



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

Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

MAY 19 2010

2010 MAY 19 PM 3:41

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. 103-30 (COR) "AN ACT TO AMEND §§51202(a) AND 51207 OF ARTICLE 2, CHAPTER 51 OF TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND §3401.1(h)(4) OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO DOUBLING THE PENALTIES FOR LITTERING FOR VIOLATORS THAT DISCARD CIGARETTES FROM VEHICLES WHEN THE FIRE DANGER RATING IS HIGH", which I signed into law on May 17, 2010 as Public Law 30-135.

Sins eru yan Maga'het,

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

30-10-0453

Attachment: copy of Bill

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

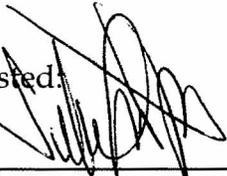
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 103-30 (COR), "AN ACT TO AMEND §§ 51202(a) AND 51207 OF ARTICLE 2, CHAPTER 51 OF TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND §3401.1.(h)(4) OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO DOUBLING THE PENALTIES FOR LITTERING FOR VIOLATORS THAT DISCARD CIGARETTES FROM VEHICLES WHEN THE FIRE DANGER RATING IS HIGH", was on the 3<sup>rd</sup> day of May, 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guåhan* this 5<sup>th</sup> day of May, 2010, at  
4:00 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's* Office

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

Date: MAY 17 2010

Public Law No. P.L. 30-135

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

**Bill No. 103 (COR)**

As substituted by the Committee on Rules,  
Natural Resources, and Federal, Foreign, &  
Micronesian Affairs, and amended on the Floor.

Introduced by:

Telo Taitague  
Judith T. Won Pat, Ed.D.  
Adolpho B. Palacios, Sr.  
T. C. Ada  
V. Anthony Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Judith P. Guthertz, DPA  
T. R. Muña Barnes  
v. c. pangelinan  
R. J. Respicio  
Ray Tenorio

**AN ACT TO *AMEND* §§ 51202(a) AND 51207 OF  
ARTICLE 2, CHAPTER 51 OF TITLE 10, GUAM CODE  
ANNOTATED; AND TO *AMEND* §3401.1.(h)(4) OF  
TITLE 16 OF THE GUAM CODE ANNOTATED,  
RELATIVE TO DOUBLING THE PENALTIES FOR  
LITTERING FOR VIOLATORS THAT DISCARD  
CIGARETTES FROM VEHICLES WHEN THE FIRE  
DANGER RATING IS HIGH.**

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

2           **Section 1.** §51202(a) of Article 2, Chapter 51 of Title 10, Guam Code  
3 Annotated, is hereby *amended* to read as follows:

4           “(a) *Apprehending Officers* shall mean any designated individual  
5 with the Department of Parks and Recreation, the Department of  
6 Agriculture, the Guam Environmental Protection Agency, the Department of  
7 Public Health and Social Services, the Department of Public Works, all  
8 village mayors and assistant mayors, any peace officer in the Guam Police  
9 Department, including the C.A.P.E. volunteers, the A.B. Won Pat  
10 International Airport Authority Police, the Port Authority of Guam Police,  
11 and the Guam Fire Department’s uniformed personnel.”

12           **Section 2.** §51207 of Article 2, Chapter 51 of Title 10, Guam Code  
13 Annotated, is hereby *amended* to read as follows:

14           “**§51207. Penalties.**

15           (a) Littering *shall* be punishable by a fine of *not less than* Two  
16 Hundred Dollars (\$200.00), nor more than One Thousand Dollars  
17 (\$1,000.00) . Any person convicted of a second or subsequent litter offense  
18 shall also be required by the Court to pick up and remove litter from a  
19 public place under the supervision of the Superior Court of Guam’s  
20 Probation Office, or its designee, or as the Court shall otherwise provide, for  
21 a period of *not less than* eight (8) hours for each offense, but in *no* case  
22 shall the amount of litter collected be *less than* five hundred (500) pounds.

23           Any person convicted of any litter offense may also be required by  
24 the Court to pay the cost of removing the litter they caused. The Superior  
25 Court of Guam shall transfer all money collected to pay fines imposed under  
26 this Section to the Guam Environmental Protection Agency for use in the

1 Litter and Defacement Control Revolving Fund established by § 51204 of  
2 Title 10 of the Guam Code Annotated. Any peace officer, as that term is  
3 defined by 8 GCA §5.55, may issue a citation for a litter offense.

4 (b) A person charged with a first violation may avoid a court  
5 hearing by posting bail in the amount of the minimum fine or paying such  
6 prescribed fine as the Traffic Court Division of the Superior Court shall  
7 prescribe.

8 (c) When the risk of fire is determined to be high, in accordance  
9 with the provisions of 10GCA §63704, any person convicted of a violation  
10 of this Chapter for discarding a cigarette, lit or unlit, from a moving or  
11 stationary motor vehicle, during the time the risk of fire is determined to be  
12 high, *shall* be subject to two (2) times the fine and/or community service  
13 penalties prescribed herein in this Section.

14 Any person convicted of violating this Section *shall not* be relieved  
15 from any charges that may arise as a consequence of a violation of this  
16 Section.”

17 **Section 3.** §3401.1.(h)(4) of Chapter 3, Title 16 of the Guam Code  
18 Annotated is *amended* to read as follows:

19 “(4) obtain a certificate from the Chief of Police demonstrating the  
20 completion of a required course of instruction and training that includes  
21 training in measures to avoid dangerous confrontations with violators of this  
22 Section. In addition, training *shall* include the enforcement of litter control  
23 laws. The course of instruction and training *shall* be at *no* cost to the  
24 volunteer. Retired “*uniformed personnel*” are exempted from this  
25 subsection.”

1           **Section 4. Effective Date.** The effective date of Section 2 of this Act  
2 *shall* be thirty (30) days following the date of enactment. In the interim, law  
3 enforcement officers *shall* advise violators of the increased penalties that will be  
4 enforced upon the effective date. Sections 1 and 3 *shall* be effective upon  
5 enactment.

SENATOR RORY J. RESPICIO  
MAJORITY LEADER

CHAIRPERSON  
COMMITTEE ON RULES, NATURAL RESOURCES  
AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS



*I Mina' Trenta na Liheslaturan Guåhan*  
THIRTIETH GUAM LEGISLATURE

April 19, 2010

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
I Mina' Trenta na Liheslaturan Guåhan  
155 Hesler Place  
Hagåtña, Guam 96910

2010 APR 23 PM 3:29  
JKW

**RE: Committee Report on Bill No. 103 (COR) As Substituted**

Dear Speaker Won Pat:

The Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs, to which was referred **Bill No. 103 (COR) – T. Taitague – “An act to Amend §51207 of 10GCA relative for doubling the penalties for littering for violators that discard cigarettes from vehicles when the fire danger rating is high”**, hereby reports out its findings and recommendations.

Committee votes are as follows:

  6          TO PASS  
  0          NOT TO PASS  
  1          TO REPORT OUT ONLY  
  0          TO ABSTAIN  
  0          TO PLACE IN INACTIVE FILE

Very Truly Yours,

  
**Judith P. Gathertz, DPA**  
Acting Chairperson

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
**COMMITTEE ON RULES, NATURAL RESOURCES**  
**AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS**



*I Mina'Trenta na Liheslaturan Guåhan*  
**THIRTIETH GUAM LEGISLATURE**

**Committee Report on**  
**Bill No. 103-30(COR) As Substituted**  
**By the Committee on Rules, Natural Resources,**  
**and Federal, Foreign & Micronesian Affairs**

**“An act to Amend §51207 of 10GCA  
relative for doubling the penalties for  
littering for violators that discard  
cigarettes from vehicles when the fire  
rating is high.”**

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
**COMMITTEE ON RULES, NATURAL RESOURCES**  
**AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS**

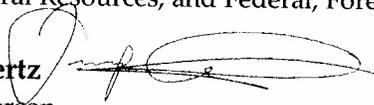


*I Mina'Trenta na Libeslaturan Guåhan*  
**THIRTIETH GUAM LEGISLATURE**

April 19, 2010

**MEMORANDUM**

**To:** All Members  
Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs

**From:** Senator Judith P. Guthertz   
Acting Committee Chairperson

**Subject:** Committee Report on Bill No. 103 (COR) As Substituted

Transmitted herewith for your consideration is the report on Bill No. 103 (COR) As Substituted by the Committee on Rules, Natural Resources, and Federal, Foreign and Micronesian Affairs. This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- A Copy of Bill No. 103 (COR) As Substituted
- A Copy of Bill No. 103 (COR) As Introduced
- Public Hearing Sign-in Sheet
- Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 103 (COR)
- Notices of Public Hearing & Related Correspondence
- Public Hearing Agenda

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

*Si Yu'os ma'åse'!*



# COMMITTEE ON RULES

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

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

## Committee Voting Sheet

Bill No. 103 as Substituted by the Committee on Rules (COR) – “An act to Amend § 51207 of 10GCA relative for doubling the penalties for littering for violators that discard cigarettes from vehicles when the fire danger rating is high.”

