Should there be any questions regarding this matter, please contact my office at 473-4236.



vicente c. pangelinan  
Chairman

I MINA TRENTA NA LIHESLATURAN GUAHAN

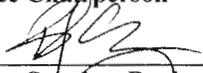
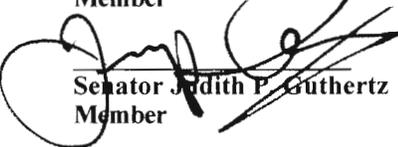
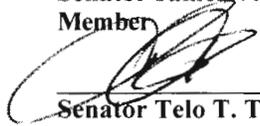
Committee Voting Sheet

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

BILL NO. 327-30(COR)

An Act to Amend §§2301(e) and 2303(b), and to Add a New §2303(g) to Article 3,  
Chapter 2 of Title 11 Guam Code Annotated Relative to Petroleum Sale, Accounting and  
Inspection of Petroleum Products,

As Substituted by the Committee

Committee Members	To Pass	Not to Pass	Report Out	Abstain	Inactive File
 Senator Vicente C. Pangelinan Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speaker Judith T. Won Pat, Ed.D Vice Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker Benjamin J.F. Cruz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tina Rose Muna-Barnes Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Frank B. Aguon Jr. Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith P. Guthertz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator James V. Espaldon Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Telo T. Taitague Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Frank Blas, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Committee Report**

Bill No. 327-30(COR) As Amended: An Act to Amend §§2301(e) and 2303(b), and to Add a New §2303(g) to Article e, Chapter 2 of Title 11 Guam Code Annotated Relative to Petroleum Sale, Accounting and Inspection of Petroleum Products.

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

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

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

**I. OVERVIEW**

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing on March 10, 2010 at 8:30 am 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 March 3, 2010 (5-Day Notice), and again on March 8, 2010 ( 48 Hour Notice).

**(a) Committee Members and Senators Present**

Senator vicente “ben” pangelinan, Chairman  
Senator Telo Taitague, member  
Senator Thomas C. Ada  
Senator Adolpho B. Palacios, Sr

**(b) Appearing before the Committee**

None

**(c) Written Testimony Submitted**

Department of Revenue and Taxation  
Mobile Oil Guam Inc.  
South Pacific Petroleum Corporation

**II. COMMITTEE PROCEEDING**

Senator ben pangelinan: The next Bill on the agenda is Bill 327-30(COR) An Act to Amend §§2301(e) and 2303(b), and to Add a New §2303(g) to Article e, Chapter 2 of Title 11 Guam Code Annotated Relative to Petroleum Sale, Accounting and Inspection of Petroleum Products. This bill will amend what is generally referred to in our statute as the Temperature Compensation Law. Gasoline is sold at the temperature that is set by statute and by practice across the country and given the heat on Guam and the storage of gasoline, gasoline

expands when it is heated and to account for the expansion which is a component of the amount of energy that you get from each gallon of gasoline, public law was passed that set the temperature, which requires the temperature at the pump to be set at 85° (eighty-five degrees Fahrenheit) or 80°(eighty degrees Fahrenheit) instead of what is required by practice which is 60° (sixty degrees Fahrenheit) . Gasoline companies, oil companies basically, when they receive gasoline on Guam from the ship, Gasoline which is delivered on Guam it's meter is set to compensate for the temperature. Gasoline when it is delivered by their trucks they are able to temperature compensate so that the retailer gets credit for the expansion of the gasoline. The problem is that when the gasoline goes from the retailer to the consumer there is no temperature compensation for the expansion of the gasoline and this would allow the implementation of calibrating those meters at the pumps so that it does compensate those meters at the pump.

The state of New Hampshire and several other weight and measures departments in the United States estimates that the difference of selling the gasoline in terms of getting the energy per gallon of gasoline amount to moving from 60° (sixty degrees Fahrenheit) to 85° (eighty-five degrees Fahrenheit) amounts to five cents (5¢) per gallon. So actually by not compensating for the temperature when you sell it at the retail level you are actually paying five cents (5¢) more based upon the energy you get and so this will help you recoup that cost of what is being lost by the expansion of it and not accounted for when it is pumped out.

The Department of Revenue and Taxation submitted testimony in favor of Bill 327 and stand ready to implement it, having acquired all the necessary “provers” as it is called, so that when they go out and measure and calibrate the pumps at the retail side the “provers” will allow them to set the temperature and account for the gasoline at 85° (eighty-five degrees Fahrenheit)

Written testimony was received from Mobile Oil Guam and they again articulate their position that they do not support the bill, as well as South Pacific Petroleum Corporation. So these testimonies will be made a part of the public record and attached and appended to the committee report.

Having received no other testimony, Bill 327 has been dully publicly heard. I invite the public to submit testimony by either e-mail to [senbenp.com](mailto:senbenp.com), or delivering it to my office in Hagåtña, or here at the Legislature building. Those testimonies received will be taken and appended to the committee report.

## **II. FINDINGS & RECOMMENDATIONS**

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 327-30(COR), As Substituted **TO REPORT OUT**.

I MINA'TRENTA NA LIHESLATURAN GUAHAN  
THIRTIETH GUAM LEGISLATURE  
2010 (SECOND) REGULAR SESSION

BILL NO. 327-30 (COR)

As Substituted by the Committee on Appropriations,  
Taxation, Banking, Insurance, Retirement and Land

Introduced by:

v.c. pangelinan

AN ACT TO AMEND §§ 2301(d), 2301(e), 2301(f), 2301(h)  
AND 2303(b), AND TO ADD §§ 2303(g) AND 2304 TO  
ARTICLE 3, CHAPTER 2 OF TITLE 11 GUAM CODE  
ANNOTATED RELATIVE TO PETROLEUM SALE,  
ACCOUNTING AND INSPECTION OF PETROLEUM  
PRODUCTS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1           Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*  
2 has received a request from the Department of Revenue and Taxation for  
3 assistance in implementing the temperature compensation calibration of  
4 retail gasoline dispensing pumps. In March 2008, the Weights and Measures  
5 Branch of the Department of Revenue and Taxation obtained two (2) five (5)  
6 gallon Metal Provers calibrated for the eighty-five degrees Fahrenheit (85°F)  
7 ~~Reference Temperature~~ observed temperature adopted in 11 G.C.A. §  
8 2301(g). There are nine hundred ninety-three (993) meters being used with  
9 gas dispensers located in forty-seven (47) Gas Stations throughout the island  
10 dispensing gasoline. ~~The gas companies are not in compliant with the~~  
11 ~~temperature compesation calibration because the gas pumps they are using~~  
12 ~~have a rated capacity of twenty five (25) gallons per minue or less.~~

13           It is the intent of *I Liheslaturan Guåhan* to ~~remove this loophole so~~  
14 ~~that the Weights and Measures Branch of the Department of Revenue and~~

1 ~~Taxation could calibrate the meters~~ correct certain omissions and  
2 inconsistencies that exist in Chapter 2 of Title 11 of the Guam Code  
3 Annotated so that temperature compensation can be implemented at these  
4 Gas Stations. The price of gasoline makes it imperative that this government  
5 ensures that our people receive the correct quantity of gasoline in exchange  
6 for their hard earned dollars., ~~I Liheslaturan Guahan~~ further intends to  
7 ~~require the gasoline companies as they renovate an existing Gas Station to~~  
8 ~~replace the existing gas pump with state of the art pumps equipped with~~  
9 ~~automatic temperture compensation calibration apparatus.~~ New Gas Stations  
10 ~~shall be required to be equipped with gas pumps with automatic temperature~~  
11 ~~compensation calibration apparatus.~~ The sale of motor oil and gasoline  
12 additives shall be exempted from this act.

13 Section 2. Section 2301(d) of Chapter 2, Article 3 of the Title 11  
14 Guam Code Annotated is hereby amended to read as follows:

15 “§2301(d). ‘Guam standard petroleum measurement tables’ means the  
16 following tables, as listed in the manual of petroleum measurement  
17 standards D1250, as published by the ASTM in the first edition, August  
18 1980: (1) Table 5B Generalized products correction of observed API  
19 gravity to API gravity at sixty degrees (60) Fahrenheit; (2) Table 6B  
20 Generalized products correction for volume to sixty degrees (60) Fahrenheit  
21 against API gravity at sixty degrees (60) Fahrenheit procedures 11.1.6.1 and  
22 11.1.6.2 within ASTM D1250-04 and API MPMS Chapter 11.1–  
23 2004/Adjunct to ASTM D1250–04 (ADJD1250CD).”

24 Section ~~2~~ 3. **Amendment of §2301(e).** Section 2301(e) of Chapter 2,  
25 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as  
26 follows:

1           “§2301(e) *Petroleum products*’ include automotive gasoline; diesel  
2 fuels; fuel oils; liquefied petroleum gas (both liquid and vapor); residuals,  
3 distillates and fractions; kerosene; aviation fuels; turbine fuels; solvent;  
4 hydro-carbons or synthetics; crude oil; lubrication oil; or any other oil or  
5 distillates or blends of the above, or any other product or byproduct normally  
6 considered petroleum product and synthetic natural gas, or natural gas and  
7 manufactured gas or blends. This section shall not apply to products sold in  
8 packages such as motor oil sold in quart size, liter or gallon containers;  
9 performance fuel additives or engine cleaners.”

10           Section 4. Section 2301(f) of Chapter 2, Article 3 of Title 11 Guam  
11 Code Annotated is hereby amended to read as follows:

12           “§2301(f) ‘U.S. petroleum gallon’ means that amount of petroleum  
13 product which occupies two hundred thirty-one (231) cubic inches exactly  
14 when its temperature is sixty degrees (60°) Fahrenheit, or the expanded or  
15 contracted equivalent thereto ~~calculated using the observed temperature, or~~  
16 ~~its expanded or contracted equivalent~~ at any other temperature calculated  
17 using the observed temperature and observed API gravity.”

18           Section 5. Section 2301(h) is hereby added to Chapter 2, Article 3 of  
19 Title 11 Guam Code Annotated to read as follows:

20           “§2301(h) ‘Observed API gravity’ means 50.3°.

21           Section 3 6. Section 2303(b) of Chapter 2, Article 3 of Title 11 Guam  
22 Code Annotated is hereby amended to read as follows:

23           “§2303(b) ~~All metered~~ Metered sales by U.S. petroleum gallons or SI  
24 liters by the gallon or liter, ~~except those using meters~~ with a maximum rated  
25 capacity of twenty five (25) gallons per minute or less, shall be  
26 accomplished by either the use of a meter and/or device that automatically

1 compensates for temperature or calibration of the meter using the observed  
2 temperature and observed API gravity.”

3 Section 4-7. **Addition of new §2303(g).** A new §2303(g) is hereby  
4 added to Chapter 2, Article 3 of Title 11 Guam Code Annotated to read as  
5 follows:

6 “§2303(g). All existing ~~Gas Stations~~ meters with a maximum rated  
7 capacity of twenty-five (25) gallons per minute or less shall comply with  
8 §2303(b) within six (6) months after enactment. All proposed new Gas  
9 Stations shall use gas pumps equipped with automatic temperature  
10 compensation calibration apparatus.”

11 Section 8. Section 2304 is hereby added to Chapter 2, Article 3 of  
12 Title 11 Guam Code Annotated to read as follows:

13 “§2304. To the extent that any of the requirements of this Article are  
14 inconsistent with other provisions of this Chapter, the provisions of this  
15 Article supersede the inconsistent provisions.”

16 Section 5 9. Effective Date. This Act shall be effective upon  
17 enactment.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
THIRTIETH GUAM LEGISLATURE  
2010 (SECOND) REGULAR SESSION

BILL NO. 327-30~~000~~

Introduced by:

v.c. pangelinan

AN ACT TO AMEND §§2301(e) AND 2303(b), AND TO  
ADD A NEW §2303 (g) TO ARTICLE 3, CHAPTER 2  
OF TITLE 11 GUAM CODE ANNOTATED RELATIVE  
TO PETROLEUM SALE, ACCOUNTING AND  
INSPECTION OF PETROLEUM PRODUCTS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* has  
3 received a request from the Department of Revenue and Taxation for  
4 assistance in implementing the temperature compensation calibration of  
5 retail gasoline dispensing pumps. In March 2008, the Weights and Measures  
6 Branch of the Department of Revenue and Taxation obtained two (2) five (5)  
7 gallon Metal Prover calibrated for eighty-five Fahrenheit (85°F) Reference  
8 Temperature. There are nine hundred ninety-three (993) meters being used  
9 with gas dispensers located in forty-seven (47) Gas Stations throughout the  
10 island dispensing gasoline. The gas companies are not in compliant with the  
11 temperature compensation calibration because the gas pumps they are using  
12 have a rated capacity of twenty five (25) gallons per minute or less.

