



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

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

31-11-~~9~~ 948
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:00 PM
Received by JW

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 188-31 (LS) "AN ACT TO ADD A NEW §90114 TO CHAPTER 90, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING SMOKING IN A MOTOR VEHICLE WHEN A CHILD IS PRESENT", which was signed into law on September 30, 2011 as **Public Law 31-102**.

Senseramente,

EDDIE BAZA CALVO

2011 OCT - 5 AM 8:08
MWN

Attachment: copy of Bill

948

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

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

This is to certify that Substitute Bill No. 188-31 (LS), "AN ACT TO ADD A NEW §90114 TO CHAPTER 90, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING SMOKING IN A MOTOR VEHICLE WHEN A CHILD IS PRESENT," was on the 19th day of September, 2011, duly and regularly passed.

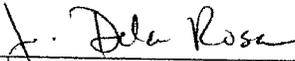


Judith T. Won Pat, Ed.D.
Speaker

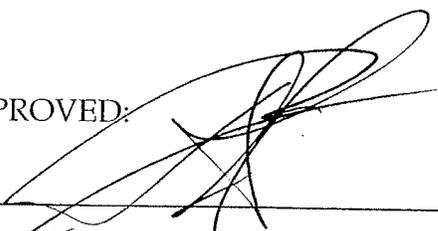
Attested:


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 20th day of Sept, 2011, at
4:10 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


RAYMOND S. TENORIO
Acting Governor of Guam

Date: _____

SEP 30 2011

Public Law No. 31-102

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

Bill No. 188-31 (LS)

As substituted by Committee on Health & Human Services,
Economic Development, Senior Citizens, and Election Reform;
and amended on the Floor.

Introduced by:

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

**AN ACT TO *ADD* A NEW §90114 TO CHAPTER 90,
TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO
PROHIBITING SMOKING IN A MOTOR VEHICLE
WHEN A CHILD IS PRESENT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Mina'Trentai Unu Na*
3 *Liheslaturan Guåhan* takes due note of the fact that smoking in an enclosed space
4 has been clearly determined to be extremely hazardous to others present, and that
5 there is *no* known safe level of exposure to secondhand smoke. Further, the

1 smaller the space, the higher the level and concentration of toxins per cubic foot of
2 air.

3 *I Liheslaturan* further finds that when someone smokes in the small enclosed
4 space of a car, people are exposed to toxic air at levels many times higher than
5 what the USEPA considers to be the threshold limit value (TLV) for hazardous air
6 quality, even when a window is open. Further, the latent gaseous and particulate
7 components of tobacco smoke absorb into the upholstery and other surfaces inside
8 a car, and then off-gas back into the air over the course of many days. This creates
9 an insidious situation wherein passengers are exposed to toxins long after anyone
10 has actually smoked in the car.

11 *I Liheslaturan* takes due note of the fact that minors often have *no* say as to
12 the circumstances by which they are being exposed to secondhand smoke, and
13 finds that banning smoking in cars while children are present will serve as a pre-
14 emptive measure to keep Guam's young people healthy.

15 It is the intent of *I Liheslaturan* to ensure the safety of Guam's children by
16 setting regulatory standards which protect them from circumstances wherein they
17 are being exposed to airborne toxins found in secondhand smoke. This is
18 especially critical for younger children who are still growing and extremely
19 vulnerable and defenseless to toxins that destructively affect their maturation.

20 **Section 2.** A new §90114 is hereby *added* to Chapter 90, Title 10, Guam
21 Code Annotated, to read:

22 **“§ 90114. Prohibition of Smoking in a Vehicle When a Child is**
23 **Present.** (a) Smoking is prohibited in a motor vehicle *if* a child who is
24 seventeen (17) years of age *or* younger is present in the vehicle, regardless
25 of whether the vehicle is moving or stationary.

1 (b) A person who is in violation of Subsection (a) of this §90114
2 *shall*, upon conviction thereof, be subject to a maximum fine of One
3 Hundred Dollars (\$100.00) for a first offense.

4 (c) The court *may* suspend the fine for a violation of this Section *if*:

5 (1) the person has *not* previously been convicted of a
6 violation of this Section; and

7 (2) the person proves to the court that the person has enrolled
8 in a smoking cessation program or its equivalent.

9 (d) A person who is in violation of Subsection (a) of this §90114
10 *shall*, upon conviction thereof, be subject to a maximum fine of Two
11 Hundred Dollars (\$200.00) for a second offense. The fine *shall not* be
12 suspended by the court for second or subsequent offenses.

13 (e) A person who is in violation of Subsection (a) of this §90114
14 *shall*, upon conviction thereof, be subject to a maximum fine of Five
15 Hundred Dollars (\$500.00) for a third offense, and for each additional
16 violation thereafter.

17 (f) Enforcement of this Section by a local law enforcement officer
18 *shall be only* as a secondary action when the vehicle has been detained for
19 another suspected violation.

20 (g) Three (3) *or more* violations of this Section may be used as a
21 basis for or evidence of child abuse or neglect.