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
SENATOR RORY J. RESPICIO Chairperson		✓				
SENATOR JUDITH P. GUTHERTZ Vice-Chairperson		✓				
SPEAKER JUDITH T. WON PAT, Ed.D. Member	 04/23/10	✓				
VICE-SPEAKER BENJAMIN J.F. CRUZ Member						
LEGISLATIVE SECRETARY TINA ROSE MUÑA BARNES Member		✓				
SENATOR THOMAS C. ADA Member		✓				
SENATOR FRANK B. AGUON, JR. Member						
SENATOR ADOLPHO B. PALACIOS Member		4/23/10 ✓				
SENATOR VICENTE C. PANGELINAN Member		4/23/10		✓		
SENATOR FRANK F. BLAS, JR. Minority Member						
SENATOR JAMES V. ESPALDON Minority Member						

# SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON  
COMMITTEE ON RULES, NATURAL RESOURCES  
AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS



*I Mina'Trenta na Liheslaturan Guåhan*  
THIRTIETH GUAM LEGISLATURE

## COMMITTEE REPORT DIGEST

### I. OVERVIEW

The Committee on Rules, Natural Resources and Federal, Foreign and Micronesia Affairs convened a public hearing on Friday, July 17, 2009 at 9:00 A.M. in the Public Hearing Room of *I Liheslaturan Guåhan*. Among the items on the agenda was the consideration of Bill No. 103 (COR) – “An act to amend §51207 of 10GCA relative for doubling the penalties for littering for violators that discard cigarettes from vehicles when the fire danger rating is high.”

#### Public Notice Requirements

Notices were disseminated via e-mail to all senators and to all main media broadcasting outlets on July 10, 2009. Notices were sent to the same parties again on July 15, 2009, thereby meeting the noticing requirements of the Open Government Law. Notice was also transmitted to Guam Fire Department Chief David Peredo and Guam Environmental Protection Agency Administrator LoriLee Crisostomo.

#### Senators Present

Senator Rory J. Respicio, Chairperson  
Senator Thomas C. Ada, Member  
Senator Telo Taitague

### II. SUMMARY OF TESTIMONY & DISCUSSION

**Senator Rory J. Respicio** called the public hearing on Bill No. 103 (COR) to order and deferred to bill sponsor, Senator Telo Taitague, for opening remarks.

**Senator Telo Taitague**, sponsor of Bill 103, thanks Senator Respicio for hearing the bill and thanks the individuals present for coming to provide testimony. She announces the title of Bill 103 – An Act to Amend § 51207 of Title 10 Guam Code Annotated relative to doubling the penalties for violators that discard cigarettes from vehicles while the Fire Danger Rating is high.

**Ms. LoriLee Crisostomo**, Administrator of Guam Environmental Protection Agency (Guam EPA), was first to testify. **Ms. Crisostomo** expressed Guam EPA’s support of **Bill 103**. She adds that based on data received by GEPA, the issuance of tickets for littering, and subsequently, the littering fines collected, started to decline in 2004 and stopped altogether by 2007. She attributes this trend to three factors: (1) No yearly

training by the Guam Traffic Court of all litter control custodians; (2) Most litter cases that were challenged in court were dropped by the assigned litter ticket Judge; and (3) The lack of participation by other agencies to issue litter citations.

Ms. Crisostomo further adds that while Guam EPA fully supports intent of this Bill, the agency is concerned that full compliance with the law will not be realized without adequately addressing the aforementioned factors affecting the decline in ticket issuance and fine collection. An added concern is expressed in regards to the financial management of the funds derived from littering fines. More specifically, Ms. Crisostomo mentions that Guam EPA records indicate that the last deposit made into the respective fund was in 2004, although a total of \$20, 953.70 is known to have been collected as a result of litter citations issued between 2004 and 2006.

In closing, Ms. Crisostomo emphasizes that protecting the environment is paramount. Speaking on behalf of her agency, she expresses her belief that Bill 103 fulfills an important component of an integrated approach to protecting the environment and is an added step towards fulfilling the island's overall vision and desire for a better managed solid waste program for our community.

**Mr. Dave Peredo, Chief of the Guam Fire Department** is next to testify; and reads his written testimony (attached) for the record. Chief Peredo's testimony expresses the Guam Fire Department's endorsement of Bill 103. It also provides statistics on the number of fires per year on Guam, along with the locations and causes of these fires. Lastly, it highlights the impact these fires have of overtaxing GFD personnel and equipment resources, but also the severe impact they have on Guam's environment.

Ms. Crisostomo and Chief Peredo were the only two individuals present to testify, so this closed the testimony period; and Senator Respicio moved into the open discussion portion of the hearing, beginning with questions from Senator Thomas C. Ada.

### **Discussion Summary**

Additional individuals appearing before the Committee included:

- Mr. Betwin Alokea, Pesticide Enforcement Officer, Guam EPA
- Mr. Pete Cruz, Guam EPA - Air Pollution Control Program

In the exchange between the panel of senators and those present before the Committee, the issues identified below were addressed as they relate to Bill No. 103.

**Who has the authority to issue citations?**

The authority rests with the Guam EPA, Department of Public Health, Guam Police Department, Parks & Recreation, and Department of Public Works, Peace Officers and Village Mayors.

**Who is responsible for certification of these individuals?**

The Traffic Court; however, the Court has not been providing the requisite annual training. While Guam EPA has broached the issue with the Courts, there has been no thorough follow-through to bring back the annual training. Guam EPA is asked to assign a staffer to this issue.

**What are some of the challenges involved with issuing litter citations?**

Challenges with issuing litter citations, specifically to Guam EPA, include the risk of the personal safety of the employees. Guam EPA tells the Committee that some employees have been specifically advised by Guam Police Department not to write litter citations, and cautions the employees with pullovers.

Other challenges also include:

- Staffing shortages, for Guam EPA;
- The lack of participation from all authorized parties; and
- The issue of funding – from tracking, to withholding, and distribution; and
- The issue of court cases – most cases that make it to court are dropped by the Judge for lack of evidence;

**What are some of the suggested solutions?**

On this issue of suggested solutions for enforcement, Guam EPA representatives suggest instituting a program that allows for the hiring for retired peace officers or law enforcement officers for this specific duty.

On this issue of suggested solutions for a deterrent, Senator Taitague, sponsor of Bill 103, presented information she had on studies citing a high fine as successful deterrent to littering. Further suggested during discussion was not only doubling the fine from \$100 to \$200, but reinstating the initial fine level of \$500.

On the overall issue of littering, an educational campaign was discussed in regards to whether or not one has ever been launched, along with the possibility of launching one at a future, appropriate time.

There being no further discussion, Senator Respicio concluded the public hearing on Bill No. 103 (COR).

### III. FINDINGS & RECOMMENDATIONS

The Committee Rules, Natural Resources, and Federal, Foreign, & Micronesian Affairs finds that the errant discarding of cigarette butts is the single most prevalent form of littering violations on Guam. In addition to the unsightly scares that cigarette litterers place on Guam's landscape, cigarettes are also the most common cause of wild land and grassland fires. In recent years, forest fires have decimated thousands of square miles of wilderness in Australia, China, several countries in South America and throughout North and Central America.