13 It is the intent of *I Liheslaturan Guåhan* to remove this loophole so  
14 that the Weights and Measures Branch of the Department of Revenue and  
15 Taxation could calibrate the meters. The price of gasoline makes it  
16 imperative that this government ensures that our people receive the correct  
17 quantity of gasoline in exchange for their hard earned dollars. *I*  
18 *Liheslaturan Guåhan* further intends to require the gasoline companies as  
19 they renovate an existing Gas Station to replace the existing gas pump with  
20 state of the art pumps equipped with automatic temperature compensation  
21 calibration apparatus. New Gas Stations shall be required to be equipped  
22 with gas pumps with automatic temperature compensation calibration

1 apparatus. The sale of motor oil and gasoline additives shall be exempted  
2 from this act.

3 **Section 2. Amendment of § 2301(e).** Section 2301(e) of Chapter 2,  
4 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as  
5 follows:

6 “§2301(e) *Petroleum products*’ include automotive gasoline; diesel  
7 fuels; fuel oils; liquefied petroleum gas (both liquid and vapor); residuals,  
8 distillates and fractions; kerosene; aviation fuels; turbine fuels; solvent;  
9 hydro-carbons or synthetics; crude oil; lubrication oil; or any other oil or  
10 distillates or blends of the above, or any other product or byproduct normally  
11 considered petroleum product and synthetic natural gas, or natural gas and  
12 manufactured gas or blends. This section shall not apply to motor oil sold in  
13 quart size or gallon containers; performance fuel additives or engine  
14 cleaners.

15 **Section 3. Amendment of § 2303(b).** Section 2303(b) of Chapter 2,  
16 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as  
17 follows:

18 “§2303(b) All metered sales by the gallon or liter, ~~except those using~~  
19 ~~meters with a maximum rated capacity of twenty five (25) gallons per~~  
20 ~~minute or less,~~ shall be accomplished by the use of a meter and/or device  
21 that automatically compensates for temperature.

22 **Section 4. Addition of new §2303(g).** A new §2303(g) is hereby  
23 added to Chapter 2, Article 3 of Title 11 Guam Code Annotated to read as  
24 follows:

25 “§2303(g) All existing Gas Stations shall comply with §2303(b)  
26 within six (6) months after enactment. All proposed new Gas Stations shall  
27 use gas pumps equipped with automatic temperature compensation  
28 calibration apparatus.

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

I MINA'TRENTA NA LIHESLATURAN GUAHAN  
THIRTIETH GUAM LEGISLATURE  
2010 (SECOND) REGULAR SESSION

BILL NO. 327-30 (COR)

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

Introduced by:

v.c. pangelinan

AN ACT TO AMEND §§ 2301(d), 2301(e), 2301(f), 2301(h)  
AND 2303(b), AND TO ADD §§ 2303(g) AND 2304 TO  
ARTICLE 3, CHAPTER 2 OF TITLE 11 GUAM CODE  
ANNOTATED RELATIVE TO PETROLEUM SALE,  
ACCOUNTING AND INSPECTION OF PETROLEUM  
PRODUCTS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*  
2 has received a request from the Department of Revenue and Taxation for  
3 assistance in implementing the temperature compensation calibration of  
4 retail gasoline dispensing pumps. In March 2008, the Weights and Measures  
5 Branch of the Department of Revenue and Taxation obtained two (2) five (5)  
6 gallon Metal Provers calibrated for the eighty-five degrees Fahrenheit (85°F)  
7 ~~Reference Temperature~~ observed temperature adopted in 11 G.C.A. §  
8 2301(g). There are nine hundred ninety-three (993) meters being used with  
9 gas dispensers located in forty-seven (47) Gas Stations throughout the island  
10 dispensing gasoline. ~~The gas companies are not in compliant with the~~  
11 ~~temperature compesation calibration because the gas pumps they are using~~  
12 ~~have a rated capacity of twenty five (25) gallons per minue or less.~~

13 It is the intent of *I Liheslaturan Guåhan* to ~~remove this loophole so~~  
14 ~~that the Weights and Measures Branch of the Department of Revenue and~~

1 ~~Taxation could calibrate the meters~~ correct certain omissions and  
2 inconsistencies that exist in Chapter 2 of Title 11 of the Guam Code  
3 Annotated so that temperature compensation can be implemented at these  
4 Gas Stations. The price of gasoline makes it imperative that this government  
5 ensures that our people receive the correct quantity of gasoline in exchange  
6 for their hard earned dollars. ~~I-Liheslaturan Guahan further intends to~~  
7 ~~require the gasoline companies as they renovate an existing Gas Station to~~  
8 ~~replace the existing gas pump with state of the art pumps equipped with~~  
9 ~~automatic temperture compensation calibration apparatus. New Gas Stations~~  
10 ~~shall be required to be equipped with gas pumps with automatic temperature~~  
11 ~~compensation calibration apparatus.~~ The sale of motor oil and gasoline  
12 additives shall be exempted from this act.

13 Section 2. Section 2301(d) of Chapter 2, Article 3 of the Title 11  
14 Guam Code Annotated is hereby amended to read as follows:

15 “§2301(d). ‘Guam standard petroleum measurement tables’ means the  
16 following tables, as listed in the manual of petroleum measurement  
17 standards D1250, as published by the ASTM in the first edition, August  
18 1980: (1) Table 5B Generalized products correction of observed API  
19 gravity to API gravity at sixty degrees (60) Fahrenheit; (2) Table 6B  
20 Generalized products correction for volume to sixty degrees (60) Fahrenheit  
21 against API gravity at sixty degrees (60) Fahrenheit procedures 11.1.6.1 and  
22 11.1.6.2 within ASTM D1250-04 and API MPMS Chapter 11.1-  
23 2004/Adjunct to ASTM D1250-04 (ADJD1250CD).”

24 Section 2 3. Amendment of §2301(e). Section 2301(e) of Chapter 2,  
25 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as  
26 follows:

1 distillates and fractions; kerosene; aviation fuels; turbine fuels; solvent;  
2 hydro-carbons or synthetics; crude oil; lubrication oil; or any other oil or  
3 distillates or blends of the above, or any other product or byproduct normally  
4 considered petroleum product and synthetic natural gas, or natural gas and  
5 manufactured gas or blends. This section shall not apply to products sold in  
6 packages such as motor oil sold in quart size, liter or gallon containers;  
7 performance fuel additives or engine cleaners.”

8 Section 4. Section 2301(f) of Chapter 2, Article 3 of Title 11 Guam  
9 Code Annotated is hereby amended to read as follows:

10 “§2301(f) ‘U.S. petroleum gallon’ means that amount of petroleum  
11 product which occupies two hundred thirty-one (231) cubic inches exactly  
12 when its temperature is sixty degrees (60°) Fahrenheit, or the expanded or  
13 contracted equivalent thereto calculated using the observed temperature, or  
14 its expanded or contracted equivalent at any other temperature calculated  
15 using the observed temperature and observed API gravity.”

16 Section 5. Section 2301(h) is hereby added to Chapter 2, Article 3 of  
17 Title 11 Guam Code Annotated to read as follows:

18 “§2301(h) ‘Observed API gravity’ means 50.3°.

19 Section 3 6. Section 2303(b) of Chapter 2, Article 3 of Title 11 Guam  
20 Code Annotated is hereby amended to read as follows:

21 “§2303(b) All metered Metered sales by U.S. petroleum gallons or SI  
22 liters by the gallon or liter, except those using meters with a maximum rated  
23 capacity of twenty five (25) gallons per minute or less; shall be  
24 accomplished by either the use of a meter and/or device that automatically  
25 compensates for temperature or calibration of the meter using the observed  
26 temperature and observed API gravity.”

1           Section ~~4-7.~~ **Addition of new §2303(g).** A new §2303(g) is hereby  
2 added to Chapter 2, Article 3 of Title 11 Guam Code Annotated to read as  
3 follows:

4           “§2303(g). All existing ~~Gas Stations~~ meters with a maximum rated  
5 capacity of twenty-five (25) gallons per minute or less shall comply with  
6 §2303(b) within six (6) months after enactment. ~~All proposed new Gas~~  
7 ~~Stations shall use gas pumps equipped with automatic temperature~~  
8 ~~compensation calibration apparatus.”~~

9           Section 8. Section 2304 is hereby added to Chapter 2, Article 3 of  
10 Title 11 Guam Code Annotated to read as follows:

11           “§2304. To the extent that any of the requirements of this Article are  
12 inconsistent with other provisions of this Chapter, the provisions of this  
13 Article supersede the inconsistent provisions.”

14           Section ~~5~~ 9. Effective Date. This Act shall be effective upon  
15 enactment.



**Mina' Trenta Na Liheslaturan Guahan**  
**THIRTIETH GUAM LEGISLATURE**  
**Senator vicente "ben" c. pangelinan**

**COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND**  
**PUBLIC HEARING**  
**Wednesday, March 10, 2010**  
**BILL NO. 327-30 (COR)**  
**SIGN UP SHEET**

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
<del> </del>						



Dipáttamenton Kontribusion yan Adu'ána

DEPARTMENT OF

# REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guáhan

FELIX P. CAMACHO, Governor Maga'léhi  
Michael W. Cruz, MD, Lt. Governor Tíñente Gubetnadot

ARTEMIO B. ILAGAN, Director  
Direktot  
Paul J. Pablo Deputy Director  
Actot Segundo, Direktot

March 9, 2010

The Honorable Vicente (Ben) C. Pangelinan  
Chairman, Committee on Appropriations,  
Taxation, Banking, Insurance and Land.  
324 West Soledad Ave. Ste. 100  
Hagatna, Guam 96910

Re: Bill No. 327-30 (COR) "AN ACT TO AMEND THE "PETROLEUM SALE, ACCOUNTING AND INSPECTION ACT".

Dear Senator Ben:

My name is Artemio B. Ilagan. I am the Director of the Department of Revenue and Taxation.

Our office fully supports Bill 327-30. The proposed amendment would benefit Guam consumers using automotive gasoline and diesel product. Currently, gasoline distributors that are using meters with a maximum rated capacity of twenty-five (25) gallons per minute or less are exempted from using a meter that has been calibrated to compensate for temperature using the observed temperature. The proposed amendment takes away this exemption. This bill will require gasoline distributors without exception to use a meter that has been calibrated to dispense petroleum products to compensate for temperature using the observed temperature and/or device that automatically compensates for temperature. This bill clearly states the observed temperature is eighty-five (85) degrees Fahrenheit instead of sixty (60) degrees Fahrenheit.

Six (6) months after enactment will be more than sufficient for all gas stations to be in compliance and require such dispensers to dispense the expanded equivalent of 231 cubic inches using the observed temperature of (85) degrees Fahrenheit.

Allow me to say that our office is in favor of Bill 327-30.

Sincerely,

  
ARTEMIO B. ILAGAN  
Director

# Mobil Oil Guam Inc.

642 EAST MARINE CORPS DRIVE  
HAGÁTÑA, GUAM 96910

TELEPHONE: (671) 648-3600  
FACSIMILE: (671) 648-3781

March 10, 2010

## VIA HAND DELIVERY

The Honorable Vicente C. Pangelinan  
Chairman, Committee on Appropriations,  
Taxation, Banking, Insurance & Land  
THIRTIETH GUAM LEGISLATURE  
MINA'BENTE NEUBE NA LIHESLATURAN GUÅHAN  
155 Hesler Place  
Hagåtña, Guam 96910

**RE: Bill No. 327-30 (COR): An Act to Amend Sections  
2301(e) and 2303(b), and to add a new Section  
2303(g) to Article 3, Chapter 2 of Title 11, Guam  
Code Annotated Relative to Petroleum Sale,  
Accounting and Inspection of Petroleum Products**

Dear Chairman Pangelinan:

Thank you for inviting us to submit written testimony on the above-referenced bill. As we understand it, the intended purpose of the bill, if enacted, would be to assist the Department of Revenue and Taxation in the implementation of temperature compensation at retail service stations in Guam.

Before we offer our thoughts on the bill, let us first be clear that Mobil does not believe that temperature compensation, whether through use of retail motor fuel dispensers that automatically compensate for temperature or recalibration of existing dispensers to deliver larger "gallons", is necessary. Studies by the California Energy Commission, the Australian Institute of Petroleum, and the Alaska Department of Transportation have all shown that the retail motor fuel market is highly competitive and that the pricing of retail motor fuel already reflects the impact of temperature on volume.