22 (h) All fines paid, upon a conviction pursuant to a violation of this
23 §90114, *shall* be deposited in the Guam Cancer Trust Fund (P. L. 30-80,
24 codified in Title 11, Chapter 26, Guam Code Annotated, as amended), and
25 *shall* be expended pursuant to applicable law and regulations pertaining to
26 the Fund.”

1 **Section 3. Effective Date.** This Act *shall* take effect immediately upon
2 enactment.

3 **Section 4. Severability.** *If* any provision of this law or its application to
4 any person or circumstance is found to be invalid or contrary to law, such
5 invalidity shall *not* affect other provisions or applications of this law which can be
6 given effect without the invalid provisions or applications, and to this end the
7 provisions of this Act are severable.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÁHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

SBill No. 188-31(LS)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

June 3, 2011

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

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

RE: Committee Report – Bill No. 188-31(LS), as Substituted.

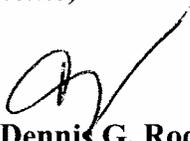
Dear Speaker Won Pat:

Transmitted herewith, for your consideration, is the **Committee Report on Bill No. 188-31(LS) – An Act Relative to Restricting Smoking in a Motor Vehicle when a Child is Present, by Adding a New §90114 to Chapter 90, Title 10, Guam Code Annotated; as Substituted** by the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform. Bill No. 188-31(LS) was publicly heard on May 31, 2011.

Committee votes are as follows:

TO PASS
 NOT TO PASS
 ABSTAIN
 TO REPORT OUT ONLY
 TO PLACE IN INACTIVE FILE

Senseramente,


Senator Dennis G. Rodriguez, Jr.
Chairman

Attachments



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE REPORT

ON

SUBSTITUTE BILL NO. 188-31 (LS)

**“AN ACT RELATIVE TO RESTRICTING SMOKING
IN A MOTOR VEHICLE WHEN A CHILD IS
PRESENT, BY ADDING A NEW §90114 TO CHAPTER
90, TITLE 10, GUAM CODE ANNOTATED.”**



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

April 21, 2011

MEMORANDUM

To: **ALL MEMBERS**
Committee on Health & Human Services, Economic Development, Senior Citizens and
Election Reform.

From: **Senator Dennis G. Rodriguez, Jr.** 
Committee Chairperson

Subject: **Committee Report on Bill no. 188-31(LS), as Substituted.**

Transmitted herewith, for your consideration, is the **Committee Report** on Substitute **BILL NO. 188-31(LS)- AN ACT RELATIVE TO RESTRICTING SMOKING IN A MOTOR VEHICLE WHEN A CHILD IS PRESENT, by Adding a New §90114 to Chapter 90, Title 10, Guam Code Annotated; as Substituted** by the Committee Health & Human Services, Economic Development, Senior Citizens, and Election Reform.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 188-31(LS)
- Copy of Substitute Bill No. 188-31 (LS)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 107-31(COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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'!

Attachments



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE VOTING SHEET

SUBSTITUTE BILL NO. 188-31(LS)- An act relative restricting smoking in a motor vehicle when a child is present, by adding a new §90114 to Chapter 90, Title 10, Guam Code Annotated.

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 6/22/14				
ADOLPHO B. PALACIOS, Sr. Vice Chairman		✓ 6/27				
JUDITH T. WON PAT, Ed.D. Speaker						
BENJAMIN J. F. CRUZ Vice-Speaker		6/27				
TINA ROSE MUÑA BARNES Legislative Secretary		6/27				
THOMAS C. ADA						
VICENTE C. PANGELINAN						
RORY J. RESPICIO						
JUDITH P. GUTHERTZ, DPA						
FRANK F. BLAS, Jr.						
V. ANTHONY ADA						
ALINE A. YAMASHITA, Ph.D.		6/27/14				
SAM MABINI, Ph.D.		6/27/14				
MANA SILVA TAJERON		6/27/14				
CHRISTOPHER M. DUENAS	SL	6/27/14				



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE REPORT DIGEST

Bill 188-31(COR)- An Act Relative Restricting Smoking in A Motor Vehicle When A Motor Vehicle When A Child Is Present, By Adding A New §90114 To Chapter 90, Title 10, Guam Code Annotated

- I. OVERVIEW: The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on May 31, 2011. The hearing convened at 1:00PM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of **Bill 188-31(COR)- An Act Relative Restricting Smoking in A Motor Vehicle When A Motor Vehicle When A Child Is Present, By Adding A New §90114 To Chapter 90, Title 10, Guam Code Annotated.****

Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on May 27, 2011 (5-day notice), and again on May 29, 2011 (48-hour notice). Notice was published *on-line* and in *print* in the Pacific Daily News on May 25 2011 and May 30, 2011, respectively.

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Adolpho B. Palacios, Sr.	Vice-Chairman
Senator Mana Silva Tajeron	Committee Member

The public hearing on **Bill 188-31(COR)- An Act Relative Restricting Smoking in A Motor Vehicle When A Motor Vehicle When A Child Is Present, By Adding A New §90114 To Chapter 90, Title 10, Guam Code Annotated** was called to order at 4:23PM.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman Dennis G. Rodriguez, Jr., convened the Public Hearing on **Bill 188-31(COR)- An Act Relative Restricting Smoking in A Motor Vehicle When A Motor Vehicle When A Child Is Present, By Adding A New §90114 To Chapter 90, Title 10, Guam Code Annotated** and called those who signed up to testify.