The Committee further finds that Guam has had a history of many grass fires where discarded cigarettes have been determined to be the cause. As in many places throughout the globe, Guam too is expecting drier dry seasons and higher fire danger risks.

The Committee finds and concurs with the unanimous support from witness testifying at the public hearing on Bill No. 103-30. The committee notes that suggestions to address concerns with the judiciary's handling of litter citations go beyond the scope of the bill and the single-subject limitations required by the Standing Rules. The Committee further finds that citations issued for littering where the citing officer observed the act of littering are not an issue with the courts. The Committee agrees with witnesses that the authority to issue citations should be expanded to all law enforcement agencies on Guam. The Committee further agrees with witnesses and the author that a larger penalty for all littering violations is also appropriate.

The Committee therefore includes in a substitute bill (1) The raising of basic littering penalty from \$100 to \$200 and (2) to add the Guam International Airport Authority Police, the Port Authority of Guam Police and the Guam Fire Department's uniformed personnel to those departments authorized to issue littering citations.

The Committee Rules, Natural Resources, and Federal, Foreign, & Micronesian Affairs hereby reports out Substitute Bill No. 103-30 (COR).

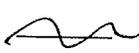
### III. FINDINGS & RECOMMENDATIONS

The Committee Rules, Natural Resources, and Federal, Foreign, & Micronesian Affairs finds that the errant discarding of cigarette butts is the single most prevalent form of littering violations on Guam. In addition to the unsightly scares that cigarette litterers place on Guam's landscape, cigarettes are also the most common cause of wild land and grassland fires. In recent years, forest fires have decimated thousands of square miles of wilderness in Australia, China, several countries in South America and throughout North and Central America.

The Committee further finds that Guam has had a history of many grass fires where discarded cigarettes have been determined to be the cause. As in many places throughout the globe, Guam too is expecting drier dry seasons and higher fire danger risks.

The Committee finds and concurs with the unanimous support from witness testifying at the public hearing on Bill No. 103-30. The committee notes that suggestions to address concerns with the judiciary's handling of litter citations go beyond the scope of the bill and the single-subject limitations required by the Standing Rules. The Committee further finds that citations issued for littering where the citing officer observed the act of littering are not an issue with the courts. The Committee agrees with witnesses that the authority to issue citations should be expanded to all law enforcement agencies on Guam. The Committee further agrees with witnesses and the author that a larger penalty for all littering violations is also appropriate.

The Committee therefore includes in a substitute bill (1) The raising of basic littering penalty from \$100 to \$200 and (2) to add the Guam International Airport Authority Police, the Port Authority of Guam Police and the Guam Fire Department's uniformed personnel to those departments authorized to issue littering citations.

hereby  The Committee Rules, Natural Resources, and Federal, Foreign, & Micronesian Affairs ~~therefore~~ reports out Substitute Bill No. 103-30 (COR) ~~with the recommendation to~~

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

Bill No. 103(COR)

Introduced by:

Telo Taitague

Judithy Won Pat, Ed.D.

A. B. Williams

AN ACT TO AMEND §51207 OF 10GCA RELATIVE FOR  
DOUBLING THE PENALTIES FOR LITTERING FOR  
VIOLATORS THAT DISCARD CIGARETTES FROM  
VEHICLES WHEN THE FIRE DANGER RATING IS HIGH.

2009 APR 28 PM 4:43 me

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 51207 of 10GCA is hereby amended to read as follows:

3  
4 **“§51207. Penalties.**

5 (a) Littering shall be punishable by a fine of *not less than* One Hundred  
6 Dollars (\$100.00) , nor more than One Thousand Dollars (\$1,000.00) . Any person  
7 convicted of a second or subsequent litter offense shall be required by the Court to  
8 pick up and remove litter from a public place under the supervision of the Superior  
9 Court of Guam’s Probation Office, or its designee, or as the Court shall otherwise  
10 provide, for a period of *not less than* eight (8) hours for each offense.

11 Any person convicted of any litter offense may also be required by the  
12 Court to pay the cost of removing the litter they caused. The Superior Court of  
13 Guam shall transfer all money collected to pay fines imposed under this Section to  
14 the Guam Environmental Protection Agency for use in the Litter and Defacement  
15 Control Revolving Fund established by § 51204 of Title 10 of the Guam Code  
16 Annotated. Any peace officer, as that term is defined by 8GCA §5.55, may issue a  
17 citation for a litter offense.

1 (b) A person charged with a first violation may avoid a court hearing by  
2 posting bail in the amount of the minimum fine or paying such prescribed fine as  
3 the Traffic Court Division of the Superior Court shall prescribe.

4 (c) When the risk of fire is determined to be high in accordance with the  
5 provisions of §63704 of 5GCA, any person convicted of a violation of this  
6 Chapter for discarding a cigarette, lit or unlit, from a moving or stationary motor  
7 vehicle; shall be subject two (2) times the fine and/or community service penalties  
8 prescribed herein this Section.

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

Bill No. 103 (COR)

As Substituted by the  
Committee on Rules, Natural Resources, and  
Federal, Foreign, & Micronesian Affairs

Introduced by:

Telo Taitague  
J. Won Pat Ed.D.  
A.B. Palacios

**AN ACT TO AMEND §§ 51202(a) AND 51207 OF 10GCA  
RELATIVE FOR DOUBLING THE PENALTIES FOR  
LITTERING FOR VIOLATORS THAT DISCARD  
CIGARETTES FROM VEHICLES WHEN THE FIRE  
DANGER RATING IS HIGH.**

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

2        **Section 1.** Section 51207 of 10GCA is hereby amended to read as follows:

3

4        **“§51207. Penalties.**

5            (a) Littering shall be punishable by a fine of *not less than* ~~One Hundred~~  
6 ~~Dollars (\$100.00)~~ Two Hundred Dollars (\$200.00), nor more than One Thousand  
7 Dollars (\$1,000.00) . Any person convicted of a second or subsequent litter  
8 offense shall be required by the Court to pick up and remove litter from a public  
9 place under the supervision of the Superior Court of Guam’s Probation Office, or  
10 its designee, or as the Court shall otherwise provide, for a period of *not less than*  
11 eight (8) hours for each offense.

12            Any person convicted of any litter offense may also be required by the  
13 Court to pay the cost of removing the litter they caused. The Superior Court of  
14 Guam shall transfer all money collected to pay fines imposed under this Section to  
15 the Guam Environmental Protection Agency for use in the Litter and Defacement

1 Control Revolving Fund established by § 51204 of Title 10 of the Guam Code  
2 Annotated. Any peace officer, as that term is defined by 8GCA §5.55, may issue a  
3 citation for a litter offense.

4 (b) A person charged with a first violation may avoid a court hearing by  
5 posting bail in the amount of the minimum fine or paying such prescribed fine as  
6 the Traffic Court Division of the Superior Court shall prescribe.

7 (c) When the risk of fire is determined to be high in accordance with the  
8 provisions of §63704 of 5GCA, any person convicted of a violation of this  
9 Chapter for discarding a cigarette, lit or unlit, from a moving or stationary motor  
10 vehicle; shall be subject two (2) times the fine and/or community service penalties  
11 prescribed herein this Section.

12  
13 **Section 2.** Item (a) of Section 51202 Of Chapter 51, Article 2 of 10GCA is  
14 *amended* to read as follows:

15  
16 (a) *Apprehending Officers* shall mean any designated individual with the  
17 Department of Parks and Recreation, the Department of Agriculture, the Guam  
18 Environmental Protection Agency, the Department of Public Health and Social  
19 Services, the Department of Public Works, all village mayors and assistant  
20 mayors, ~~and~~ any peace officer in the Guam Police Department, the Guam  
21 International Airport Authority Police, the Port Authority of Guam Police and the  
22 Guam Fire Department's uniformed personnel.