The Honorable Vicente C. Pangelinan

March 10, 2010

Page 2

Nevertheless, if *I Liheslaturan Guahan* wishes to proceed with the implementation of temperature compensation at retail service stations, then we believe there is a better way to achieve that purpose than the bill as presently drafted. As set forth below, additional amendments to Chapter 2 of Article 3 of Title 11 of the Guam Code are needed before implementation of temperature compensation at retail service stations in Guam will be possible.

First, implicit in Bill 327-30 (COR) is the assumption that, if retailers install dispensers capable of automatically compensating for temperature, the Department of Revenue and Taxation could inspect the calibration of such dispensers using "provers" calibrated to deliver the expanded equivalent of a gallon at 85° F. Unfortunately, this assumption does not account for the fact that the size of a "gallon" delivered by a dispenser equipped to automatically compensate for temperature would vary based on the temperature of the fuel being dispensed. Therefore, the Department of Revenue and Taxation could not use the provers it has obtained, but rather would need to obtain new provers capable of accounting for the temperature of the motor fuel in a test draft.

We would like to propose an alternative to automatic temperature compensation that would: (1) enable the Department of Revenue and Taxation to use the equipment it has purchased; (2) allow for implementation of temperature compensation at all retail service stations at once, rather than the piecemeal phase in of temperature compensation as old retail motor fuel dispensers are replaced; and (3) which would require the least amount of capital expenditure by retail service stations. Specifically, we would propose that the statute be amended to require the recalibration of existing retail motor fuel dispensers to deliver the expanded equivalent of a gallon at 85 degrees F (the "observed temperature" specified in § 2301(g)) using the volume correction factors specified in ASTM table D1250. (In essence, this would entail re-calibrating existing

The Honorable Vicente C. Pangelinan  
March 10, 2010  
Page 3

retail motor fuel dispensers to deliver slightly larger "gallons"). If *I Liheslaturan Guahan* wishes to proceed with this recalibration approach to temperature compensation, it will need to amend 11 G.C.A. § 2103 in three respects. First, to use the ASTM D1250 petroleum measurement tables to recalibrate the retail motor fuel dispensers, the "API gravity" (or density) of the dispensed fuel must be known. Because existing dispensers are not equipped to measure the API gravity of dispensed fuel, § 2103 would need to be amended to specify an "assumed" or "observed API gravity."<sup>1</sup> Second, § 2301 of Article 3, Chapter 2 of Title 11 currently specifies that the 1980 edition of the ASTM D1250 petroleum measurement tables be used to determine volume correction factors. This version of the ASTM D1250 petroleum measurement tables is both obsolete and inaccurate. The bill should be amended to specify use of the current and more accurate (2004) edition of ASTM D1250 petroleum measurement tables. Third, the definition of "U.S. Petroleum gallon" in § 2301(f) would need to be amended to include that amount of petroleum product which occupies two hundred thirty-one (231) cubic inches exactly when its temperature is sixty degree (60°) Fahrenheit, or the expanded "or contracted" equivalent thereto calculated using the observed temperature of eighty-five degrees (85°) Fahrenheit and whatever "observed API gravity" is specified by *I Liheslaturan Guahan*.<sup>2</sup>

---

<sup>1</sup> By way of reference, it is Mobil's understanding that to achieve an expanded equivalent of a 231 gallon of gasoline at 85° F of 234.5 cubic inches an "observed API gravity" of 53 would need to be specified. Mobil is in the process of determining whether a different "observed API gravity" would need to be specified to achieve a 234.5 cubic inch expanded equivalent of a gallon of diesel and should be in a position to share this information shortly.

<sup>2</sup> The definition of "U.S. Petroleum gallon" should read: "that amount of petroleum product which occupies two hundred thirty-one (231) cubic inches exactly when its temperature is sixty degrees (60°) Fahrenheit, or the expanded or contracted equivalent thereto at any other temperature, or the expanded or contracted equivalent thereto calculated using the observed temperature of

The Honorable Vicente C. Pangelinan  
March 10, 2010  
Page 4

A final, but important amendment that is necessary to make the implementation of temperature compensation in Guam possible is the addition of a provision stating that, to the extent that the provisions of Article 3, Chapter 2 of Title 11, Guam Code are inconsistent with other provisions of Chapter 2 of Title 11, the provisions of Article 3 are intended to supersede the inconsistent provisions. This amendment is critical because, notwithstanding the requirements of Article 3, various provisions in 11 G.C.A. § 2100 et seq. require the sale of motor fuel at retail in units of customary 231 inch gallons.<sup>3</sup> Accordingly, if Bill No. 327-30 (COR) is enacted as drafted, without a preemption provision, then Mobil may still be unable to comply with its requirements. A preemption provision would resolve this conflict and make full compliance with the law possible.

If *I Liheslaturan Guahan* decides to proceed with the implementation of temperature compensation at retail service stations in Guam, we request it amend the law in the manner described above to make implementation possible. We would welcome the opportunity to work with you and your

---

eighty-five degrees (85°) Fahrenheit and the observed API gravity."

<sup>3</sup> For example, 11 G.C.A. § 2101 requires businesses to sell products using the customary weights and measures used in the United States as defined by the National Bureau of Standards in its definitions and table of equivalents. This provision requires Mobil to sell motor fuel in customary 231 cubic inch gallons, not so-called U.S. Petroleum gallons. Similarly, 11 G.C.A. § 2103 incorporates National Institute of Standards and Technology Handbook 44, which sets specifications, tolerances and user requirements for measuring devices, including motor fuel dispensers. Handbook 44 requires that retail motor fuel dispense fuel in units of "gallons" containing 231 cubic inches "exactly". Mobil could not simultaneously comply with Handbook 44's requirement that retail motor fuel dispensers deliver motor fuel in 231 cubic inch gallons and the proposed requirement that it dispense motor fuel in units of slightly larger "U.S. Petroleum gallons."

The Honorable Vicente C. Pangelinan  
March 10, 2010  
Page 5

staff to make appropriate modifications to the current draft of the bill so that once it is enacted, we are all comfortable with its provisions and there would hopefully be no need to readdress them in the future.

I thank you for this opportunity.

Very truly yours,

MOBIL OIL GUAM INC.

*for*   
GENNARO CIOFFI  
President



22 February 2010

Dear Senator,

Re: Bill No. 327 – 30 (COR)

We hope that in giving your attention to proposed Bill 327-30 that you would take the time to read and consider the attached information.

The first piece of information we have included is a copy of a press release from the National Conference on Weights and Measures, dated July 20 2009, which announces the withdrawal by NCWM of proposals to require, or even allow automatic temperature compensation for retail sales of motor fuel.

Because the NCWM has determined to withdraw proposals to even allow automatic temperature compensation for retail sales of motor fuel, no further consideration will be given to adding provisions to the NIST Handbook 44 "Specifications, Tolerances and other Technical Requirements for Commercial Weighing and Measuring Devices" to allow retail motor fuel dispensers to be equipped with the automatic means to deliver product with the volume adjusted to a reference temperature. As a result no meter and/or device that automatically compensates for temperature exists that may be used under NIST Handbook 44. H GCA Ch2, §2103, states that Handbook 44 shall apply to measuring devices in the Territory.

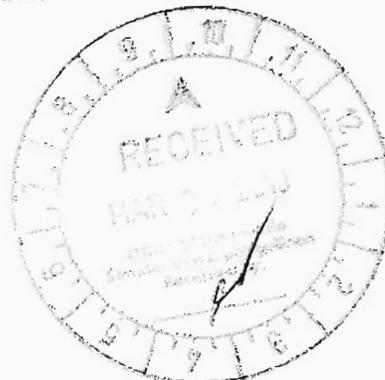
The second piece of information we have enclosed is the Executive Summary of a report on ATC from the California Energy Commission which was prepared in response to California Assembly Bill No. 868. The complete report is available on-line at [http://www.energy.ca.gov/transportation/fuel\\_delivery\\_temperature\\_study/documents/index.html](http://www.energy.ca.gov/transportation/fuel_delivery_temperature_study/documents/index.html). This report states as its primary recommendation "If the *only criterion* for assessing the merit of mandatory ATC installations for use at California retail stations is a net benefit to consumers, the Transportation Committee of the California Energy Commission concludes that ATCs should not be required since the results of the cost-benefit analysis show a net cost for consumers."

We wish you well in your deliberations on this matter.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'D. R. Dean'.

Douglas R Dean  
General Manager  
South Pacific Petroleum Corporation.



Contact: Don Onwiler  
Executive Director  
Phone 402 434 4880  
Fax 402 434 4878  
don.onwiler@ncwm.ent

NCWM  
1135 M St., Ste. 110  
Lincoln, NE 68508  
www.ncwm.net

**National Conference  
on Weights and  
Measures**

# Press Release

## **NCWM withdraws proposal to implement automatic temperature compensation for retail motor fuels**

Cost passed down to consumers would outweigh any savings

**San Antonio, TX, July 16, 2009:** The National Conference on Weights and Measures (NCWM) ended several years of debate on the "hot fuel" issue this week by withdrawing proposals to require, or even allow automatic temperature compensation for retail sales of motor fuel. The move came on the heels of lengthy debate in which regulators and industry alike pointed to increased costs that would be passed on to consumers in the name of consumer protection.

Some consumer advocate groups have claimed that retailers are making unearned profits by selling "hot fuel" to unwary motorists. As fuel gets warm it expands and, thus contains less energy per gallon. Likewise, as fuel cools it becomes denser, increasing the energy content. However, nationwide studies demonstrate that the average temperature of fuel at the nozzle is very close to the standard of 60 degrees Fahrenheit. Further studies demonstrate that the costs for equipment upgrades that would be passed on to consumers would greatly outweigh any savings to consumers, even in the far southern states where fuel temperatures may average above 60 degrees.

The NCWM has developed model standards for voluntary adoption by the states since 1905. The debate over temperature compensation for motor fuel began in the 1970's. It was brought back to NCWM in 2004. Some states say they would allow temperature compensation at retail while other states have made the practice illegal. There are no states where it is mandatory. Regulators comprising the voting body of the NCWM acknowledge that any amendments to the model national standards would not change this.

Many in the regulatory, industry, and consumer sectors waited with anticipation for a vote this July on the issue. Instead, the only vote was to accept the report of the Laws and Regulations Committee in its entirety, which included the withdrawal of proposals for automatic temperature compensation.

###

**For Release 1:20 p.m. EDT, July 20, 2009**

## EXECUTIVE SUMMARY

The issue of reduced volumes of gasoline or diesel when distributed at high temperature, or “hot fuel,” is not new. It is, however, a controversial subject that has created strong and divergent opinions. Some stakeholders believe that if temperature compensation was practiced at retail stations, motorists would realize significant monetary benefits in the warmer areas of the United States. Other stakeholders representing business interests believe that the costs to retail station owners will be significant.

Hawaii is the only state that has adopted temperature compensation at retail outlets by allowing existing retail fuel dispensers to be modified to distribute an additional quantity of fuel (as measured in cubic inches) to compensate that the fuel sold is warmer. Hawaii’s retail sales unit of gasoline is now 233.8 cubic inches, roughly equivalent to how much a standard gallon of gasoline would expand when warmed from 60 to 80 degrees Fahrenheit. Canada, too, has adopted regulations and standards for automatic temperature compensation (ATC) at retail. Even though ATC at retail is voluntary in Canada, more than 90 percent of the retail stations have converted to using the equipment. Most of the time in Canada, the temperature of the fuel is colder than the reference standard of 60 degrees Fahrenheit. The ATC dispensers compensate for colder fuel temperatures by decreasing the average size of the liter dispensed to motorists in that country.

This national debate has continued for several years but without any analysis being performed to determine if ATC at retail stations would be a net benefit to retail motorists. As a result of these activities and the lack of analysis, in October 2007 the California Legislature passed and the Governor signed Assembly Bill 868 (Davis), which directed the California Energy Commission to conduct a cost-benefit analysis.

This report quantifies the benefits and costs associated with temperature compensation for retail sales of gasoline and diesel fuels in California. The cost-benefit analysis concludes that the results are negative or a net cost to society under all the options examined, however when quantified by cents per gallon these costs are small. The estimated total annual recurring net costs to society, if completely passed through to consumers, could amount to between eight hundredths (8/100) and 18 hundredths (18/100) of a cent per gallon. It is also unlikely that there are any plausible circumstances consumers could receive a small net benefit with installed ATC devices at California’s retail stations.

The primary issues associated with the ATC debate is best characterized in a series of questions.

- *Is the temperature of gasoline and diesel fuel sold to California consumers warmer, on average, than the 60 degree Fahrenheit reference standard?*

California is considered a warmer state regarding fuel temperature at retail stations. Based on the results of a recent survey of retail stations, the average temperature of regular grade gasoline during the base period from April 2007 through March 2008 was about 71 degrees Fahrenheit. Diesel fuel was a little warmer with an average temperature of nearly 73 degrees Fahrenheit.