Bill 194-31

Speaker Wonpat:

Bill 188-31 (LS)

Chairman Dennis G. Rodriguez, Jr.:

Convened the public hearing on agenda item Bill No. 188-31 (LS). As the author of Bill No. 188-31 (LS), Senator Rodriguez explained its' purpose and intent.

This is a big step in our fight against tobacco use. I have been getting many messages of people who are against this because we are trampling on their rights. But I think that what this does is protect the most vulnerable of our community, our children who are a lot of times in vehicles with adults who smoke. These are sometimes defenseless individuals who can't ask the adults to put down the cigarette because it is hurting them. Scientific research has shown that secondhand smoke is harmful and it does cause death, disease and disability. I want to say, from the National Cancer Institute, they wrote that 7,000 chemicals have been identified in secondhand tobacco smoke and at least 250 have been identified to be harmful, especially to children. We have also received testimony in support of this bill from the community from Dr. Sam Friedman, Dr. John Ray Taitano and Dr. Anette Dabid from Health Partners LLC.

Ms. Rosalie Sabala

Read written testimony in support of Bill 188-31.

Dr. John Ray Taitano, M.D.

Read written testimony in support of Bill 188-31.

Speaker Judith T. Won Pat:

It is my understanding that there is some individual movement from the hotel industry, banning smoking in hotels and in rental cars because it is very expensive for them to clean it up. How then could we really get the industry to be more proactive instead of having to legislate this.

I think that it is incumbent on employers and I am seeing a lot of this in incorporations because if they are able to discourage smoking within their corporation then their employees live longer, they are not leaving their jobs earlier, they are reducing the cost and burden of smoking causing heart attack, stroke. We as a government need to help protect those who can't protect themselves. I understand where you are coming from about regulating smoking in a private home or vehicle and I share your concern, but I think that when you are taking steps to protect the children you should do it, as well as for the general public. I know there is going to be some

resistance with the issues regarding constitutionality and where does it end? Where does the government's interference in the lives of individuals start and stop?

Speaker Won Pat:

I know that there is an angle to use that, yes we do protect the children from harm. In this case, if you intentionally expose a child to a car full of smoke are we then endangering a child in this sense?

You read the testimony of the director and he was suggesting the fines actually go into what is the specific fund again?

Ms. Rosalie Sabala:

They are asking that we provide funding to the tobacco quit line that we have. Right now we have CDC funding, but it is really cut and they are asking for funding to sustain this. This is the hotline where people can call in toll-free to receive counseling and some medication.

Speaker Won Pat:

I don't understand, if this is a toll free number? What is the budget for that service?

Ms. Rosalie Sabala:

We actually have to pay for that service. Our budget this year amounts to \$40,000-\$50,000. If we do a lot of major campaigns it actually increases the calls we receive.

Speaker Won Pat:

What is the data showing? How many calls do you know?

Ms. Rosalie Sabala:

Averaging we are showing 25 calls a month. These are people who are really committed to quitting smoking.

Ms. Serina Mariano:

Speaker, just to speak to your question about the private sector, I just wanted to share that on July 1st we are holding a roundtable discussion regarding smoke free work places. So we have invited the Guam Hotel and Restaurant Association and other private organizations to sit with us and better craft legislation or private workplace policies to enforce the policies that are in place already. We are trying to bridge that gap and I think that may be a starting place to support smoke free work places.

Senator Adolpho B. Palacios, Sr.:

Perhaps we can ban smoking in government owned and leased vehicles and that we can impose. The issue then is apparently a government employee would be driving a government vehicle. Who would pay the fine? It would have to be the government employee. I think that can be one area that we actually impose because it is paid for by the government and then look into the government subsidized housing. Anytime that you can tie in the government I think that can bridge us over. We can guarantee the government owned and leased vehicles.

Senator V. Anthony Ada:

Dr. Taitano, what is the likelihood of a child exposed to second or third hand smoke becoming a teenager and then becoming a smoker themselves.

Dr. John Ray Taitano, M.D.

I don't know if I have any statistics on that, but exposure to smoke can lead to asthma, bronchitis, ear infection. Studies have shown that there is sudden infant death in homes where parents smoke. Parents are role models and that is the kind of influence that will produce a smoker. It is sad that tobacco companies try to hook the adolescents to recruit. They are increasing the addiction potential to hook them up early and they become a targeted population for the future of the company.

Mr. Pat Luces:

I had some experience with the tobacco quit line we have seen at times with no resources that we do not get any calls. So it is important that we give resources for to maintain the sustainability of this quit line.

Dr. John Ray Taitano, M.D.:

I just wanted to comment on Senator Palacios' point about banning it from government vehicles, that is the step in the right direction. Hopefully people will say that this is helping and the public will buy in and extend it to private places. I am hoping that the funds for this bill will go to education for this.