# GUAM ENVIRONMENTAL PROTECTION AGENCY

## AHENSIAN PRUTEKSION LINA'LA GUAHAN

FELIX P. CAMACHO  
GOVERNOR OF GUAM

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921  
TEL: 475-1658/9 • FAX: 477-9402

MICHAEL W. CRUZ  
LT. GOVERNOR OF GUAM

**Testimony of  
Lorilee Crisostomo  
Administrator, Guam Environmental Protection Agency  
Before the Committee on Rules, Natural Resources, and Federal, Foreign  
& Micronesian Affairs**

**Hearing on Bill 103 (COR): AN ACT TO AMEND §51207 OF 10GCA RELATIVE  
FOR DOUBLING PENALTIES FOR LITTERING FOR VIOLATIONS THAT  
DISCARD CIGARRETES FROM VEHICLES WHEN THE FIRE DANGER RATING  
IS HIGH**

**July 17, 2009**

The Guam Environmental Protection Agency supports Bill 103, as it seeks to improve the intend of §51207 of 10GCA, and provide a sustainable mechanism to minimize illegal disposal of cigarettes unto the environment.

Based on data received by Guam EPA since 2004 the number of fines issued for littering has been decreasing due to lack of litter ticket issuance. In fact, since 2007, no litter citations have been issued. This trend is a result of three main reasons:

- No yearly training by Guam Traffic Court to all Litter Control Custodians;
- Most litter cases that were challenged in court were dropped by the assigned litter ticket judge.
- Lack of participation by other agencies to issue litter citations.

*"ALL LIVING THINGS OF THE EARTH ARE ONE"*

Hafa Adai Senator Taitague,

The Guam Fire Department endorses Bill 103 (COR), AN ACT TO AMEND §512207 OF 10 GCA RELATIVE FOR DOUBLING THE PENALTIES FOR LITTERING FOR VIOLATORS THAT DISCARD CIGARETTES FROM VEHICLES WHEN THE FIRE DANGER RATING IS HIGH.

From the year 2005 to present, there has been a total of 9,671 Grass/Wildland Fires occurring in the island of Guam, involving 11,481 acres of land. This averages out to 1,934 fires per year and 1.2 acres of land for every fire occurring. Nationwide statistics, including Guam, shows that approximately 90% of all grass/wildland fires are caused by humans. Sources of human-caused fires include arson, accidental ignition, or the uncontrolled use of fire in land-clearing, trash burning and agriculture.

Most of the accidental ignitions caused by humans are through improper discarding of lighted cigarettes either by motorists or individuals walking along roadsides. Here in Guam, approximately 70% of brush/wildland fires occur along our roadsides. These types of fires, severely affects our environment as well as overtaxing GFD's personnel and equipment resources.

Imposing harsher penalties for motorists discarding cigarettes from vehicles will serve as a deterrence and in the end, will result in a decrease in the number of brush/wildland fires, thereby creating a much safer, cleaner and healthier environment for Guam.

I want to thank you for allowing the Guam Fire Department to comment on this very important Bill and hope for its passage.

Sincerely,



DAVID Q. PEREDO  
Fire Chief

**GUAM FIRE DEPARTMENT  
STATISTICS**

<b>TYPE OF RESPONSE</b>	<b>2009 *</b>	<b>2008</b>	<b>2007</b>	<b>2006</b>	<b>2005</b>	<b>TOTAL</b>
<b>STRUCTURAL FIRES</b>	119	344	380	355	275	<b>1,473</b>
<b>VEHICLE FIRES</b>	76	192	166	145	175	<b>754</b>
<b>GRASS/BRUSH FIRES</b>	1,689	2,127	2,145	1,925	1,785	<b>9,671</b>
<b>Acreage Involved</b>	1,957	2,573	2,352	2,325	2,274	<b>11,481</b>
<b>EMS-BLS RESPONSE CALLS</b>	4,409	14,240	11,742	10,964	10,163	<b>51,518</b>
<b>EMS-ALS RESPONSE CALLS</b>	1,583	4,514	4,938	3,837	2,748	<b>17,620</b>
<b>EMS-BLS SCHEDULED TRANSPORTS</b>	1,492	4,138	4,000	3,955	3,565	<b>17,150</b>
<b>VEHICLE ACCIDENTS Without EXTRICATIONS</b>	1,389	3,311	3,823	3,682	3,275	<b>15,480</b>
<b>VEHICLE ACCIDENTS With EXTRICATIONS</b>	33	97	84	76	89	<b>379</b>
<b>RESCUE CALLS</b>	452	1,238	1,109	1,041	1,135	<b>4,975</b>
<b>HAZARDOUS CONDITIONS/MATERIALS CALLS</b>	6	21	43	28	15	<b>113</b>
<b>OTHER CALLS/INCIDENTS</b>	904	2,389	1,769	1,375	2,175	<b>8,612</b>
<b>TOTAL</b>	<b>14,109</b>	<b>35,184</b>	<b>32,551</b>	<b>29,708</b>	<b>27,674</b>	<b>139,226</b>

\* 2009 Stats are as of June 30, 2009



**COMMITTEE ON RULES**

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

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

APR 30 AM 10:13  
EDM

**SENATOR  
RORY J.  
RESPICIO  
CHAIRPERSON**

April 29, 2009

**SENATOR  
Judith P. Guthertz  
VICE  
CHAIRPERSON**

**MEMORANDUM**

**MAJORITY  
MEMBERS:**

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

**Judith T. Won Pat  
SPEAKER**

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

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

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

**Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY**

**Subject: Referral of Bill Nos. 102 & 103**

**Thomas C. Ada  
SENATOR**

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 102 & 103.

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

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

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

Should you have any questions, please contact Elaine V. Tajalle at 472-7679.

**Vicente C. Pangelinan  
SENATOR**

Si Yu'os Ma'åse'!

**Matthew Rector  
SENATOR**

**MINORITY  
MEMBERS:**

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

*Attachment*

**James V. Espaldon  
SENATOR**

### Bill Referral 4/29/09

Bill	Sponsor	Description	Date Introduced	Date Referred	Committee Referred
102 (COR)	Ray Tenorio, F. F. Blas, Jr., A. B. Palacios, Sr., Judith P. Guthertz, DPA, T. R. Muña Barnes, F. B. Aguon, T. Taitague	AN ACT TO ADD A NEW §849.4 TO ARTICLE 1 OF CHAPTER 8 OF TITLE 1 GUAM CODE ANNOTATED RELATIVE TO NAMING THE GUAM POLICE DEPARTMENT CRIME LAB LOCATED AT THE GUAM COMMUNITY COLLEGE CAMPUS IN MANGILAO THE "DIRECTOR GREGORIO GUEVARA PEREZ BUILDING."	4/28/09	4/29/09	Committee on Public Safety, Law Enforcement, and Senior Citizens
103 (COR)	Telo Taitague, J. T. Won Pat, Ed.D., A. B. Palacios	AN ACT TO AMEND §51207 OF 10GCA RELATIVE FOR DOUBLING THE PENALTIES FOR LITTERING FOR VIOLATORS THAT DISCARD CIGARETTES FROM VEHICLES WHEN THE FIRE DANGER RATING IS HIGH.	4/28/09	4/29/09	Committee on Rules, Natural Resources, Federal Foreign & Micronesia Affairs



Stephanie Mendiola &lt;sem@guamlegislature.org&gt;

## (1st) Notice of Public Hearing - July 17, 2009

3 messages

Stephanie Mendiola &lt;sem@guamlegislature.org&gt;

Fri, Jul 10, 2009 at 3:30 PM

To: judiguthertz@opticom.com, senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Ben Pangelinan <senbenp@guam.net>, "Edward J.B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Matt Rector <matt@mattrector.com>, Ray Tenorio <ray@raytenorio.com>, "Rory J. Respicio" <rorifyorguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>

Cc: aokada@guamlegislature.org, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, delta9marlo@gmail.com, doc.wytenbachsantos@gmail.com, edpocague@judiwonpat.com, edpocague@yahoo.com, elg@guamlegislature.org, epogue@hotmail.com, fba\_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, justin@mattrector.com, laurielista@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rlikeke05@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sahara@judiwonpat.com, sayama01@yahoo.com, teddytaz\_222@yahoo.com, the2006er@hotmail.com, tpmatane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, bill phillips <phillipsguam@gmail.com>, Carlos Pangelinan <carlospguam@yahoo.com>, Chris Odoca <codoca@gmail.com>, Derick Hills <derickhills@live.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <fred@mattrector.com>, Gina Tabonares <aguonmedia@gmail.com>, Jacqueline Perry <jac.perry.guam@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jose Cruz <josecruzjr17@yahoo.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Martha Cruz <mcruz@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, Joe Leon Guerrero <sgtarms@guamlegislature.org>, Chris Decastro <cdecastro@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Hafa Adai, Senators:

Please see attached memo from Senator Respicio regarding our Public Hearing scheduled for next Friday, July 17, 2009 at 9:00 AM.