- *If temperature compensation has been instituted for most wholesale transactions to remove the inequity of temperature variations, why has that practice not extended to the California retail consumer?*

Currently, no retail station owner has chosen to install and operate ATC-ready dispensers in California. Whether California law currently permits the voluntary installation and activation of ATC devices by retail station owners for retail sales transactions of gasoline and diesel fuel has been disputed by stakeholders.

- *If ATC was mandated at retail stations in California, how would businesses and consumers be impacted? Would the overall costs outweigh any potential benefits?*

California retail motorists are expected to receive slightly larger gallons (as measured in cubic inches) that vary in size with changes in temperature. ATC devices adjust for warmer fuel temperatures by slightly increasing the size of the gallon dispensed to California consumers (in cubic inches). The adjustment for the motorist would be approximately 1 percent for every 15 degree Fahrenheit increase in the temperature of gasoline greater than the reference standard of 60 degrees Fahrenheit. The slightly larger and variable sized gallons (in cubic inches) would not have changed the total amount of fuel consumed in the state as measured in cubic inches, but would have reduced the actual number of net or adjusted gallons purchased by motorists.

If ATC had been installed at retail gasoline stations during the one-year study period, the quantity of net gasoline gallons sold would have been approximately 15.5 billion or about 117 million gallons less compared to status quo (no ATC at retail outlets) because the fuel was warmer (71.1 degrees Fahrenheit) than the 60 degree Fahrenheit reference standard.

Under the ATC scenario, the quantity of net diesel fuel gallons sold would have been approximately 3.037 billion or about 19 million gallons less compared to the status quo (no ATC at retail) of 3.056 billion because the fuel was also warmer (72.9 degrees Fahrenheit) than the 60 degree Fahrenheit reference standard.

Currently, motorists compare retail fuel prices when deciding where to purchase fuel for their vehicle. Prices posted by two retail stations at an intersection showing identical prices may appear to be equivalent in value by the consumer, but if the fuel temperature at one station is higher than the other, the motorist would want to select the station with the cooler fuel temperature. If ATC were mandated for use at retail stations, consumers would be able to more accurately and fairly compare prices because variations in temperature would be corrected by the ATC equipment. California consumers could expect a slight financial benefit of approximately \$258,000 per year due to this increased price transparency.

California retail station owners would experience additional expenses for the ATC retrofit equipment and slightly higher inspection fees. If ATC devices are mandated, California businesses would incur a total first cost between \$103.8 million and \$127.4 million, or between \$10,704 and \$13,136 per retail outlet. Recurring costs for more expensive ATC-ready dispensers, maintenance, and higher inspection fees would total between \$7.4 million and \$20.6 million per year.

The initial ATC retrofit costs combined with the recurring annual expenses would average between eight hundredths (8/100) and 18 hundredths (18/100) of a cent per gallon, if retail station owners pass through all of the retrofit expenses by raising fuel prices over 10 to 15 years.

- *Would retail station owners charge the same price if ATC equipment is installed and dispensed slightly larger sized gallons when fuel is warmer than the 60 degree Fahrenheit standard? If so, would consumers still receive anticipated financial benefits?*

If retail station owners and operators continue to grow and remain profitable, then retail station owners will most likely raise their fuel prices to compensate for selling fewer “gallons.” If this is the case then expected benefits for retail motorists will be essentially zero. It should be noted, however, that some stakeholders assert that there is a degree of uncertainty regarding the ability of retail station owners to completely and successfully maintain their profit margins over the long-term if ATCs are mandated at California retail stations.

- *If a new reference temperature was mandated, would the overall costs to businesses and governmental agencies to implement and oversee the program outweigh any potential benefits?*

The estimated costs of adopting a new reference temperature and a larger gallon size (in cubic inches) could total between \$9 million and \$27.9 million or from \$925 to \$2,879 per retail station. On a per-gallon basis these additional expenses incurred by retail station owners would be between five hundredths (5/100) and 15 hundredths (15/100) of a cent per gallon for only one year. After the modifications were completed, there would be no additional recurring costs for businesses or consumers.

## Primary Recommendations

- If the *only criterion* for assessing the merit of mandatory ATC installations for use at California retail stations is a net benefit to consumers, the Transportation Committee (Committee) of the California Energy Commission concludes that ATCs should not be required since the results of the cost-benefit analysis show a net cost for consumers.
- However, the Committee recommends that the Legislature also consider whether the possible value of increased fairness, accuracy, and consistency of fuel measurement, in addition to the benefits quantified in the cost-benefit analysis, justify mandating ATC at California retail stations.
- If the Legislature chooses to mandate the use of ATC at retail stations, two options are available: (1) require all retail stations to retrofit their fuel dispensers over a two-year period, or (2) a more gradual phase-in approach, requiring new and refurbished stations to install, *but not activate*, ATC devices over a five-year period. The remainder of retail stations would be required to install ATC devices during the fifth year, and all stations would activate their devices at the end of that year. Such a phase-in approach is the least-cost option for mandatory ATC, although it would still result in a net cost to society.
- If the Legislature chooses not to mandate the use of ATC at retail stations, the Legislature may wish to clarify whether the current intent of the existing statutes is to permit or prohibit voluntary ATC at retail outlets for gasoline and diesel fuel.
- If the Legislature chooses to permit or mandate ATC at retail, they should direct the California Division of Measurement Standards to develop standards addressing equipment approval, certification testing, compliance enforcement, and consumer labeling provisions for ATC at retail stations.
- Based on the report analysis, the Committee concludes that establishing a new statewide reference temperature, or different regional reference temperatures for the state, would not successfully address temperature compensation at the retail level and therefore does not recommend this approach.

## Areas for Further Research

Research in the following areas is recommended to supplement the cost-benefit analysis presented in this report.

- The possible value of increased fairness, accuracy, and consistency benefits of ATC to consumers, which was not included in this analysis, should be estimated through focus groups and survey methods that assess consumers' willingness to pay for such benefits.
- The value of increased price transparency associated with ATC, as calculated in this report, should be refined through further research on the fuel temperature variation between adjacent retail stations.



March 5, 2010

Thirtieth Guam Legislature  
Committee on Appropriations, Taxation, Banking, Insurance and Land  
324 W Soledad Avenue, Suite 100,  
Hagåtña, Guam 96910

Attn: The Honorable Committee Chairman Vicente C. Pangelinan

Dear Senator Pangelinan,

We thank you for the opportunity to provide testimony on Bill 327-30 (COR) relative to petroleum sale, accounting and inspection of petroleum products. We would be pleased if you would accept this letter as our submission to the Committee on the Bill.

South Pacific Petroleum Corporation's position on this matter has not changed. Temperature compensation of sales at retail offers no benefit to the consumer. This view is now the mainstream conclusion of Regulators and Government studies. Adopting temperature compensation of sales at retail will come only at a cost to the consumer. We made submissions on this matter with respect to Bill 153-26 (2001) {Public law 26-114} and again to Bill 412-28 (2004) which consistently documented this contention.

Our long held view has most recently been unequivocally supported by a significant study undertaken for the State of California by its Energy Commission<sup>1</sup> which made its primary recommendations commencing with the following statement: "If the **only criterion** for assessing the merit of mandatory ATC installations for use at California retail stations is a net benefit to consumers, the Transportation Committee of the California Energy Commission concludes that ATCs should not be required since the results of the cost-benefit analysis show a net cost for consumers."

---

<sup>1</sup> Assembly Bill 868 (Davis, Chapter 398, Statutes of 2007) required the California Energy Commission to prepare a cost-benefit analysis and to make recommendations relative to the implementation of Automatic Temperature Correction devices at retail service stations.

Fuel Delivery Temperature Study, Commission Adopted Report.  
Publication # CEC-600-2009-002-CMF.  
Adopted March 11, 2009. Posted March 12, 2009.

Available at:  
[http://www.energy.ca.gov/transportation/fuel\\_delivery\\_temperature\\_study/index.html](http://www.energy.ca.gov/transportation/fuel_delivery_temperature_study/index.html)



# COMMITTEE ON RULES

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

155 Hesler Place, Hagåtña, 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  
MEMBERS:**

**Judith T. Won Pat  
SPEAKER**

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

**Tina Rose Muña 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**

February 11, 2010

**MEMORANDUM**

**To: Pat Santos**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Chairperson, Committee on Rules*

**Subject: Referral of Bill No. 327-30 (COR)**

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 327-30 (COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine Tajalle at 472-7679.

*Si Yu'os Ma'åse'!*

(1) Attachment

FOR FILE  
FEB 11 2010 9:27  


*I Mina 'Trenta Na Liheslaturan Guåhan*  
**Bill Log Sheet**  
 Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B327-30 (COR)	v. c. pangelinan	An act to amend §§2301(e) and 2303(b), and to add a new §2303 (g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products.	2/10/10 4:36 p.m.	2/11/10	Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			

Office of



The People

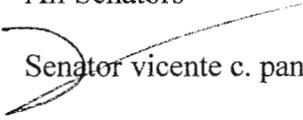
# Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

March 3, 2010

Memorandum

To: All Senators

From:  Senator vicente c. pangelinan

Re: Public Hearing

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

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

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing on numerous bills beginning at **8:30am on Wednesday, March 10, 2010** and at **3:00pm** will conduct an oversight of the **Chamorro Land Trust Commission** at the Guam Legislature's Public Hearing Room.

On **Thursday, March 11, 2010**, the Committee will receive testimonies for the **Official Zoning Map and Amendments of the "Dos Amantes" Planning Area, Municipality beginning at 5:30pm** in the Guam Legislature Public Hearing Room.

Copies of the Agenda for March 10 and March 11 are attached for your review.

For copies of the bill, you can log onto [www.guamlegislature.com](http://www.guamlegislature.com) or [www.senbenp.com](http://www.senbenp.com)

*Si Yu'os Ma'ase,*

GUAM LEGISLATURE  
REPRODUCTION/MAIL ROOM

DATE: 03/03/10

TIME: 2:55 | 1AM X 1PM

RECEIVED BY: 

Mail [Calendar](#) [Documents](#) [Contacts](#)

[cipo@guamlegislature.org](#) | [Settings](#) | [Help](#) | [Sign ou](#)

[Search Mail](#) [Search the Web](#) [Show search options](#)  
[Create a filter](#)

**Compose Mail**

**Inbox (5)**

**Drafts**

[Dos Amantes](#)

[Grants \(206\)](#)

[Military Buildup](#)

[PR](#)

[Retirement Fund](#)

[senben pics](#)

[7 more ▾](#)

[Contacts](#)

[Tasks](#)

Lisa Cipollone

« [Back to Sent Mail](#) [Archive](#) [Report spam](#) [Delete](#) [Move to Inbox](#) [Labels](#) [More actions](#)

« [Newer 2 of 2179 Older](#) »

**First Notice - Public Hearing** Inbox X

**Lisa Cipollone**

[hide details](#) 3:35 PM (23 minutes ago)

[Reply](#)

Tom Ada <tom@senatorada.org>, fbaguon.guam@hotmail.com, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Edward J.B. Calvo" <senecalvo@gmail.com>, BJ Cruz <senadotbjcruz@aol.com>, Jimmy Espaldon <senator@espaldon.com>, Senator Judi Guthertz <judiguthertz@pticom.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, ABPalacios@gmail.com, "Rory J. Respicio" <roryforguam@gmail.com>, Ray Tenorio <ray@raytenorio.com>, Telo Taitague <senatortelo@gmail.com>, Judi Won Pat <info@judiwonpat.com> Stephanie Mendiola <sem@guamlegislature.org>, Bill Phillips <phillipsguam@gmail.com>, fbtorres@yahoo.com, feaburgos@gmail.com, jamespcastro@gmail.com, juliette@senatorada.org, patrick cepeda <patrickcepeda@hotmail.com>, rjquitugua@gmail.com, phill@raytenorio.com, epogue@hotmail.com, roberto.phil@gmail.com, Yong Pak <yong@guamlegislature.org>, psantos@guamlegislature.org, malo@guamlegislature.org, sergeant-at-arms@guamlegislature.org, tunsio@guamlegislature.org  
Wed, Mar 3, 2010 at 3:35 PM  
First Notice - Public Hearing  
guamlegislature.org

[New window](#)

[Print all](#)

[Expand all](#)

[Forward all](#)

**More about..**

[Setup New Email Account »](#)

[Circle Google Social Search »](#)

[SMTP Connector »](#)

[Download Messenger Yahoo MSN »](#)

Please see attached.