Chairman Rodriguez:

Some of the resistance that we are hearing is that this should be common sense, but unfortunately that is not happening. I have seen numerous times people smoking with the kids in the car. Rolling down the windows is not enough. I get people saying we should ban it altogether, but we have to start small and get the community to buy into it. Another one is pregnant women and we need to protect them. I think that this is something that needs to be legislated and the private sector sees that when we talk about the harmful effects of cigarette smoking. We are not the first that have done this, many states and foreign countries have done this.

Ms. Rosalie Sabala:

I have talked to our counter parts in the other islands and if this passes they would like a copy of this bill so that they can introduce this in their own island.

Written testimony received IN SUPPORT of Bill 188-31(LS) is attached. (05 total).

Written testimony OPPOSED to Bill No. 188-31 (LS): None

III. FINDINGS AND RECOMMENDATIONS

An amendment was made to the bill by way of a new subsection (f) being added to the new §90114 being established, which reads:

“(f) Enforcement of this section by a local law enforcement officer shall be only as a secondary action when the vehicle has been detained for another suspected violation.”

The amendment addresses situations wherein a vehicle is pulled over by a law enforcement officer for another offense, and the smoking violation is subsequently discovered. However, if the primary reason for which the vehicle was detained were dismissed or found not to be valid, then, there is no longer a direct probable cause for the smoking citation when discovery of the violation may not have otherwise been legitimately discovered.

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby **reports out Substitute Bill No. 188-31(LS)- An Act Relative Restricting Smoking in A Motor Vehicle When A Motor Vehicle When A Child Is Present, By Adding A New §90114 To Chapter 90, Title 10, Guam Code Annotated,** with the recommendation to

PASS

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

2011 MAY 6 PM 4:32 EDM

Bill No. 188/31 (LS)

Introduced by:

D. G. Rodriguez, Jr. ✓

**AN ACT RELATIVE RESTRICTING
SMOKING IN A MOTOR VEHICLE WHEN A
CHILD IS PRESENT, BY ADDING A NEW
§90114 TO CHAPTER 90, TITLE 10, GUAM
CODE ANNOTATED.**

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

2 **Section 1. Legislative findings and intent.** *I Mina'Trentai Unu Na*
3 *Liheslaturan Guåhan* takes due note of the fact that smoking in an enclosed space
4 has been clearly determined to be extremely hazardous to others present, and that
5 there is no known safe level of exposure to secondhand smoke. Further, the
6 smaller the space, the higher the level and concentration of toxins per cubic foot of
7 air.

8 *I Liheslaturan* further finds that when someone smokes in the small enclosed
9 space of a car, people are exposed to toxic air at levels many times higher than
10 what the USEPA considers to be the threshold limit value (TLV) for hazardous air
11 quality, even when a window is open. Further, the latent gaseous and particulate
12 components of tobacco smoke absorb into the upholstery and other surfaces inside
13 a car, and then off-gas back into the air over the course of many days. This creates
14 an insidious situation wherein passengers are exposed to toxins long after anyone
15 has actually smoked in the car.

16 *I Liheslaturan* takes due note of the fact that minors often have no say as to

1 the circumstances by which they are being exposed to secondhand smoke, and
2 finds that banning smoking in cars while children are present will serve as a pre-
3 emptive measure to keep Guam's young people healthy.

4 It is the intent of *I Liheslaturan* to ensure the safety of Guam's children by
5 setting regulatory standards which protect them from circumstances' wherein they
6 are being exposed to airborne toxins found in secondhand smoke. This is
7 especially critical for younger children who are still growing and extremely
8 vulnerable and defenseless to toxins that destructively affect their maturation.

9 **Section 2:** A new §90114 is hereby added to Chapter 90, Title 10, Guam
10 Code Annotated, to read:

11 **“§90114. Prohibition of Smoking in a Vehicle When a Child is Present.**

12 (a) Smoking is prohibited in a motor vehicle if a child who is 17 years of age
13 or younger is present in the vehicle, regardless of whether the vehicle is
14 moving or stationary.

15 (b) A person who is in violation of Subsection (a) of this §90114 *shall*, upon
16 conviction thereof, be subject to a maximum fine of One Hundred
17 Dollars (\$100.00) for a first offense.

18 (c) The court *may* suspend the fine for a violation of this section, if:

19 (i) The person has not previously been convicted of a violation of this
20 section; and

21 (ii) The person proves to the court that the person has enrolled in a
22 smoking cessation program or its equivalent.

23 (d) A person who is in violation of Subsection (a) of this §90114 *shall*, upon
24 conviction thereof, be subject to subject to a maximum fine of Two
25 Hundred Dollars (\$200.00) for a **second offense**. The fine *shall not* be
26 suspended by the court for second or subsequent offenses.

1 (e) A person who is in violation of Subsection (a) of this §90114 *shall*, upon
2 conviction thereof, be subject to subject to a maximum fine of Five
3 Hundred Dollars (\$500.00) for each additional violation thereafter.

4 (f) A violation of this section may be used as a basis for or evidence of child
5 abuse or neglect.