Thank you.

--

Stephanie E. Mendiola  
 Research Analyst  
 Office of Senator Rory J. Respicio  
 I Mina'Trenta Na Liheslaturan Guahan  
 The 30th Guam Legislature  
 Committee on Rules, Natural Resources,  
 and Federal, Foreign & Micronesian Affairs

155 Hesler Place  
Hagatna, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547  
E-mail: [sem@guamlegislature.org](mailto:sem@guamlegislature.org)

---

 2009.07.10\_Memo to All Sens\_2009.07.17 PH Notice1.doc  
511K

---

**Ron Ez2plez** <[ez2plez57@yahoo.com](mailto:ez2plez57@yahoo.com)>

Fri, Jul 10, 2009 at 4:32 PM

To: Stephanie Mendiola <[sem@guamlegislature.org](mailto:sem@guamlegislature.org)>

hi steph!

can you please put on the calendar that senator barnes will be holding public hearing on july 16th 9am for nomination of vicente anthony ada for member of the guam housing board? thank you and have a great weekend 😊

**Ron Taitague, Special Assistant**  
**Office of Senator Tina Rose Muña Barnes**  
Post Office Box 20822  
Guam Main Facility, GU 96921  
Work: 671.472.3455/56 • Cell: 671.687.5477

--- On Thu, 7/9/09, Stephanie Mendiola <[sem@guamlegislature.org](mailto:sem@guamlegislature.org)> wrote:

From: Stephanie Mendiola <[sem@guamlegislature.org](mailto:sem@guamlegislature.org)>  
Subject: (1st) Notice of Public Hearing - July 17, 2009  
To: [judiquhertz@pticom.com](mailto:judiquhertz@pticom.com), [senjim@ite.net](mailto:senjim@ite.net), "Adolpho B. Palacios" <[senabpalacios@gmail.com](mailto:senabpalacios@gmail.com)>, "Ben Pangelinan" <[senbenp@guam.net](mailto:senbenp@guam.net)>, "Edward J.B. Calvo" <[sencalvo@gmail.com](mailto:sencalvo@gmail.com)>, "Frank B. Aguon, Jr." <[aguon4guam@gmail.com](mailto:aguon4guam@gmail.com)>, "Frank F. Blas, Jr." <[frank.blasjr@gmail.com](mailto:frank.blasjr@gmail.com)>, "Jimmy Espaldon" <[senator@espaldon.com](mailto:senator@espaldon.com)>, "Judi Won Pat" <[info@judiwonpat.com](mailto:info@judiwonpat.com)>, "Matt Rector" <[matt@mattrector.com](mailto:matt@mattrector.com)>, "Ray Tenorio" <[ray@raytenorio.com](mailto:ray@raytenorio.com)>, "Rory J. Respicio" <[roryforquam@gmail.com](mailto:roryforquam@gmail.com)>, "Telo Taitague" <[senatortelo@gmail.com](mailto:senatortelo@gmail.com)>, "Tina Muna Barnes" <[tinamunabarnes@gmail.com](mailto:tinamunabarnes@gmail.com)>, "Tom Ada" <[tom@senatorada.org](mailto:tom@senatorada.org)>  
Cc: [aokada@guamlegislature.org](mailto:aokada@guamlegislature.org), [chris.budasi@guamlegislature.org](mailto:chris.budasi@guamlegislature.org), [ciquinata@gmail.com](mailto:ciquinata@gmail.com), [cyrus@senatorada.org](mailto:cyrus@senatorada.org), [delta9marlo@gmail.com](mailto:delta9marlo@gmail.com), [doc.wyttenbachsantos@gmail.com](mailto:doc.wyttenbachsantos@gmail.com), [edpocaique@judiwonpat.com](mailto:edpocaique@judiwonpat.com), [edpocaique@yahoo.com](mailto:edpocaique@yahoo.com), [elg@guamlegislature.org](mailto:elg@guamlegislature.org), [epgogue@hotmail.com](mailto:epgogue@hotmail.com), [fba\\_irenem@yahoo.com](mailto:fba_irenem@yahoo.com), [fbtorres@yahoo.com](mailto:fbtorres@yahoo.com), [jamespcastro@gmail.com](mailto:jamespcastro@gmail.com), [jennifer@mattrector.com](mailto:jennifer@mattrector.com), [jessica@raytenorio.com](mailto:jessica@raytenorio.com), [jonbdiaz@gmail.com](mailto:jonbdiaz@gmail.com),