[- Show quoted text -](#)

**3 attachments** — [Download all attachments](#)

 **SensPHNotice\_031010\_031110.pdf**  
773K [View](#) [Download](#)

 **Agenda031001.pdf**  
91K [View](#) [Download](#)

 **Agenda031101.pdf**  
71K [View](#) [Download](#)

[Reply](#) [Reply to all](#) [Forward](#)

**Mail Delivery Subsystem**

**Mail Delivery Subsystem to me**

[show details](#) 3:35 PM (22 minutes ago)

[Reply](#)

Delivery to the following recipient failed permanently:

[malo@guamlegislature.org](#)

- Show quoted text -  
- Show quoted text -

[Reply](#)   [Forward](#)

« [Back to Sent Mail](#)   [Archive](#)   [Report spam](#)   [Delete](#)   [Move to Inbox](#)   [Labels](#)   [More actions](#)

« [Newer 2 of 2179 Older](#) »

Visit [settings](#) to save time with **keyboard shortcuts!**

You are currently using **1441 MB (19%)** of your **7424 MB**.

Last account activity 2 hours ago on this computer [Details](#)

Guam Legislature Mail view: [standard](#) | [turn off chat](#) | [older version](#) | [basic HTML](#) | [Learn more](#)

©2010 Google - [Terms of Service](#) - [Privacy Policy](#) - [Program Policies](#) - [Google Home](#)

Powered by 

[Search Mail](#) [Search the Web](#) [Show search options](#)  
[Create a filter](#)

**Compose Mail**

**Inbox (5)**

[Drafts](#)

[Dos Amantes](#)  
[Grants \(206\)](#)  
[Military Buildup](#)  
[PR](#)  
[Retirement Fund](#)  
[senben\\_pics](#)  
[7 more ▾](#)

[Contacts](#)  
[Tasks](#)

Lisa Cipollone

[« Back to Sent Mail](#) [Archive](#) [Report spam](#) [Delete](#) [Move to Inbox](#) [Labels](#) [More actions](#)

[« Newer 4 of 2177 Older »](#)

**First Notice - Public Hearing** [Inbox](#) [x](#)

**Lisa Cipollone** [hide details](#) 2:59 PM (30 minutes ago) [Reply](#)

news@guampdn.com,  
 news@k57.com,  
 news@kuam.com,  
 news@spbguam.com,  
 news@hitradio100.com,  
 msilva@pacificnewscenter.com,  
 msilva@spbguam.com,  
 jtyquiengco@spbguam.com,  
 clynt@spbguam.com,  
 Kevin Kerrigan <kevin@spbguam.com>,  
 Sabrina Salas <sabrina@kuam.com>,  
 jason@kuam.com,  
 janjeera@kuam.com,  
 heather@kuam.com,  
 mindy@kuam.com,  
 nick@kuam.com,  
 gerry@mvguam.com,  
 marvic@mvguam.com,  
 managingeditor@glimpsesofofguam.com,  
 rgibson@k57.com,  
 ALICIA PEREZ  
 <aliciaperez69@hotmail.com>,  
 Alicia Perez <perezksto@gmail.com>  
 Wed, Mar 3, 2010 at 2:59 PM  
 First Notice - Public Hearing  
 guamlegislature.org

Office of Senator ben pangelinan will hold a public hearing on Wednesday, March 10, 2010 beginning at 8:30am.

**Public Hearing Notice**  
**Wednesday, March 10, 2010**  
**Guam Legislature Public Hearing Room**

**Agenda**

8:30am

**Bill No. 239-30(COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.**

**Bill No. 244-30 (COR): An Act to reenact Section 6649(c) of Chapter 66 of Title 21, Guam Code Annotated relative to restoring the "DPW Building and Design Fee Account" for the purpose of funding the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.**

**Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.**

**Bill No. 261-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.**

**Bill No. 283-30 (COR): An act to amend Section 9102 of 2GCA relative to ensuring the rights of the members of *I Liheslaturan Guahan* to obtain a fiscal note on legislation placed on its session agenda.**

**Bill No. 298-30 (COR): An act to Amend §7120.2 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.**

**Bill No. 303-30 (COR): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot Dump in their backyards.**

[New window](#)

[Print all](#)

[Expand all](#)

[Forward all](#)

**Sponsored Links**

**[Roth Vs. Traditional IRA](#)**  
 Which works better for you?  
 Find out now.  
[www.IRAsolutions.com](http://www.IRAsolutions.com)

**[H&R Block Tax Calculators](#)**  
 Use Our Calculators To Ensure  
 Accurate Deductions & Credits  
[www.HRBlock.com](http://www.HRBlock.com)

**[College for Military](#)**  
 Earn a college degree online.  
 Respected. Affordable. Accredited.  
[www.AMUOnline.com/Military](http://www.AMUOnline.com/Military)

**[The VA Loan Center](#)**  
 Get a Quote in 2 Minutes! VA Loans  
 now up to to \$729,000 with \$0 Down.  
[www.VAMortgageCenter.com](http://www.VAMortgageCenter.com)

**[Reverse Mortgage](#)**  
 Guidance & Tools to Help You Make  
 The Choice That is Right For You.  
[bankofamerica.com/reversemortgage](http://bankofamerica.com/reversemortgage)

**[Military Life Insurance](#)**  
 Affordable coverage with benefits  
 for active duty, veterans, & family  
[www.militarybenefit.org/](http://www.militarybenefit.org/)

**[Secure Your IRA with Gold](#)**  
 40%+ Yearly, Rollover Your IRA/401K  
 Free Investor Kit. \$10,000 Minimum.  
[ImperialMetalsIRA.com](http://ImperialMetalsIRA.com)

**[Fly Cheap to Guam](#)**  
 70% off Guam Air Fare  
 Compare Guam Flights - Save  
[Guam.Air.Asia.com](http://Guam.Air.Asia.com)

**More about...**

[Bill of Sale »](#)  
[Dream Act Bill »](#)  
[Federal Budget »](#)  
[Car Title Loans »](#)

[About these links](#)

Bill No. 316-30 (COR): An act to add new definitions (j), (k), and (jj) to §1102 of Chapter 1, Title 16; to add a new §3102.2, §3102.3, §3102.4 to Chapter 3, Title 16, to add a new §6233 of Article 2, Chapter 6, Title 4; all of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations.

Bill No. 319-30 (COR): An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensing Requirements and other purposes.

Bill No. 321-30 (COR): An act to appropriate One Hundred Fifty Two Thousand One Hundred and Three Dollars (\$152,103.00) and Two Hundred Forty Five Thousand Eight Hundred and Two Dollars (\$245,802.00) from the unappropriated Fiscal Year 2008 and 2009 ManPower Development Fund (MDF) Revenues to the Guam Department of Labor (GDOL) and to authorize use of MDF Fuds to hire unclassified workers.

Bill No. 325-30 (COR): An Act to add a new §28817a and a new Subarticle b to Chapter 28, Part 5, Division 1 of Title 18 of the Guam Code Annotated and for other purposes.

Bill No. 327-30 (COR): An act to amend §§2301(e) and 2303(b), and to add a new §2303(g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products.

3:00pm  
Oversight of Chamorro Land Trust Commission

For copies of bills, you can log onto <http://guamlegislature.com>  
If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236 , email at [senbenp@guam.net](mailto:senbenp@guam.net) or log onto [www.senbenp.com](http://www.senbenp.com)

--  
Lisa Cipollone  
Chief of Staff  
Office of Senator ben c. pangelinan  
(671) 473-4236  
[cipo@guamlegislature.org](mailto:cipo@guamlegislature.org)

[Reply](#)   [Reply to all](#)   [Forward](#)

**Mail Delivery Subsystem**

**Mail Delivery Subsystem to me**   [show details](#) 2:59 PM (29 minutes ago)   [Reply](#)

Delivery to the following recipient failed permanently:

[news@kuam.com](mailto:news@kuam.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  
550-5.1.1 double-checking the recipient's email address for typos or  
550-5.1.1 unnecessary spaces. Learn more at  
550 5.1.1 <http://mail.google.com/support/bin/answer.py?answer=6596> 30si12449027yxe.125 (state 17).

----- Original message -----

MIME-Version: 1.0  
Received: by 10.150.254.9 with SMTP id b9mr574052ybi.273.1267592386690; Tue, 02 Mar 2010 20:59:46 -0800 (PST)  
Date: Wed, 3 Mar 2010 14:59:46 +1000  
Message-ID: <98a9b3e21003022059h1addca91nb351c9f57de6b624@mail.gmail.com>  
Subject: First Notice - Public Hearing  
From: Lisa Cipollone <[cipo@guamlegislature.org](mailto:cipo@guamlegislature.org)>  
To: [news@guampdn.com](mailto:news@guampdn.com), [news@k57.com](mailto:news@k57.com), [news@kuam.com](mailto:news@kuam.com), [news@spbguam.com](mailto:news@spbguam.com), [news@hitradio100.com](mailto:news@hitradio100.com), [msilva@pacificnewscenter.com](mailto:msilva@pacificnewscenter.com), [msilva@spbguam.com](mailto:msilva@spbguam.com), [jtyquiengco@spbguam.com](mailto:jtyquiengco@spbguam.com), [clynt@spbguam.com](mailto:clynt@spbguam.com), Kevin Kerrigan <[kevin@spbguam.com](mailto:kevin@spbguam.com)>, Sabrina Salas <[sabrina@kuam.com](mailto:sabrina@kuam.com)>, [jason@kuam.com](mailto:jason@kuam.com), [janjeera@kuam.com](mailto:janjeera@kuam.com), [heather@kuam.com](mailto:heather@kuam.com), [mindy@kuam.com](mailto:mindy@kuam.com), [nick@kuam.com](mailto:nick@kuam.com), [gerry@mvguam.com](mailto:gerry@mvguam.com), [marvic@mvguam.com](mailto:marvic@mvguam.com), [managingeditor@glm.psesofguam.com](mailto:managingeditor@glm.psesofguam.com), [rgibson@k57.com](mailto:rgibson@k57.com), ALICIA PEREZ <[aliciaperez69@hotmail.com](mailto:aliciaperez69@hotmail.com)>, Alicia Perez <[perezksto@gmail.com](mailto:perezksto@gmail.com)>  
Content-Type: multipart/alternative; boundary=000e0cd23caeedc2850480de59c9

- Show quoted text -

GCA relative to recognizing the village of Inarajan as the Host Community \*\*

[Reply](#)   [Forward](#)   [Invite Mail Delivery Subsystem to chat](#)



[« Back to Sent Mail](#)   [Archive](#)   [Report spam](#)   [Delete](#)   [Move to inbox](#)   [Labels](#)   [More actions](#)

[« Newer 4 of 2177 Older »](#)

Visit [settings](#) to save time with **keyboard shortcuts!**

**You are currently using 1439 MB (19%) of your 7424 MB.**

Last account activity: 1.5 hours ago on this computer. [Details](#)

Guam Legislature Mail view: [standard](#) | [turn off chat](#) | [older version](#) | [basic HTML](#) | [learn more](#)

©2010 Google - [Terms of Service](#) - [Privacy Policy](#) - [Program Policies](#) - [Google Home](#)

Powered by 

POWER OF SALE contained in the above mortgage.

The property described below will be sold, WITHOUT WARRANTY BEING GIVEN, express or implied, regarding title, possession, rights of redemption or encumbrances, to the highest bidder at public auction, to be held at the Mayor's office in Mangilao, Guam at 3:00 p.m. on March 10, 2010, in order to satisfy the amount due on the mortgage and its promissory note at the time of the sale. Terms of the sale are cash, certified check or other terms deemed acceptable by Mortgagee. The Mortgagee reserves the right to bid all or part of the amount due on the mortgage at the time of the sale; to reject any bid made at the sale and to withdraw this notice and postpone the sale from time to time. The property subject to the mortgage and to be sold at sale is as follows:

Unit No. D-6, Villa De Oro Condominium, situated on Lot No. 5370-1-2-R3, Mangilao (formerly Barrigada), Guam, as said lot is marked and designated on Map Drawing No. ES-9235, recorded in the Department of Land Management, Government of Guam on March 11, 1993 under Document No. 485643.

The amount due the Mortgagee is for the sum of \$114,885.60, accrued interest as of October 20, 2009 of \$3,129.01, interest at the rate of 7.21% from October 20, 2009 to the date of full payment, attorney fees, and costs of this sale. The undersigned are the attorneys for the Mortgagee and hereby give notice that they are attempting to collect a debt and any information that is obtained will be used for that purpose.

Dated this 11th day of February, 2010.