6 (g) All fines paid, upon a conviction pursuant to a violation of this §90114,
7 *shall* be deposited in the *Guam Cancer Trust Fund* (P. L. 30-80, codified
8 in Title 11, Chapter 26, Guam Code Annotated, as amended) and shall be
9 expended pursuant to applicable law and regulations pertaining to the
10 *Fund*.

11 **Section 4: Effective Date.** This Act *shall* take effect immediately upon
12 enactment.

13 **Section 5: Severability.** If any provision of this law or its application to
14 any person or circumstance is found to be invalid or contrary to law, such
15 invalidity shall *not* affect other provisions or applications of this law which can be
16 given effect without the invalid provisions or applications, and to this end the
17 provisions of this Act are severable.

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

Bill No. 188-31 (LS), as Substituted
by Committee on Health & Human Services,
Economic Development, Senior Citizens,
And Election Reform

Introduced by:

D. G. Rodriguez, Jr.

**AN ACT RELATIVE RESTRICTING SMOKING IN
A MOTOR VEHICLE WHEN A CHILD IS
PRESENT, BY ADDING A NEW §90114 TO
CHAPTER 90, TITLE 10, GUAM CODE
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1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** Legislative findings and intent. *I Mina 'Trentai Unu Na*
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3 finds that banning smoking in cars while children are present will serve as a pre-
4 emptive measure to keep Guam's young people healthy.

5 It is the intent of *I Liheslaturan* to ensure the safety of Guam's children by
6 setting regulatory standards which protect them from circumstances' wherein they
7 are being exposed to airborne toxins found in secondhand smoke. This is especially
8 critical for younger children who are still growing and extremely vulnerable and
9 defenseless to toxins that destructively affect their maturation.

10 **Section 2:** A new §90114 is hereby added to Chapter 90, Title 10, Guam
11 Code Annotated, to read:

12 "**§90114. Prohibition of Smoking in a Vehicle When a Child is**
13 **Present.** (a) Smoking is prohibited in a motor vehicle if a child who is 17
14 years of age or younger is present in the vehicle, regardless of whether the
15 vehicle is moving or stationary.

16 (b) A person who is in violation of Subsection (a) of this §90114
17 *shall*, upon conviction thereof, be subject to a maximum fine of One
18 Hundred Dollars (\$100.00) for a first offense.

19 (c) The court *may* suspend the fine for a violation of this section, if:

20 (i) The person has not previously been convicted of a violation
21 of this section; and

22 (ii) The person proves to the court that the person has enrolled in
23 a smoking cessation program or its equivalent.

1 (d) A person who is in violation of Subsection (a) of this §90114
2 *shall*, upon conviction thereof, be subject to subject to a maximum fine of
3 Two Hundred Dollars (\$200.00) for a **second offense**. The fine *shall not* be
4 suspended by the court for second or subsequent offenses.

5 (e) A person who is in violation of Subsection (a) of this §90114
6 *shall*, upon conviction thereof, be subject to subject to a maximum fine of
7 Five Hundred Dollars (\$500.00) for each additional violation thereafter.

8 (f) Enforcement of this section by a local law enforcement officer
9 shall be only as a secondary action when the vehicle has been detained for
10 another suspected violation.

11 (g) A violation of this section may be used as a basis for or evidence
12 of child abuse or neglect.

13 (h) All fines paid, upon a conviction pursuant to a violation of this
14 §90114, *shall* be deposited in the *Guam Cancer Trust Fund* (P. L. 30-80,
15 codified in Title 11, Chapter 26, Guam Code Annotated, as amended) and
16 shall be expended pursuant to applicable law and regulations pertaining to
17 the *Fund*.

18 **Section 4: Effective Date.** This Act *shall* take effect immediately upon
19 enactment.

20 **Section 5: Severability.** If any provision of this law or its application to any
21 person or circumstance is found to be invalid or contrary to law, such invalidity
22 shall *not* affect other provisions or applications of this law which can be given
23 effect without the invalid provisions or applications, and to this end the provisions
24 of this Act are severable.



GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

MAY 31 2011

Honorable Dennis G. Rodriguez, Jr.
Chairman, Committee on Health
Suite 107
176 Serenu Ave.
Tamuning, Guam 96931

RE: Letter in Support of Bill 188-31 (An act relative to restricting smoking in a motor vehicle when a child is present, by adding a new §90114 to Chapter 90, Title 10, Guam Code Annotated.)

Dear Senator Rodriguez,

Hafa Adai! The Department of Public Health and Social Services supports Bill 188-31 (An act relative to restricting smoking in a motor vehicle when a child is present, by adding a new §90114 to Chapter 90, Title 10, Guam Code Annotated).

As you know, tobacco use in all of its forms is the MAJOR preventable cause of cancer on Guam. Tobacco is also linked with heart disease, stroke and chronic lung disease. These non-communicable diseases (NCDs) rank in the Top 10 Leading Causes of Death on our island. In 2009, the Guam Behavioral Risk Factor Surveillance Survey (BRFSS) reported that the adult tobacco use prevalence rate was 24.1% - one of the highest smoking rates in all US States and Territories.