[justin@mattrector.com](mailto:justin@mattrector.com), [laurielisla@gmail.com](mailto:laurielisla@gmail.com), [legislativesecretary1@gmail.com](mailto:legislativesecretary1@gmail.com),  
[lizama.frances@gmail.com](mailto:lizama.frances@gmail.com), [mark@judiwonpat.com](mailto:mark@judiwonpat.com), [maryfejeran@gmail.com](mailto:maryfejeran@gmail.com),  
[maya.alonso@gmail.com](mailto:maya.alonso@gmail.com), [mermae@raytenorio.com](mailto:mermae@raytenorio.com), [mjperez48@yahoo.com](mailto:mjperez48@yahoo.com),  
[mona.duenas@gmail.com](mailto:mona.duenas@gmail.com), [patrickcepeda@hotmail.com](mailto:patrickcepeda@hotmail.com), [pjtcruz@yahoo.com](mailto:pjtcruz@yahoo.com),  
[rjquitugua@gmail.com](mailto:rjquitugua@gmail.com), [rlikeke05@gmail.com](mailto:rlikeke05@gmail.com), [rob.tupaz@gmail.com](mailto:rob.tupaz@gmail.com),  
[roberto.phil@gmail.com](mailto:roberto.phil@gmail.com), [roland@judiwonpat.com](mailto:roland@judiwonpat.com), [rsmuna@yahoo.com](mailto:rsmuna@yahoo.com),  
[sahara@judiwonpat.com](mailto:sahara@judiwonpat.com), [sayama01@yahoo.com](mailto:sayama01@yahoo.com), [teddytaz\\_222@yahoo.com](mailto:teddytaz_222@yahoo.com),  
[the2006er@hotmail.com](mailto:the2006er@hotmail.com), [tpmatanane@yahoo.com](mailto:tpmatanane@yahoo.com), [vel.komiyama@yahoo.com](mailto:vel.komiyama@yahoo.com),  
[zunior0831@hotmail.com](mailto:zunior0831@hotmail.com), "bill phillips" <[phillipsguam@gmail.com](mailto:phillipsguam@gmail.com)>, "Carlos  
Pangelinan" <[carlospguam@yahoo.com](mailto:carlospguam@yahoo.com)>, "Chris Odoca" <[codoca@gmail.com](mailto:codoca@gmail.com)>,  
"Derick Hills" <[derickhills@live.com](mailto:derickhills@live.com)>, "Elaine Tajalle" <[elainevtll@gmail.com](mailto:elainevtll@gmail.com)>,  
"Frank Torres" <[fbtorres@judiwonpat.com](mailto:fbtorres@judiwonpat.com)>, "Fred Burgos"  
<[fred@mattrector.com](mailto:fred@mattrector.com)>, "Gina Tabonares" <[aguonmedia@gmail.com](mailto:aguonmedia@gmail.com)>,  
"Jacqueline Perry" <[jac.perry.guam@gmail.com](mailto:jac.perry.guam@gmail.com)>, "Jay Sunga"  
<[ajsunga@senatorada.org](mailto:ajsunga@senatorada.org)>, "Jose Cruz" <[josecruzjr17@yahoo.com](mailto:josecruzjr17@yahoo.com)>, "Joy  
Unpingco" <[joyunpingco@gmail.com](mailto:joyunpingco@gmail.com)>, "Lisa Cipollone"  
<[cipo@guamlegislature.org](mailto:cipo@guamlegislature.org)>, "Mary Lou Wheeler" <[mlwheeler2000@yahoo.com](mailto:mlwheeler2000@yahoo.com)>,  
"Mike Lidia" <[mike.lidia9@gmail.com](mailto:mike.lidia9@gmail.com)>, "Nicole Santos"  
<[nsantos@senatorada.org](mailto:nsantos@senatorada.org)>, "Phillip Leon Guerrero" <[phill@raytenorio.com](mailto:phill@raytenorio.com)>, "Ron  
Taitague" <[ez2plez57@yahoo.com](mailto:ez2plez57@yahoo.com)>, "[teddytaz@ite.net](mailto:teddytaz@ite.net)" <[teddytaz@ite.net](mailto:teddytaz@ite.net)>, "Tony  
Quitugua" <[tq@guamlegislature.org](mailto:tq@guamlegislature.org)>, "Daniel Perez"  
<[dperez@guamlegislature.org](mailto:dperez@guamlegislature.org)>, "Dorothy Cruz" <[dot@guamlegislature.org](mailto:dot@guamlegislature.org)>, "Elvy  
Mew" <[emew@guamlegislature.org](mailto:emew@guamlegislature.org)>, "Flo Terlaje" <[fterlaje@guamlegislature.org](mailto:fterlaje@guamlegislature.org)>,  
"Maria Nieves Materne" <[nieves@guamlegislature.org](mailto:nieves@guamlegislature.org)>, "Martha Cruz"  
<[mcruz@guamlegislature.org](mailto:mcruz@guamlegislature.org)>, "Pat Santos" <[psantos@guamlegislature.org](mailto:psantos@guamlegislature.org)>,  
"Rennae Perez" <[rennae@guamlegislature.org](mailto:rennae@guamlegislature.org)>, "Joe Leon Guerrero"  
<[sgtarms@guamlegislature.org](mailto:sgtarms@guamlegislature.org)>, "Chris Decastro"  
<[cdecastro@guamlegislature.org](mailto:cdecastro@guamlegislature.org)>, "Yong Pak" <[yong@guamlegislature.org](mailto:yong@guamlegislature.org)>  
Date: Thursday, July 9, 2009, 10:30 PM

[Quoted text hidden]

---

**Stephanie Mendiola** <[sem@guamlegislature.org](mailto:sem@guamlegislature.org)>

Fri, Jul 10, 2009 at 5:49 PM

To: Ron Ez2plez <[ez2plez57@yahoo.com](mailto:ez2plez57@yahoo.com)>

Hi Ron,

Based on the email from Mike at Sen BJs, I made this indication on the PH Room Reservations calendar (that we use in-house). Legislative events are posted on the Legislative Calendar after you send your notices out to all sens, the Clerk's Office, Sergeant-At-Arms, and MIS. Your 5-day public hearing notice deadline was yesterday; did you not send your notice out??

SM

[Quoted text hidden]



Stephanie Mendiola <sem@guamlegislature.org>

---

## (1st) Notice of Public Hearing - July 17, 2009

1 message

---

Stephanie Mendiola <sem@guamlegislature.org>

Fri, Jul 10, 2009 at 3:31 PM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@spbgum.com  
Bcc: clynt@kuam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbgum.com, kevin@spbgum.com, kstone@ite.net, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, parroyo@k57.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, scoop@guamnewsfactor.com, slintiaco@guampdn.com, ssebastian@spbgum.com, thebigshow@k57.com, therese@mvguam.com, zita@mvguam.com, bill phillips <phillips@guam@gmail.com>, Ronnie Perez <marketing@hitradio100.com>, "Rory J. Respicio" <roryforguam@gmail.com>, William Gibson <breakfastshowk57@gmail.com>

Hafa Adai, Newsrooms:

Please see attached press release regarding Sen Respicio's public hearing scheduled for next Friday, July 17, 2009 at 9:00 AM.

Thank you.

--

Stephanie E. Mendiola  
Research Analyst  
Office of Senator Rory J. Respicio  
I Mina'Trenta Na Liheslaturan Guahan  
The 30th Guam Legislature  
Committee on Rules, Natural Resources,  
and Federal, Foreign & Micronesian Affairs  
155 Hesler Place  
Hagatna, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547  
E-mail: [sem@guamlegislature.org](mailto:sem@guamlegislature.org)

---

 2009.07.10\_PR1\_PH\_2009.07.17.doc  
3416K



Stephanie Mendiola <[sem@guamlegislature.org](mailto:sem@guamlegislature.org)>

## (2nd) Notice of Public Hearing - Fri, Jul 17, 2009 - 9AM

1 message

Stephanie Mendiola <[sem@guamlegislature.org](mailto:sem@guamlegislature.org)>

Wed, Jul 15, 2009 at 9:43 AM

To: judiguthertz@pticom.com, senjim@ite.net, "Adolpho B. Palacios" <[senabpalacios@gmail.com](mailto:senabpalacios@gmail.com)>, Ben Pangelinan <[senbenp@guam.net](mailto:senbenp@guam.net)>, "Edward J.B. Calvo" <[sencalvo@gmail.com](mailto:sencalvo@gmail.com)>, "Frank B. Aguon, Jr." <[aguon4guam@gmail.com](mailto:aguon4guam@gmail.com)>, "Frank F. Blas, Jr." <[frank.blasjr@gmail.com](mailto:frank.blasjr@gmail.com)>, Jimmy Espaldon <[senator@espaldon.com](mailto:senator@espaldon.com)>, Judi Won Pat <[info@judiwonpat.com](mailto:info@judiwonpat.com)>, Matt Rector <[matt@mattrector.com](mailto:matt@mattrector.com)>, Ray Tenorio <[ray@raytenorio.com](mailto:ray@raytenorio.com)>, "Rory J. Respicio" <[roryforguam@gmail.com](mailto:roryforguam@gmail.com)>, Telo Taitague <[senatortelo@gmail.com](mailto:senatortelo@gmail.com)>, Tina Muna Barnes <[tinamunabarnes@gmail.com](mailto:tinamunabarnes@gmail.com)>, Tom Ada <[tom@senatorada.org](mailto:tom@senatorada.org)>  
Cc: aokada@guamlegislature.org, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, delta9marlo@gmail.com, doc.wyittenbachsantos@gmail.com, edpocague@judiwonpat.com, edpocague@yahoo.com, elg@guamlegislature.org, epogue@hotmail.com, fba\_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, justin@mattrector.com, laurielista@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rlikeke05@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sahara@judiwonpat.com, sayama01@yahoo.com, teddytaz\_222@yahoo.com, the2006er@hotmail.com, tpmatanane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, bill phillips <[phillipsguam@gmail.com](mailto:phillipsguam@gmail.com)>, Carlos Pangelinan <[carlospguam@yahoo.com](mailto:carlospguam@yahoo.com)>, Chris Odoca <[codoca@gmail.com](mailto:codoca@gmail.com)>, Derick Hills <[derickhills@live.com](mailto:derickhills@live.com)>, Elaine Tajalle <[elainevtll@gmail.com](mailto:elainevtll@gmail.com)>, Frank Torres <[fbtorres@judiwonpat.com](mailto:fbtorres@judiwonpat.com)>, Fred Burgos <[fred@mattrector.com](mailto:fred@mattrector.com)>, Gina Tabonares <[aguonmedia@gmail.com](mailto:aguonmedia@gmail.com)>, Jacqueline Perry <[jac.perry.guam@gmail.com](mailto:jac.perry.guam@gmail.com)>, Jay Sunga <[ajsunga@senatorada.org](mailto:ajsunga@senatorada.org)>, Jose Cruz <[josecruzjr17@yahoo.com](mailto:josecruzjr17@yahoo.com)>, Joy Unpingco <[joyunpingco@gmail.com](mailto:joyunpingco@gmail.com)>, Lisa Cipollone <[cipo@guamlegislature.org](mailto:cipo@guamlegislature.org)>, Mary Lou Wheeler <[mlwheeler2000@yahoo.com](mailto:mlwheeler2000@yahoo.com)>, Mike Lidia <[mike.lidia9@gmail.com](mailto:mike.lidia9@gmail.com)>, Nicole Santos <[nsantos@senatorada.org](mailto:nsantos@senatorada.org)>, Phillip Leon Guerrero <[phill@raytenorio.com](mailto:phill@raytenorio.com)>, Ron Taitague <[ez2plez57@yahoo.com](mailto:ez2plez57@yahoo.com)>, "teddytaz@ite.net" <[teddytaz@ite.net](mailto:teddytaz@ite.net)>, Tony Quitugua <[tq@guamlegislature.org](mailto:tq@guamlegislature.org)>, Daniel Perez <[dperez@guamlegislature.org](mailto:dperez@guamlegislature.org)>, Dorothy Cruz <[dot@guamlegislature.org](mailto:dot@guamlegislature.org)>, Elvy Mew <[emew@guamlegislature.org](mailto:emew@guamlegislature.org)>, Flo Terlaje <[fterlaje@guamlegislature.org](mailto:fterlaje@guamlegislature.org)>, Maria Nieves Materne <[nieves@guamlegislature.org](mailto:nieves@guamlegislature.org)>, Martha Cruz <[macruz@guamlegislature.org](mailto:macruz@guamlegislature.org)>, Pat Santos <[psantos@guamlegislature.org](mailto:psantos@guamlegislature.org)>, Rennae Perez <[rennae@guamlegislature.org](mailto:rennae@guamlegislature.org)>, Joe Leon Guerrero <[sgtarms@guamlegislature.org](mailto:sgtarms@guamlegislature.org)>, Chris Decastro <[cdecastro@guamlegislature.org](mailto:cdecastro@guamlegislature.org)>, Yong Pak <[yong@guamlegislature.org](mailto:yong@guamlegislature.org)>