McCULLY & BEGGS, P.C.,  
Attorneys for Citibank, N.A.  
By /s/MARK S. BEGGS  
GUAM )

On this 11th day of February, 2010, before me, the undersigned Notary, personally appeared, MARK S. BEGGS, the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose, as attorney for Citibank, N.A.

/s/MAUREEN E. TAITANO  
NOTARY PUBLIC

In and for Guam, U.S.A.  
My Commission Expires:  
Aug. 15, 2010

Ste. 200, 139 Murray Blvd., Hagåtña



Mina' Trenta Na Liheslaturan Guahan  
THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan

Public Hearing Notice

Wednesday, March 10, 2010, Guam Legislature Public Hearing Room

8:30am

Agenda

Bill No. 239-30 (COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

Bill No. 244-30 (COR): An Act to reenact Section 6649(c) of Chapter 66 of Title 21, Guam Code Annotated relative to restoring the "DPW Building and Design Fee Account" for the purpose of funding the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.

Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.

Bill No. 261-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.

Bill No. Bill No. 283-30 (COR): An act to amend Section 9102 of 26GCA relative to ensuring the rights of the members of *Liheslaturan Guahan* to obtain a fiscal note on legislation placed on its session agenda.

Bill No. 298-30 (COR): An act to Amend §71202 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.

Bill No. 303-30 (COR): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Layon Landfill and the Ordot Dump in their backyards.

Bill No. 316-30 (COR): An act to add new definitions (i), (k), and (j) to §1102 of Chapter 1, Title 16; to add a new §3102.2, §3102.3, §3102.4 to Chapter 3, Title 16, to add a new §6233 of Article 2, Chapter 6, Title 4; all of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations.

Bill No. 319-30 (COR): An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensing Requirements and other purposes.

Bill No. 321-30 (COR): An act to appropriate One Hundred Fifty Two Thousand One Hundred and Three Dollars (\$152,103.00) and Two Hundred Forty Five Thousand Eight Hundred and Two Dollars (\$245,802.00) from the unappropriated Fiscal Year 2008 and 2009 ManPower Development Fund (MPDF) Revenues to the Guam Department of Labor (GDOL) and to authorize use of MDF Funds to hire unclassified workers.

Bill No. 325-30 (COR): An Act to add a new §2887a and a new Subarticle b to Chapter 28, Part 5, Division 1 of Title 18 of the Guam Code Annotated and for other purposes.

Bill No. 327-30 (COR): An act to amend §§2301(e) and 2303(b), and to add a new §2303(g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products.

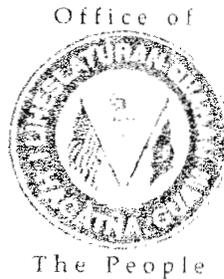
3:00pm Oversight of Chamorro Land Trust Commission

For copies of bills, you can log onto <http://guamlegislature.com>

If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236, email at [senben@guam.net](mailto:senben@guam.net) or log onto [www.senben.com](http://www.senben.com)

This ad paid for with government funds.

Pacific Daily News, Wednesday, March 3, 2010 · [guampdn.com](http://guampdn.com)



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

March 8, 2010

Memorandum

To: All Senators

From: Senator vicente c. pangelinan

Re: SECOND NOTICE Public Hearing

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

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

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing on numerous bills beginning at **8:30am on Wednesday, March 10, 2010** and at **3:00pm** will conduct an oversight of the **Chamorro Land Trust Commission** at the Guam Legislature's Public Hearing Room.

On **Thursday, March 11, 2010**, the Committee will receive testimonies for the **Official Zoning Map and Amendments of the "Dos Amantes" Planning Area, Municipality beginning at 5:30pm** in the Guam Legislature Public Hearing Room.

Copies of the Agenda for March 10 and March 11 are attached for your review.

For copies of the bill, you can log onto [www.guamlegislature.com](http://www.guamlegislature.com) or [www.senbenp.com](http://www.senbenp.com)

*Si Yu'os Ma'ase,*



Angelica Okada <aokada@guamlegislature.org>

## Second Public Hearing Notice\_All Senators

Anjelica Kulani Okada <aokada@guamlegislature.org>

Mon, Mar 8, 2010 at 8:50 AM

To: "Senator Tom C. Ada" <tom@senatorada.org>, "Senator Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator Edward J.B. Calvo" <sencalvo@gmail.com>, "Vice-Speaker Benjamin J. Cruz" <senadotbjcruz@gmail.com>, "Senator James V. Espaldon" <senator@espaldon.com>, "Senator Juith T. Guthertz, DPA" <judiguthertz@pticom.com>, "Senator Tina R. Muna-Barnes" <tinamunabarnes@gmail.com>, "Senator Adolpho B. Palacios" <ABPalacios@gmail.com>, "Senator Rory J. Respicio" <rorryforguam@gmail.com>, Senator Ray Tenorio <ray@raytenorio.com>, Senator Telo Taitague <senatortelo@gmail.com>, "Speaker Judith T. Won Pat" <info@judiwonpat.com>, Senator ben pangelinan <senbenp@guam.net>

Cc: COS - Frank Torres <fbtorres@yahoo.com>, Lisa Cipollone <cipo@guamlegislature.org>

Please see attached.

--

Anjelica Kulani I. Okada  
Policy Research Analyst  
I MINA'TRENTA NA LIHESLATURAN GUAHAN  
senator vicente "ben" c. pangelinan  
Committee on Appropriations, Taxation, Retirement, Banking, Insurance, and Land.  
(671) 473-4236 (office)  
(671) 473-4238 (fax)  
[senbenp.com](mailto:senbenp.com)  
[www.guamlegislature.org](http://www.guamlegislature.org)

SecondNoticePH\_031010.pdf  
759K



Angelica Okada <aokada@guamlegislature.org>

## Second Notice of Public Hearing\_Media

Anjelica Kulani Okada <aokada@guamlegislature.org>

Mon, Mar 8, 2010 at 8:43 AM

To: news@guampdn.com, news@k57.com, news@kuam.com, news@spbguam.com, msilva@pacificnewscenter.com, msilva@spbguam.com, jtyquiengco@spbguam.com, clynt@spbguam.com, kevin@spbguam.com, sabrina@kuam.com, jason@kuam.com, nick@kuam.com, heather@kuam.com, mindy@kuam.com, janjeera@kuam.com, gerry@mvguam.com, marvic@mvguam.com, managingeditor@glimpsesofiguam.com, rgibson@k57.com, aliciaperez69@hotmail.com, perezksto@gmail.com

### Wednesday, March 10, 2010 Guam Legislature Public Hearing Room Agenda

#### 8:30am

Bill No. 239-30(COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

Bill No. 244-30 (COR): An Act to reenact Section 6649(c) of Chapter 66 of Title 21, Guam Code Annotated relative to restoring the "DPW Building and Design Fee Account" for the purpose of funding the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.

Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.

Bill No. 261-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.

Bill No. 283-30 (COR): An act to amend Section 9102 of 2GCA relative to ensuring the rights of the members of *I Liheslaturan Guahan* to obtain a fiscal note on legislation placed on its session agenda.

Bill No. 298-30 (COR): An act to Amend §7120.2 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.

Bill No. 303-30 (COR): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot

Dump in their backyards.

Bill No. 316-30 (COR): An act to add *new* definitions (j), (k), and (jj) to §1102 of Chapter 1, Title 16; to *add* a new §3102.2, §3102.3, §3102.4 to Chapter 3, Title 16, to *add* a new §6233 of Article 2, Chapter 6, Title 4; all of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations.

Bill No. 319-30 (COR): An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensing Requirements and other purposes.

Bill No. 321-30 (COR): An act to appropriate One Hundred Fifty Two Thousand One Hundred and Three Dollars (\$152,103.00) and Two Hundred Forty Five Thousand Eight Hundred and Two Dollars (\$245,802.00) from the unappropriated Fiscal Year 2008 and 2009 ManPower Development Fund (MDF) Revenues to the Guam Department of Labor (GDOL) and to authorize use of MDF Fuds to hire unclassified workers.

Bill No. 325-30 (COR): An Act to add a new §28817a and a new Subarticle b to Chapter 28, Part 5, Division 1 of Title 18 of the Guam Code Annotated and for other purposes.

Bill No. 327-30 (COR): An act to amend §§2301(e) and 2303(b), and to add a new §2303(g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products.

### **3:00pm**

Oversight of Chamorro Land Trust Commission

## **Thursday, March 11, 2010 Guam Legislature Public Hearing Room Agenda**

### **5:30pm**

Official Zoning Map and Amendments of the "Dos Amantes Planning Area, Municipality of Dededo

**For copies of bills, you can log onto <http://guamlegislature.com>  
If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236 , email at [senbenp@guam.net](mailto:senbenp@guam.net) or log onto [www.senbenp.com](http://www.senbenp.com)  
This ad paid for with government funds.**

--

Anjelica Kulani I. Okada  
Policy Research Analyst

I MINA'TRENTA NA LIHESLATURAN GUAHAN

senator vicente "ben" c. pangelinan

Committee on Appropriations, Taxation, Retirement, Banking, Insurance, and Land.

(671) 473-4236 (office)

(671) 473-4238 (fax)

[senbenp.com](http://senbenp.com)

[www.guamlegislature.org](http://www.guamlegislature.org)

**2 attachments**

 **Agenda031001.pdf**  
91K

 **Agenda031101.pdf**  
71K

# SPORTS

## NOTES

▲ Continued from Page 30

Champion Sporting Goods, Hag Wad, Big Rock. All tournaments must be paid at the Guam Fishermen's Corp. no later than March 20. Official rules are on-line at [www.guamfishermen.com](http://www.guamfishermen.com). Inquiries call 463-7451. Paka at 658-1421 or Ray at 462-0361.

**Swimming**  
Department of Parks and Recreation begins swimming class registration 8 a.m. to 2 p.m. March 8 through March

12 at the Hagfish pool. Fee is \$50 per student. Limit 10 students per class. Classes are Tuesdays and Thursdays from March 16 through April 15. Classes are 7- through 9-year-olds 4 to 5 p.m., and classes for 10- through 12-year-olds 5 to 6 p.m. Info: Alan Ignacio at 472-5718.  
Department of Parks and Recreation begins class registration 8 a.m. to 2 p.m. March 8 through March 12 at the Hagfish pool. Participants are required to take a pre-test 6:30 to 8:30 p.m. March 15 at Hagfish pool. Info: Alan Ignacio at 472-5718.

## ON THE AIR

### TODAY

- ▲ **NASCAR:** Atlanta Motor Speedway, 3 a.m. on FOX6.
- ▲ **College basketball:** Florida at Kentucky, 3 a.m.; Missouri Valley Conference championship game, 5 a.m.; and Michigan at Michigan State, 7 a.m. on TV11.
- ▲ **NHL:** Detroit at Chicago, 3:30 a.m. on TV8.
- ▲ **PBA Tour:** Honda Classic, 6 a.m. on TV8.
- ▲ **Bull riding:** Built Ford Tough

Invitational, 11 a.m. on GUDTV Channels 42/452.  
▲ **NBA:** Washington Wizards at Boston Celtics, 11 a.m.; and Portland Trail Blazers at Denver Nuggets, 1:30 p.m. on GUDTV Channels 30/400.

### TOMORROW

▲ **NHL:** Dallas at Washington, 10 a.m. on GUDTV Channels 42/452.  
Information for On the Air is provided by ABC7, FOX6, GUDTV, X-57, KUAM and MCV. The Pacific Daily News is not responsible for any changes in scheduling.