In a 2006 report by the U.S. Surgeon General, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, several evidence-based conclusions were made, which included that, “secondhand smoke causes premature death and disease in children and adults who do not smoke; that children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, and more severe asthma; and that smoking by parents causes respiratory symptoms and slows lung growth in their children.” The scientific evidence further indicates that there is no risk-free level of exposure to secondhand smoke. The Surgeon General recommended that eliminating smoking in indoor spaces would fully protect nonsmokers from exposure to secondhand smoke.

The environment in which we live plays a critical role in supporting healthy behaviors. Tobacco use by adults in motor vehicles where children are present is inconsistent with the healthy, clean environment that we are working to promote. We do not want our children to perceive tobacco use as part of a normal, healthy adult life, but that is just the message they get when they see individuals they love and trust using tobacco products. From an economic standpoint, reducing

tobacco use means fewer NCDs (which require chronic care and result in astronomical costs) in the future.

While Bill 188-31 is a step in the right direction, I urge you to revisit the draft bill and clearly identify which Government of Guam department or agency shall be authorized to enforce this mandate. In addition, to help support tobacco cessation on Guam, I implore you to earmark a percentage of any fines paid by violators of this mandate to the DPHSS for operation of the toll-free, 24-hour, Tobacco Free Guam Quitline (1-800-QUIT-NOW). Funding is needed to ensure sustainability of this vital service to our island community!

Thank you for the opportunity to submit testimony on Bill 188-31. Your favorable consideration of the recommendations submitted herewith is appreciated. Should you have any questions, please contact me at 735-7101 or Ms. Roselie V. Zabala, MSW, Bureau of Professional Support Services Administrator, at 735-7304 or via email at roselie.zabala@dphss.guam.gov. Si Yu'os Ma'ase!


JAMES W. GILLAN

May 31, 2011

Testimony in Support of Bill 188-31 relative to Restricting Smoking in a Motor Vehicle When a Child is Present.

Hafa Adai, I am John Ray (Taitano) and I am here today to support Bill 188-31 relative to restricting smoking in a motor vehicle when a child is present. I would like to applaud Senator Rodriquez and his colleagues for their courage in introducing this bill to promote better health among our children who are the Future of Guam!!

Scientific studies have proven the hazards of second hand smoke exposure and I am appalled when I see parents or grandparents carrying or holding children and smoking and seeing these children coughing and gasping for air! That seems criminal to me. Third hand smoke exposure is now coming to the forefront in the news and nitrous oxide from smoking mixing with ambient air forming nitrosamines which is carcinogenic from carpets, upholstery, seat covers exposes our children to these cancer causing chemicals in any environment where smokers smoke including cars, trucks, buses, hotel rooms and even homes!

Reducing the incidence and prevalence of smoking on Guam as well as reducing exposure to secondhand and third hand smoking will go a long way toward improving the health of our people and our children and will reduce the cost and health care burden we carry from cancers, lung disease, heart disease and strokes.

I would like to suggest a few things.

Consider extending the restrictions to all motor vehicles on Guam because even adults who do not smoke are exposed to the hazards of second and third hand smoke!

Consider banning smoking in hotel rooms and all building and offices frequented by the public to reduce second and third hand smoke exposure!

Consider using the funds generated to be used for smoking education especially among our elementary school children, smoking prevention and smoking cessation to mitigate the single most preventable cause of morbidity and mortality in the United States and Guam.

Thank you for this opportunity to provide testimony in support of Bill 199-31.

JOHN RAY TAITANO, MS, MSS, FACP
Diplomate, American Board of Internal Medicine
Fellow, American College of Physicians
Past President Guam Medical Society
Past President Guam Memorial Hospital Medical Staff
Past President Guam Commission on Licensure
Past Chairman Guam Board of Medical Examiners
Colonel (06), US Army (retired), Medical Corps



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Fw: Smoking bill

1 message

Senator Dennis G. Rodriguez, Jr. <senatorrodriguez@gmail.com>

Tue, May 31, 2011 at 1:52 PM

Reply-To: senatorrodriguez@gmail.com

To: Joseph AQ Mesngon <jmesngon.senatorrodriguez@gmail.com>, Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

For packet. Thanks

Dennis G. Rodriguez, Jr.

From: Beaunestay <beaunestay@yahoo.com>

Date: Mon, 30 May 2011 20:17:32 -0700 (PDT)

To: <senatorrodriguez@gmail.com>

Subject: Smoking bill

I was just notified of this today. I strongly support any bill that would limit smoking on Guam, responsible for over half the premature deaths. This is especially important as you state for separating children from smoke, firstly for the increased harm smoke does to a child compared to an adult, and secondly to discourage them from picking up the adult's habit.

I have not heard of such a law anyway previously and I am impressed with its scope.

Dr. J. S. Friedman

May 31, 2011

Hafa Adai Senator Rodriguez,

I, Joseph R. Perez, Jr., Strongly support your recently introduced Bill 188-31: To ban smoking in a vehicle while a child is present. The reason I strongly agree to this bill is due to the extent of my knowledge about smoking & secondhand smoking and to the fact that this bill is clearly understandable to create a change for the entire island community. As a non-smoker, but a victim of secondhand smoke, I have experienced the fact, which you have stated in your bill, "We, the youth community, have no say when it comes to secondhand smoke."(Bill 188-31; pg.1; line 16 – pg.2; line 3).