Hafa Adai, All:

Please see attached memo (2nd Notice of PH) from Senator Respicio regarding our Public Hearing scheduled for this Friday, July 17, 2009 at 9:00 AM.

Thank you,

--

Stephanie E. Mendiola  
Research Analyst  
Office of Senator Rory J. Respicio  
I Mina'Trenta Na Liheslaturan Guahan  
The 30th Guam Legislature  
Committee on Rules, Natural Resources,  
and Federal, Foreign & Micronesian Affairs

155 Hesler Place  
Hagatna, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547  
E-mail: [sem@guamlegislature.org](mailto:sem@guamlegislature.org)

---

 **2009.07.14\_Memo to All Sens\_2009.07.17 PH Notice2.pdf**  
216K

---



Stephanie Mendiola <sem@guamlegislature.org>

---

## (2nd) Notice of Public Hearing - Fri, Jul 17, 2009 - 9AM

1 message

---

Stephanie Mendiola <sem@guamlegislature.org>

Wed, Jul 15, 2009 at 9:40 AM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@spbgum.com  
Bcc: clynt@kuam.com, dcristostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbgum.com, kevin@spbgum.com, kstone@ite.net, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, parroyo@k57.com, rgibson@k57.com, ricknauta@hitradiio100.com, sabrina@kuam.com, scoop@guamnewsfactor.com, slimtiaco@guampdn.com, ssebastian@spbgum.com, thebigshow@k57.com, therese@mvguam.com, zita@mvguam.com, bill phillips <phillips@guam@gmail.com>, Ronnie Perez <marketing@hitradiio100.com>, "Rory J. Respicio" <roryforguam@gmail.com>, William Gibson <breakfastshowk57@gmail.com>

Hafa Adai, Newsrooms:

Please see attached (second) notice of public hearing; scheduled for this Friday, July 17, 2009 at 9:00 AM in the Legislature's Public Hearing Room.

Thank you.

--

Stephanie E. Mendiola  
Research Analyst  
Office of Senator Rory J. Respicio  
I Mina'Trenta Na Liheslaturan Guahan  
The 30th Guam Legislature  
Committee on Rules, Natural Resources,  
and Federal, Foreign & Micronesia Affairs  
155 Hesler Place  
Hagatna, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547  
E-mail: [sem@guamlegislature.org](mailto:sem@guamlegislature.org)

---

 2009.07.15\_PR2\_PH\_2009.07.17.pdf  
204K

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRMAN**  
**COMMITTEE ON RULES, NATURAL RESOURCES**  
**AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS**



*I Mina'Trenta na Libeslaturan Guåhan*  
**THIRTIETH GUAM LEGISLATURE**

July 10, 2009

**VIA FACSIMILE & E-MAIL**

(671) 472-3360

firechief@gfde911.org

**Chief David Peredo**

Guam Fire Department  
218 Archbishop Flores St.  
Suite 807  
Hagatna, Guam 96910

**RE: Notice of Public Hearing – Friday, July 17, 2009 – 9:00 AM**

*Hafa Adai!* Chief Peredo:

Please be advised that the Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs will conduct a Public Hearing on **Friday, July 17, 2009 at 9:00 A.M.** in the Legislature's Public Hearing Room. The items on the agenda are as follows:

- **Bill No. 30-164 (COR)** – R.J. Respicio – “An act to *repeal* Chapter 45 of Article 1 Part 2 of Title 10 Guam Code Annotated and *reenact* it as Chapter 2 of Division 1 of Title 12 Guam Code Annotated, to provide for an autonomous Guam Environmental Protection Authority and to include the Guam Energy Division within the authority, replacing the Guam Energy Office, and to *amend* § 4105 (A) and (B) of Chapter 4 Title 4 Guam Code Annotated.”
- **Bill No. 103 (COR)** – T. Taitague – “An act to Amend §51207 of 10GCA relative for doubling the penalties for littering for violators that discard cigarettes from vehicles when the fire danger rating is high.”

In your capacity as the Fire Chief of the Guam Fire Department, you are hereby invited to testify on any/all of the aforementioned items. Testimony should be addressed to Senator Rory J. Respicio, Chairperson, Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs; and may be hand-delivered or mailed to the Office of Senator Rory J. Respicio at 155 Hesler Place, Hagatna, Guam 96910; e-mailed to roryforguam@gmail.com; or



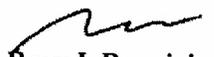
Chief David Peredo, GFD  
RE: Notice of Public Hearing – Friday, July 17, 2009 – 9:00 AM  
July 10, 2009  
Page 2 of 2

faxed to (671) 472-3547. Written testimony will continue to be accepted for ten (10) calendar days following the close of the hearing.

Individuals requiring special accommodations, auxiliary aids, or service shall contact and submit their request to my office. For further information, please contact my office at 472-7679.

I look forward to your attendance and participation.