## NOTICE OF TEMPORARY JOB OPPORTUNITIES WITH 2 YEARS EXPERIENCE

**3 BAKERS**... \$2,800/hour  
Prepares and bakes ingredients according to recipes to produce breads, pastries and other baked goods. Measures and mixes to prepare batters, doughs, fillings, and icings. Rolls, cuts and shapes dough to form products preparatory to baking. Places pans and bakes in oven. Adjusts control to regulate temperature. Applies glaze, icing or other toppings to baked goods using spatulas or brush. Must be familiar with HACCP (Hazard Analysis Critical Control Point) the systematic preventive approach to food safety that addresses physical, chemical, and biological hazards as a means of prevention rather than finished product inspection. Understands how HACCP applies to our industry and how HACCP is used in the food industry to identify potential food safety hazards, so that key actions known as Critical Control Points (CCPs) can be taken to reduce or eliminate the risk of the hazards being realized.  
Benefits: Round-trip airfare for out-of-state hires, food and lodging \$320.00/month and local transportation to and from jobsite.  
Interested applicants should apply at Guam Employment Service at the One Saco Center located at 6200 Building, 4th West Side, Hagåtña, GU. The job offer is open to all qualified United States citizens without regard to race, color, national origin, age, sex, ethnicity and is in compliance with Title I of the Genetic Information Nondiscrimination Act of 2008. The job offer is open to U.S. Workers with disabilities who are qualified, willing, able and available to perform the job. (EEOC No. 2010-049)

**WANTED**  
Construction Estimator  
Needed  
Apply at AIC Int'l in Agaña  
or Call AIC @ 565-9142  
E.E.O.

**PKA**  
FOR COLLECTIONS OPPORTUNITIES  
CALL 671-8711 OR 72  
A GUIDE TO  
SPEECH UP  
YOUR LIFE  
Write: Pika Team

**Dirt Doktor**  
General Contractors  
Earth Movers  
John (671) 688-7991  
jeamacho@guamcell.net/  
[www.dirtdoktorguam.com](http://www.dirtdoktorguam.com)

**VEHICLES FOR BID "AS IS"**  
2006 Mitsubishi Lancer  
03782  
UNITED PACIFIC COLLECTION AGENCY  
646-8163  
[www.upacollection.com](http://www.upacollection.com)  
We Reserve The Right To Refuse Any Or All Bids

## Public Hearing Notice

Wednesday, March 10, 2010, Guam Legislature Public Hearing Room  
Agaña

- §32000**  
Bill No. 239-30 (COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.
- §10000**  
Bill No. 244-30 (COR): An Act to amend Section 6549(c) of Chapter 66 of Title 21, Guam Code Annotated relative to restoring the DPW Building and Design Fee Account for the purpose of funding the operations of the Division of Engineering, Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.
- §10000**  
Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.
- §10000**  
Bill No. 251-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.
- §10000**  
Bill No. 253-30 (COR): An act to amend Section §1002 of 29 GCA relative to ensuring the rights of the members of U. Lhasabzaran Guahan to obtain a fecal note on legislation placed on its session agenda.
- §10000**  
Bill No. 256-30 (COR): An act to Amend §7102.2 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.
- §10000**  
Bill No. 263-30 (COR): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Ingehan as the Host Community for approximately the Solid Waste Deposit areas of the entire island of Guam resulting from the operation of the Layan Landfill and the Orolit Dump in their backyards.
- §10000**  
Bill No. 316-30 (COR): An act to add new definitions (1), (k), and (l) to §1002 of Chapter 1, Title 16, to add a new §1002.2, §1002.3, §1002.4 to Chapter 3, Title 16, to add a new §6223 of Article 2, Chapter 6, Title 4; of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations.
- §10000**  
Bill No. 318-30 (COR): An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104208 and to Amend Section 104209 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensure Requirements and other purposes.
- §10000**  
Bill No. 321-30 (COR): An act to appropriate One Hundred Fifty Two Thousand One Hundred and Three Dollars (\$152,103.00) and Two Hundred Forty Five Thousand Eight Hundred and Two Dollars (\$245,802.00) from the unappropriated Fiscal Year 2008 and 2009 ManPower Development Fund (MPDF) Revenues to the Guam Department of Labor (GDL) and to authorize use of MPDF funds to hire unclassified workers.
- §10000**  
Bill No. 325-30 (COR): An Act to add a new §2847a and a new Subarticle b to Chapter 28, Part 5, Division 1 of Title 18 of the Guam Code Annotated and for other purposes.
- §10000**  
Bill No. 327-30 (COR): An act to amend §62201(e) and 2303(b), and to add a new §2303(g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products.
- §10000** Oversight of Chomorro Land Trust Commission  
For copies of bills, you can log onto <http://guamlegis.guam.gov>  
If you require any special accommodations, please contact the Office of Senator Ben Panglossan at 473-4236, email at [senpang@guamcell.net](mailto:senpang@guamcell.net) or log onto [www.senpang.com](http://www.senpang.com)  
This ad paid for with government funds.

## Assistant Sports Editor (Full Time)

The Assistant Sports Editor assists the Sports Editor in managing the operations of the sports section of the Pacific Daily News; plans, designs, paginates, edits and produces sports news and information in print, online and other platforms on a daily basis. Excellent writing, grammar and punctuation skills required. Journalism education and/or sports experience preferred. Must be able to work flexible hours, including nights and weekends.

If interested, please drop off your application and/or resume at our office, fax it to (671) 472-1512 or email it to [esports@pacificnews.com](mailto:esports@pacificnews.com)

Pick up application forms from:  
**Pacific Daily News**  
GUAM'S *GO-TO* SOURCE  
[www.guampdn.com](http://www.guampdn.com)  
14 Archbishop Flores Street, Hagåtña, GU 96910  
from Monday - Friday, 9am - 5pm or download from [www.guampdn.com](http://www.guampdn.com)  
Federal law requires that anyone who is legally entitled to employment in the U.S. We comply with this law on a nondiscriminatory basis.  
We are an equal opportunity employer and appreciate the value of a diverse workforce.

**GREEN PAGES**

HOME IMPROVEMENT  
**JEIDA GUAM**  
GENERAL CONTRACTOR  
FENCING • PAINTING • PATIO/POOR  
RECONSTRUCTION • ROOF REPAIR  
FINE CARPENTRY • PLUMBING  
**FREE ESTIMATE**  
878-0644 / 456-8630

To advertise, please call 478-0205 or your Account Executive. The Green Pages run every Sunday, Monday, Wednesday and Friday.

HOME IMPROVEMENT  
**ROOF REPAIR**  
Waterblasting • Paint  
Roof Repair  
482-4321

HOME IMPROVEMENT  
**KLS.G CONSTRUCTION**  
Tel: 472-5560 Cell: 882-2942  
New & General Construction • Repair  
Warehouse • Iron Frame  
• All Repair Construction • Demolition  
• Interior Maintenance

CASH SERVICES  
**SSCASHSS**  
FOR YOUR GOLD, SILVER OR JEWELRY OF ANY KIND  
**SSCASHSS**  
FOR YOUR CAR, TRUCK, VAN OR BOAT  
CALL 929-7437

THERAPEUTIC MASSAGE  
**Rainbow Shiatsu**  
NEW MANAGEMENT  
NEW BACK DOOR - HOTEL SERVICE  
24 HOURS OPEN  
646-6669  
From Mon - Sun  
SILVER CREST, HONOLULU  
COURTESY PLAZA

THERAPEUTIC MASSAGE  
**Apple Massage**  
NEW LADIES  
Hotel & Lido's  
Coffee Shop  
In Agaña  
Tel: 477-6091B

THERAPEUTIC MASSAGE  
**Yumi's Shiatsu Massage**  
NEW LOCAL IN YIGO  
FILIPINO & CHAMORRO  
LADIES  
24 HOURS  
Tel: 863-8868 • 777-9856

TIRE & LUBE  
**OEZ TIRE & LUBE**  
Hours of Operation  
Mon-Sat 7am-5pm Daily / Closed Sunday  
Mobil Quick Lube  
Oil Change  
**\$23.95**  
Special Auto Care Package  
**\$59.95**  
Tel: 848-4011 (4645) or 888-3775  
Tanning, Marina Corps Dr. & Airport Rd. Intersection

**GCC**  
Guam Community College  
Planning & Development Office  
Sesame Street • Mangilao, Guam 96913  
Phone: (671)735-5514/735-5517 • Fax (671)735-5514 • TDD: (671)734-8324

## NOTICE OF FUNDING AVAILABILITY

For the Program Year 2010  
Workforce Investment Act, Title I Adult Education & Family Literacy Act  
Carl D. Perkins Act of 2006, Career & Technical Education

The State Agency for Adult and Career & Technical Education (Guam Community College) is announcing the announcement of the availability of Federal (education) funds for the implementation of:  
• Adult Education Programs described in the Guam State Plan for Workforce Investment Act, Title II Adult Education & Family Literacy Act, July 1, 2009-June 30, 2010 (WIA, 1998) (CFDA 84.002) as amended.  
• Career and Technical Education Programs described in Guam's Career and Technical Education State Plan, July 1, 2009-June 30, 2010 (Carl D. Perkins Act of 2006) (CFDA 84.048).

The State Agency Office (SAGOC-Planning & Development Office) is inviting eligible providers/recipients, as defined below, to submit applications:  
• Eligible provider (WIA, Title II §203(5)) is defined as (A) a local educational agency; (B) a community-based organization of demonstrated effectiveness; (C) a volunteer literacy organization of demonstrated effectiveness; (D) an institution of higher education; (E) a public or private nonprofit agency; (F) a library; (G) a public housing authority; (H) a nonprofit institution that is not described in any of the above (A)-(G) and has the ability to provide literacy services to adults and families; and (I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of the above (A)-(H).  
• Eligible recipient (Carl D. Perkins, Career & Technical Education Empowerment Act of 2006) is defined as (A) a local educational agency, an area career and technical education school, an educational service agency, or a consortium, eligible to receive assistance under section 101 or (B) an eligible institution or consortium of eligible institutions eligible to receive assistance under section 102.

Estimated total program funds: \$700,000. Estimated number of awards: 10  
Cost of Sharing or Matching requirement: N/A

The State Agency Office (Planning and Development) will conduct two Technical Assistance Workshops for eligible providers interested in applying for adult education and family literacy programs (WIA, Title II) applicants; workshop will be held on Tuesday, March 16, 2010 from 8:30 a.m. to 12:00 noon. For career & technical education program funds (Perkins IV) applicants; workshop will be held on Thursday, March 18, 2010 from 8:30 a.m.-12:00 noon. Both sessions will be held at GCC's Mangilao campus in Room 201, Technology Center. Interested eligible providers should call for reservations by Wednesday, March 10, 2010. Please call Ms. Tori Chamberlain at 735-5514 for reservations, or if you should require special accommodations. Mini Clinics will also be conducted Monday through Friday, March 22-26 from 4:00-5:00 p.m. in the ASD Conference Room of GCC's Student Services and Administration Building.

Interested eligible providers/recipients should pick up application forms at GCC's Planning & Development Office, Room 2209 of 2213, Student Services and Administration Building beginning March 3, 2010. The deadline for submission of application is 5:00 p.m., April 15, 2010 at the Planning & Development Office. The application is subject to evaluation and availability of Federal funds.

This advertisement may also be viewed electronically at [www.guampdn.com](http://www.guampdn.com) (What's New). If electronic access problems occur, please contact Ms. Tori Chamberlain at (671)735-5514 or E-mail [toricham@guamcc.edu](mailto:toricham@guamcc.edu).

This advertisement is paid for with WIA/Perkins funds provided by the U.S. Department of Education.  
/s/ Catherine K. Santos  
for MARY A.Y. OKADA, Ed. O.

Let the Pacific Daily News Classifieds Work for YOU!

Pacific Daily News  
GUAM'S *GO-TO* SOURCE  
[www.guampdn.com](http://www.guampdn.com)

Call 472-1PDN for more information

48 hr Notice  
PDN

# Author to visit schools

By Therese Hart  
therese@mvguam.com  
Variety News Staff

ERIC Ode, an award-winning songwriter and author of children's books, will be visiting public and private schools on Guam this week and the next, presenting his program, "Catch a Song, Stretch a Song, Turn it Inside Out."

Ode uses music and poetry to open doors to the writing process, according to his website.

Fourteen schools participated in the 2009 Read-A-Thon to raise the funds for his visit, according to a press release from the International Reading Association.

Ode will be IRA's guest at its general membership meeting on Saturday, March 13 at the Guam Reef Hotel from 8 to 11 a.m.

Parents and teachers are invited to buy books and browse teacher materials at 8 a.m. The meeting begins at 9 a.m., according to the release.

Admission is free for members and there is a \$5 charge for non-members.

Ode will also visit the Hagatna Public Library for Story Hour on Saturday, March 20, from 10-11 a.m.

For older children he will have a songwriting workshop at the IP Cafe in Mangilao from 2 to 4 p.m. the same day.

Ode is a children's author, award-winning songwriter, and widely published poet from Washington State near the Seattle and Tacoma area.

A former elementary teacher, Eric shares concerts, music and poetry assemblies. He also writes workshops for schools, libraries, and festivals.

▼ Eric Ode, an award-winning songwriter and author of children's books, will be visiting public and private schools on Guam.



Contributed photo

# 'Stories of Women Entrepreneurs'

(UOG) - The publication International Journal of Entrepreneurship which features "Stories of Women Entrepreneurs" will be released today at 2 p.m. at the University of Guam's School of Business and Public Administration, IT&E Lecture Hall.

Edited by UOG professor Maria Claret M. Ruane, Ph.D. and sponsored by the University of Guam School of Business and Public Administration, the issue features challenges, perseverance and successes by women entrepreneurs from Guam, New York, the Philippines and an emerging Asian country.