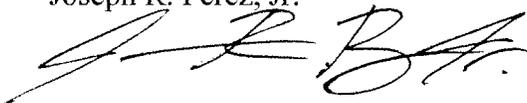
As a young adult, at the age of 18, all I can do is support this bill as a victim and as an advocate against smoking & secondhand smoking, especially if it involves our island's youth. Here's an idea that you can probably add on, to take effect not only to minors, but to pregnant woman as well. Ban smoking in a vehicle while a child or pregnant woman is present. Another idea you could use to create another bill is the fact that women, who are pregnant should be in violation if they are to smoke while in pregnancy terms, another great way to protect the unborn from Sudden Infant Death Syndrome (SIDS). Other than that, if you have any questions, feel free to give me a call to any of the available information below and I will gladly meet and/or answer any of your concerns. On the other hand, I want to provide you more information from my knowledge.

The following is information provided by the Dept. of Public Health & Social Services and Dept. of Mental Health & Substance Abuse (DPHSS/DMHSA) on secondhand smoke for children:

Guam has the highest rate of smokers than the U.S. States and Territories overall, which makes 70% to 90% of non-smokers on the island be exposed to secondhand smoke, both children & adults. However, smokers inhale only 15% of their cigarette smoke and leave 85% of it to be inhaled by others. So, this means that minors and adults exposed to secondhand smoke have a higher risk of getting cancer, life threatening diseases, & other medical problems. More information is on the attached document by the Dept. of Mental Health & Substance Abuse (DMHSA). Thank you, Si Yu'us Ma'ase, and Maraming Salamat Po.

Sincerely,

Joseph R. Perez, Jr.



Youth for Youth Live Guam: Youth Advisor
649-8684/707-4510

OFISINAN TODU GUAM
Received by the
Office of Senator
Dennis G. Rodriguez, Jr.

2011-253



SECOND HAND SMOKE AND CHILDREN

- Second hand smoke (SHS) harms everyone---smokers and non-smokers.
- Secondhand smoke is especially harmful to young children.
 - Secondhand smoke is responsible for between 150,000 and 300,000 lower respiratory tract infections in infants and children under 18 months of age, resulting in between 7,500 and 15,000 hospitalizations each year; and,
 - It causes 1,900 to 2,700 sudden infant death syndrome (SIDS) deaths in the United States annually.
- Secondhand smoke exposure may cause buildup of fluid in the middle ear, resulting in 700,000 to 1.6 million physician office visits per year.
- Secondhand smoke can also aggravate symptoms in 200,000 to 1,000,000 children with asthma.
- In the United States, 21 million, or 35 percent of, children live in homes where residents or visitors smoke in the home on a regular basis.
- Approximately 50-75 percent of children in the United States have detectable levels of cotinine, the breakdown product of nicotine in the blood.
- Guam has the highest rate for adult smoking among all the US States and Territories. One in three adults smokes on Guam; many of them smoke around children.
- 57% of Guam middle school students live with a smoker.
- 44% of Middle School students reported riding in a car with a smoker in the past week.
- A child who lives with a smoker inhales the equivalent of 102 packs of cigarettes by the age of 5.
- The best way to protect children from second hand smoke is to keep their surroundings completely smoke-free.

**KEEP GUAM'S CHILDREN HEALTHY---KEEP THEIR ENVIRONMENT
TOBACCO-FREE!**



COMMITTEE ON RULES

I Mina'trentai Unu na Lihelaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

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Vice Speaker
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LEGISLATIVE SECRETARY
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Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

May 12, 2011

VIA FACSIMILE
(671) 472-2825

Ms. Benita Manglona
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note -
Bill Nos. 190-31 (LS) & 191-31 (LS) , 192-31 (COR) through 195-31 (COR)

Hafa Adai Ms. Manglona:

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

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

Very Truly Yours,


Rory J. Respicio

Attachments

Cc: Clerk of the Legislature

2011 MAY 12 PM 2:15

MESSAGE CONFIRMATION

MAY-12-2011 12:01 PM THU

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 6
START TIME : MAY-12-2011 12:00PM THU
ELAPSED TIME : 00'56"
MODE : STD ECM
RESULTS : [O.K]



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May 12, 2011

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

RE: Request for Fiscal Note -
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Very Truly Yours,

Rory J. Respicio

Attachments

Cc: Clerk of the Legislature

Rec'd. Florence
date: 5/12/11
time: 1:42pm

I Mina' Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

May 11, 2011

Page 1 of 2

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
194-31 (COR)	J. T. Won Pat, Ed.D.	AN ACT TO AMEND §15409 OF TITLE 4 GCA; RELATIVE TO APPOINTING THE GUAM ELECTION COMMISSION AS THE MAIN REPOSITORY FOR CERTIFICATES OF COMPLETION FOR ELECTED AND APPOINTED OFFICIALS WHO COMPLETE THE ETHICS IN GOVERNMENT PROGRAM.	5/11/11 12:16 p.m.	5/12/11		Committee on Health & Human Services, Senior Citizens, Economic Development and Election Reform			



COMMITTEE ON RULES

I Mina'trentai Unu na Lihelaturan Guåhan • The 31st Guam Legislature
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Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

May 9, 2011

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 Nos. 185-31 (LS) through 189-31 (LS)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 185-31(LS) through 189-31 (LS).