Very truly yours,

  
Rory J. Respicio



Stephanie Mendiola <sem@guamlegislature.org>

# Notice of Public Hearing - Fri, Jul 17, 2009 - 9AM

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: sem@guamlegislature.org

Fri, Jul 10, 2009 at 4:08 PM

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

[firechief@gfde911.org](mailto:firechief@gfde911.org)

Technical details of permanent failure:

DNS Error: Domain name not found

— Original message —

MIME-Version: 1.0

Received: by 10.141.3.12 with SMTP id f12mr1067596rv.12.1247206128386; Thu, 09 Jul 2009 23:08:48 -0700 (PDT)

Date: Fri, 10 Jul 2009 16:08:48 +1000

Message-ID: <290e80580907092308r7569b96ft796b0aa4f2dd671b@mail.gmail.com>

Subject: Notice of Public Hearing - Fri, Jul 17, 2009 - 9AM

From: Stephanie Mendiola <sem@guamlegislature.org>

To: [firechief@gfde911.org](mailto:firechief@gfde911.org)

Content-Type: multipart/mixed; boundary=000e0cd112d43e8634046e53ce0c

--000e0cd112d43e8634046e53ce0c

Content-Type: multipart/alternative; boundary=000e0cd112d43e8629046e53ce0a

--000e0cd112d43e8629046e53ce0a

Content-Type: text/plain; charset=ISO-8859-1

Content-Transfer-Encoding: 7bit

Hafa Adai, Chief Peredo:

Please see attached letter from Senator Respicio regarding our public

— Message truncated —

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRMAN**  
**COMMITTEE ON RULES, NATURAL RESOURCES**  
**AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS**



*I Mina Trenta na Libeslaturan Guåhan*  
**THIRTIETH GUAM LEGISLATURE**

July 10, 2009

**VIA FACSIMILE & E-MAIL**

(671) 472-2493

law@attorneygeneral.com

**The Honorable Alicia G. Limtiaco**

Attorney General of Guam

287 West O'Brien Drive

Hagåtña, Guam 96910

**RE: Notice of Public Hearing – Friday, July 17, 2009 – 9:00 AM**

*Hafa Adai!* Attorney General Limtiaco:

Please be advised that the Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs will conduct a Public Hearing on **Friday, July 17, 2009 at 9:00 A.M.** in the Legislature's Public Hearing Room. The items on the agenda are as follows:

- **Bill No. 30-164 (COR)** – R.J. Respicio – “An act to *repeal* Chapter 45 of Article 1 Part 2 of Title 10 Guam Code Annotated and *reenact* it as Chapter 2 of Division 1 of Title 12 Guam Code Annotated, to provide for an autonomous Guam Environmental Protection Authority and to include the Guam Energy Division within the authority, replacing the Guam Energy Office, and to *amend* § 4105 (A) and (B) of Chapter 4 Title 4 Guam Code Annotated.”
- **Bill No. 103 (COR)** – T. Taitague – “An act to Amend §51207 of 10GCA relative for doubling the penalties for littering for violators that discard cigarettes from vehicles when the fire danger rating is high.”

In your capacity as the Attorney General of Guam, you are hereby invited to testify on any/all of the aforementioned items. Testimony should be addressed to Senator Rory J. Respicio, Chairperson, Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs; and may be hand-delivered or mailed to the Office of Senator Rory J. Respicio at 155 Hesler Place, Hagatna, Guam 96910; e-mailed to roryforguam@gmail.com; or faxed to (671) 472-3547. Written testimony will continue to be accepted for ten (10) calendar days following the close of the hearing.





The Honorable Alicia G. Limtiaco, AGO  
RE: Notice of Public Hearing – Friday, July 17, 2009 – 9:00 AM  
July 10, 2009  
Page 2 of 2

Individuals requiring special accommodations, auxiliary aids, or service shall contact and submit their request to my office. For further information, please contact my office at 472-7679.

I look forward to your attendance and participation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rory J. Respicio".

**Rory J. Respicio**



Stephanie Mendiola <sem@guamlegislature.org>

# Notice of Public Hearing - Fri, Jul 17, 2009 - 9AM

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Fri, Jul 10, 2009 at 4:42 PM

To: sem@guamlegislature.org

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

law@attorneygeneral.com

Technical details of permanent failure:

DNS Error: DNS server returned answer with no data

— Original message —

MIME-Version: 1.0

Received: by 10.140.128.5 with SMTP id a5mr1070941vd.181.1247208139464; Thu, 09 Jul 2009 23:42:19 -0700 (PDT)

Date: Fri, 10 Jul 2009 16:42:19 +1000

Message-ID: <290e80580907092342h42c175f8y591ffaa04e0b4978@mail.gmail.com>

Subject: Notice of Public Hearing - Fri, Jul 17, 2009 - 9AM

From: Stephanie Mendiola <sem@guamlegislature.org>

To: law@attorneygeneral.com

Content-Type: multipart/mixed; boundary=000e0cd290f61d2249046e5446ce

-000e0cd290f61d2249046e5446ce

Content-Type: multipart/alternative; boundary=000e0cd290f61d223e046e5446cc

-000e0cd290f61d223e046e5446cc

Content-Type: text/plain; charset=ISO-8859-1

Content-Transfer-Encoding: 7bit

Hafa Adai, Attorney General Limtiaco:

Please see attached letter from Senator Rory J. Respicio regarding our

— Message truncated —

# SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON  
COMMITTEE ON RULES, NATURAL RESOURCES  
AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS



*I Mina'Trenta na Liheslaturan Guåhan*  
THIRTIETH GUAM LEGISLATURE

## AGENDA

**PUBLIC HEARING – FRIDAY, JULY 17, 2009 – 9:00 AM**

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

- The appointment of **Mr. Henry S. Dacanay** to serve as a **member** of the **Guam Environmental Protection Agency, Board of Directors**.
- **Bill No. 103 (COR)** – T. Taitague – “An act to Amend §51207 of 10GCA relative for doubling the penalties for littering for violators that discard cigarettes from vehicles when the fire danger rating is high.”
- **Bill No. 30-164 (COR)** – R.J. Respicio – “An act to *repeal* Chapter 45 of Article 1 Part 2 of Title 10 Guam Code Annotated and *reenact* it as Chapter 2 of Division 1 of Title 12 Guam Code Annotated, to provide for an autonomous Guam Environmental Protection Authority and to include the Guam Energy Division within the authority, replacing the Guam Energy Office, and to *amend* § 4105 (A) and (B) of Chapter 4 Title 4 Guam Code Annotated.”

Copies of the aforementioned legislation and/or the executive appointment packet can be found at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [roryforguam@gmail.com](mailto:roryforguam@gmail.com), or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Stephanie Mendiola or Elaine Tajalle at our office. We look forward to your attendance and participation.



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

Bill No. 103(COR)

Introduced by:

Telo Taitague

Judithy Won Pat, Ed. D.

A. B. Williams

**AN ACT TO AMEND §51207 OF 10GCA RELATIVE FOR  
DOUBLING THE PENALTIES FOR LITTERING FOR  
VIOLATORS THAT DISCARD CIGARETTES FROM  
VEHICLES WHEN THE FIRE DANGER RATING IS HIGH.**

2009 APR 28 PM 4:43

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

**Section 1.** Section 51207 of 10GCA is hereby amended to read as follows:

**“§51207. Penalties.**

(a) Littering shall be punishable by a fine of *not less than* One Hundred Dollars (\$100.00) , nor more than One Thousand Dollars (\$1,000.00) . Any person convicted of a second or subsequent litter offense shall be required by the Court to pick up and remove litter from a public place under the supervision of the Superior Court of Guam’s Probation Office, or its designee, or as the Court shall otherwise provide, for a period of *not less than* eight (8) hours for each offense.

Any person convicted of any litter offense may also be required by the Court to pay the cost of removing the litter they caused. The Superior Court of Guam shall transfer all money collected to pay fines imposed under this Section to the Guam Environmental Protection Agency for use in the Litter and Defacement Control Revolving Fund established by § 51204 of Title 10 of the Guam Code Annotated. Any peace officer, as that term is defined by 8GCA §5.55, may issue a citation for a litter offense.

1 (b) A person charged with a first violation may avoid a court hearing by  
2 posting bail in the amount of the minimum fine or paying such prescribed fine as  
3 the Traffic Court Division of the Superior Court shall prescribe.

4 (c) When the risk of fire is determined to be high in accordance with the  
5 provisions of §63704 of 5GCA, any person convicted of a violation of this  
6 Chapter for discarding a cigarette, lit or unlit, from a moving or stationary motor  
7 vehicle; shall be subject two (2) times the fine and/or community service penalties  
8 prescribed herein this Section.