Each paper highlights the universality of the women entrepreneur's persistent and untiring spirit and the rewards for her hard work.

The papers in this issue highlight a number of important themes, including

► How another entrepreneur in the family provides the inspiration to become women entrepreneurs as in the cases of Ms. Del'Agahan, the evolving entrepreneur; Ms. Victoria Bello-Jardiolin, the fair lady entrepreneur; and one unidentified entrepreneur in "Spirit Inherited."

► How niche marketing can be an effective business strategy in the cases of Ms. Maria

Cecilia Tamura, Ms. Victoria Bello-Jardiolin, the fair lady entrepreneur; Ms. Nicole Kawabata; Ms. Stacy Evans; and one unidentified

► How some women entrepreneurs like Ms. Sharon Davidson and Dr. Audrey Claire Lucero Camacho were prepared by their education and work experience to seize the entrepreneurial opportunity, while others like Lee (Ms. Librada Angoco Sablan Borja) and Nene (Ms. Nemesia Magbuhat) did not have any preparation at all and yet took the chance to become women entrepreneurs as a means toward financial independence

► How a woman entrepreneur faced common challenges but responded to them with perseverance as in the case of Ms. Denise Mendiola-Hertslet

The Dean at the School of Business and Public Administration at the University of Guam, Dr. Anita Borja Enriquez, supported this journal issue and contributed one paper in this journal issue.

"I am also grateful to the Academy for providing us with the outlet through which we can share this issue with scholars, educators, students and entrepreneurs around the world. Special thanks are due to the members of my Editorial Review Board for their collegiality and service to our profession," Ruane said.

Consistent with the editorial practice of the Academy on all 17 journals it publishes, each paper in this issue has undergone a double-blind, peer-review process.

Information about the Allied Academies, the IJE, and the other journals published by the Academy, as well as calls for conferences, are published at [www.alliedacademies.org](http://www.alliedacademies.org).



Notice  
4/8 hr  
MM

## DEVELOPMENTAL DISABILITIES AWARENESS MONTH

# FILM FESTIVAL

March is Developmental Disabilities Awareness Month. The Guam Tri-Agency on Developmental Disabilities is proud to present the FIRST EVER Developmental Disabilities Film Festival!

### featuring

## INCLUDING SAMUEL

A DOCUMENTARY FILM BY DAN HABIB

**PBS Guam Channel 12**  
7pm, Wednesday, March 10  
Rebroadcast 5pm, Saturday, March 13

Before his son Samuel was diagnosed with cerebral palsy, photojournalist Dan Habib rarely thought about the inclusion of people with disabilities. Now he thinks about inclusion every day. Shot and produced over four years, Habib's award-winning documentary film, *Including Samuel*, chronicles the Habib family's efforts to include Samuel in every facet of their lives.

Synopsis from <http://www.includingsamuel.com>

For more information, call 735-2477 or 477-9811.

### Broadcast Schedule

All films will air Wednesdays and Saturdays this March on PBS Guam KGTF Channel 12

**Including Samuel**  
7pm, Wednesday, March 10  
5pm, Saturday, March 13

**Body & Soul**  
7pm, Wednesday, March 17  
5pm, Saturday, March 20

**The Key of G**  
7pm, Wednesday, March 24  
5pm, Saturday, March 27







**Mina' Treanta Na Liheslaturan Guabao**  
**THIRTIETH GUAM LEGISLATURE**

Senador vicente "ben" c. pangelinan

**Public Hearing Notice**  
Wednesday, March 10, 2010  
Guam Legislature Public Hearing Room

**Agenda**

**8:30 am**

**Bill No. 239-10 (CDBR)** An act to appropriate Ten Thousand Five Hundred Fifty Five Dollars (\$25,500) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

**Bill No. 344-10 (CDBR)** An act to amend Section 100001 of Chapter 10, Title 21, Guam Code Annotated relative to requiring the "OPM" Building and Design Fee Assmt" for the purpose of funding the operations of the Division of Engineering and Improvement Project Building Permits and Inspection Section of the Department of Engineering (DE).

**Bill No. 345-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 346-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 347-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 348-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 349-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 350-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 351-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 352-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 353-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 354-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 355-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 356-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 357-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 358-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 359-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**Bill No. 360-10 (CDBR)** An act to amend Section 102001 of Chapter 22 of the Guam Code Annotated to provide for the construction of a public trash transfer station.

**3:00 pm**  
Overight of Chamorro Land Trust Commission

For copies of bills, you can log onto <http://guamlegislature.com>  
If you require any special accommodations, please contact the  
Office of Senator Ben Pangelinan at 473-4236 or email at [ben@senben.com](mailto:ben@senben.com)  
or log onto [www.senben.com](http://www.senben.com).



**Mina' Trenta Na Liheslaturan Guahan**  
**THIRTIETH GUAM LEGISLATURE**

**Senator vicente "ben" c. pangelinan**

---

**Public Hearing Notice**  
**Wednesday, March 10, 2010**  
**Guam Legislature Public Hearing Room**

**Agenda**

**8:30am**

**Bill No. 239-30(COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.**

**Bill No. 244-30 (COR): An Act to reenact Section 6649(c) of Chapter 66 of Title 21, Guam Code Annotated relative to restoring the "DPW Building and Design Fee Account" for the purpose of funding the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.**

**Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.**

**Bill No. 261-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.**

**Bill No. Bill No. 283-30 (COR): An act to amend Section 9102 of 2GCA relative to ensuring the rights of the members of *I Liheslaturan Guahan* to obtain a fiscal note on legislation placed on its session agenda.**

**Bill No. 298-30 (COR): An act to Amend §7120.2 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.**

**Bill No. 303-30 (COR):** An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot Dump in their backyards.

**Bill No. 316-30 (COR):** An act to add *new* definitions (j), (k), and (jj) to §1102 of Chapter 1, Title 16; to *add* a new §3102.2, §3102.3, §3102.4 to Chapter 3, Title 16, to *add* a new §6233 of Article 2, Chapter 6, Title 4; all of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations.

**Bill No. 319-30 (COR):** An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensing Requirements and other purposes.

**Bill No. 321-30 (COR):** An act to appropriate One Hundred Fifty Two Thousand One Hundred and Three Dollars (\$152,103.00) and Two Hundred Forty Five Thousand Eight Hundred and Two Dollars (\$245,802.00) from the unappropriated Fiscal Year 2008 and 2009 ManPower Development Fund (MDF) Revenues to the Guam Department of Labor (GDOL) and to authorize use of MDF Fuds to hire unclassified workers.

**Bill No. 325-30 (COR):** An Act to add a new §28817a and a new Subarticle b to Chapter 28, Part 5, Division 1 of Title 18 of the Guam Code Annotated and for other purposes.

**Bill No. 327-30 (COR):** An act to amend §§2301(e) and 2303(b), and to add a new §2303(g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products.

3:00pm

Oversight of Chamorro Land Trust Commission

Bureau of Budget & Management Research
Fiscal Note of Bill No. 327-30 (COR)

AN ACT TO AMEND §§2301(e) AND 2303(b), AND TO ADD A NEW §2303 (g) TO ARTICLE 3, CHAPTER 2 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO PETROLEUM SALE, ACCOUNTING AND INSPECTION OF PETROLEUM PRODUCTS.

Department/Agency Appropriation Information

Table with 2 columns: Dept./Agency Affected and Dept./Agency Head. Rows include: Dept./Agency Affected: Department of Revenue & Taxation; Dept./Agency Head: Artemio B. Ilagan; Department's General Fund (GF) appropriation(s) to date: \$9,642,349; Department's Other Fund (Specify) appropriation(s) to date: \$755,482 (Tax Collection Enhancement Fund) / \$1,542,232 (Better Public Service Fund) \$2,297,714; Total Department/Agency Appropriation(s) to date: \$11,940,063

Fund Source Information of Proposed Appropriation

Table with 4 columns: General Fund, Other, Total. Rows include: FY 2010 Adopted Revenues (\$540,218,638, \$112,566,011, \$652,784,649); FY 2010 Appro. (P.L. 30-55 thru 30-92) (\$540,228,724, (\$113,520,186), (\$653,748,910)); Sub-total: (\$10,086, (\$954,175), (\$964,261)); Less appropriation in Bill (\$0, \$0, \$0); Total: (\$10,086, (\$954,175), (\$964,261))

Estimated Fiscal Impact of Bill

Table with 7 columns: One Full Fiscal Year, For Remainder of FY 2010 (if applicable), FY 2011, FY 2012, FY 2013, FY 2014. Rows include: General Fund (\$0, \$0, \$0, \$0, \$0, \$0); Special Fund (\$0, \$0, \$0, \$0, \$0, \$0); Total (\$0, \$0, \$0, \$0, \$0, \$0)

- 1. Does the bill contain "revenue generating" provisions? // Yes /x/ No
2. Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A // Yes // No
3. Does the Bill establish a new program/agency? // Yes /x/ No
4. Will the enactment of this Bill require new physical facilities? // Yes /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Requested agency comments not received by due date // Other: // Yes // No

Analyst: Michael M. Aflague, B&M Analyst, BBMR Date: 2/23/10 Director: Bertha M. Duenas, Director, BBMR FEB 26 2010

Footnotes: The Bill has a potential for additional funding impact, however in its present form that impact cannot be determined at this time.



I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
THIRTIETH GUAM LEGISLATURE  
2010 (SECOND) REGULAR SESSION

BILL NO. 327 -30(02)

Introduced by:

v.c. pangelinan

AN ACT TO AMEND §§2301(e) AND 2303(b), AND TO  
ADD A NEW §2303 (g) TO ARTICLE 3, CHAPTER 2  
OF TITLE 11 GUAM CODE ANNOTATED RELATIVE  
TO PETROLEUM SALE, ACCOUNTING AND  
INSPECTION OF PETROLEUM PRODUCTS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* has received a request from the Department of Revenue and Taxation for assistance in implementing the temperature compensation calibration of retail gasoline dispensing pumps. In March 2008, the Weights and Measures Branch of the Department of Revenue and Taxation obtained two (2) five (5) gallon Metal Prover calibrated for eighty-five Fahrenheit (85°F) Reference Temperature. There are nine hundred ninety-three (993) meters being used with gas dispensers located in forty-seven (47) Gas Stations throughout the island dispensing gasoline. The gas companies are not in compliant with the temperature compensation calibration because the gas pumps they are using have a rated capacity of twenty five (25) gallons per minute or less.

It is the intent of *I Liheslaturan Guåhan* to remove this loophole so that the Weights and Measures Branch of the Department of Revenue and Taxation could calibrate the meters. The price of gasoline makes it imperative that this government ensures that our people receive the correct quantity of gasoline in exchange for their hard earned dollars. *I Liheslaturan Guåhan* further intends to require the gasoline companies as they renovate an existing Gas Station to replace the existing gas pump with state of the art pumps equipped with automatic temperature compensation calibration apparatus. New Gas Stations shall be required to be equipped with gas pumps with automatic temperature compensation calibration

1 apparatus. The sale of motor oil and gasoline additives shall be exempted  
2 from this act.

3 **Section 2. Amendment of § 2301(e).** Section 2301(e) of Chapter 2,  
4 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as  
5 follows:

6 “§2301(e) ‘*Petroleum products*’ include automotive gasoline; diesel  
7 fuels; fuel oils; liquefied petroleum gas (both liquid and vapor); residuals,  
8 distillates and fractions; kerosene; aviation fuels; turbine fuels; solvent;  
9 hydro-carbons or synthetics; crude oil; lubrication oil; or any other oil or  
10 distillates or blends of the above, or any other product or byproduct normally  
11 considered petroleum product and synthetic natural gas, or natural gas and  
12 manufactured gas or blends. This section shall not apply to motor oil sold in  
13 quart size or gallon containers; performance fuel additives or engine  
14 cleaners.

15 **Section 3. Amendment of § 2303(b).** Section 2303(b) of Chapter 2,  
16 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as  
17 follows:

18 “§2303(b) All metered sales by the gallon or liter, ~~except those using~~  
19 ~~meters with a maximum rated capacity of twenty five (25) gallons per~~  
20 ~~minute or less,~~ shall be accomplished by the use of a meter and/or device  
21 that automatically compensates for temperature.

22 **Section 4. Addition of new §2303(g).** A new §2303(g) is hereby  
23 added to Chapter 2, Article 3 of Title 11 Guam Code Annotated to read as  
24 follows:

25 “§2303(g) All existing Gas Stations shall comply with §2303(b)  
26 within six (6) months after enactment. All proposed new Gas Stations shall  
27 use gas pumps equipped with automatic temperature compensation  
28 calibration apparatus.

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