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

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

Si Yu'os ma'åse!

(4) Attachments

2011 MAY 11 AM 9:35

Handwritten signature

I Mina' Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

May 06, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetted? Overridden? Public Law?
188-31 (LS)	D. G. Rodriguez, Jr.	AN ACT RELATIVE RESTRICTING SMOKING IN MOTOR VEHICLE WHEN A CHILD IS PRESENT, BY ADDING A NEW §90114 TO CHAPTER 90, TITLE 10, GUAM CODE ANNOTATED.	5/06/11 4:32 P.m.	5/9/11		Committee on Health & Human Services, Senior Citizens, Economic Development and Election Reform			
189-31 (LS)	B. J.F. Cruz, Tina Rose Muña Barnes	AN ACT TO ADD A NEW CHAPTER 88 TO DIVISION 8 OF TITLE 4 OF THE GUAM CODE ANNOTATED TO REESTABLISH THE 'KUMISION I NA'AN LUGAT', THE GUAM PLACE NAME COMMISSION.	5/06/11 4:33 p.m.	5/9/11		Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting.			



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Fwd: All Senators 1st notice of Public Hearin May 31, 2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Wed, Jun 1, 2011 at 4:16 PM

To: Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>

----- Forwarded message -----

From: **Clifton Herbert** <cherbert.senatorrodriguez@gmail.com>

Date: Mon, May 23, 2011 at 3:59 PM

Subject: All Senators 1st notic of Public Hearin May 31, 2011

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aline4families@gmail.com>, Ben Pangelinan <senbenp@quam.net>, Benjamin JF Cruz <senadotbicruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <speaker@judiwonpat.com>, Mana Silva Taijeron <manasilva@hotmail.com>, "Rory J. Respicio" <roryforquam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatortonyada@quamlegislature.org>

Cc: "Patti C. Santos" <psantos@quamlegislature.org>, Yong o Adam <mis@quamlegislature.org>, Tom <sgtarms@quamlegislature.org>, Clerks <clerks@quamlegislature.org>

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Senators,

Please find attached 1st Notice of Public Hearing for May 31, 2011.

Thanks,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

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data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

--

Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.
I Mina'trentai Unu Na Liheslaturan Guáhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

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The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

By accepting and reviewing the Confidential information, you agree to indemnify us against any losses or expenses, including attorney's fees that we may incur as a result of any unauthorized use or disclosure of this data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

 **Senators 1st Notice Public Hearing May 31, 2011.pdf**

64K



SENATOR DENNIS G. RODRIGUEZ, JR.

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

TO: ALL SENATORS
FROM: SENATOR DENNIS G. RODRIGUEZ, JR. 
CHAIRPERSON
SUBJECT: 1ST NOTICE OF PUBLIC HEARING

1ST NOTICE OF PUBLIC HEARING
Tuesday May 31, 2011 4:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on, May 31, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

4:00PM

- **Bill No. 194-31 (COR) -An act to amend §15409 of Title 4 GCA; relative to appointing the Guam Election Commission as the main repository for Certificates of Completion for elected and appointed officials who complete the Ethics in Government program. (by J. T. Won Pat Ed.D.)**
- **Bill No. 188-31 (COR) -An act relative restricting smoking in a motor vehicle when a child is present, by adding a new §90114 to Chapter 90, Title 10, Guam Code Annotated. (by D.G. Rodriguez, Jr.)**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Press Release: 1st Notice of Public Hearing

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Mon, May 23, 2011 at 3:56 PM

To: clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>

Cc: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>

Bcc: jmesngon.senatorrodriguez@gmail.com

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Please find attached 1st notice of Public Hearing

Thanks

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638Email: Cherbert.senatorrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

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 **Public Hearing 1st Notice May 31, 2011.pdf**
352K



SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING

Tuesday May 31, 2011 4:00pm

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on, May 31, 2011, at *Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

4:00pm

- **Bill No. 194-31 (COR) -An act to amend §15409 of Title 4 GCA; relative to appointing the Guam Election Commission as the main repository for Certificates of Completion for elected and appointed officials who complete the Ethics in Government program. (by J. T. Won Pat Ed.D.)**
- **Bill No. 188-31 (COR) -An act relative restricting smoking in a motor vehicle when a child is present, by adding a new §90114 to Chapter 90, Title 10, Guam Code Annotated. (by D.G. Rodriguez, Jr.)**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact the office of Senator Dennis Rodriguez Jr. at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
E-mail: senatordrodriguez@gmail.com



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

2nd Notice of Public Hearing May 31, 2011

2 messages

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Fri, May 27, 2011 at 2:17 PM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <speaker@judiwonpat.com>, Mana Silva Taijeron <manasilva@hotmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>

Cc: Clerks <clerks@guamlegislature.org>, "Patti C. Santos" <psantos@guamlegislature.org>, Yong o Adam <mis@guamlegislature.org>, Tom <sgtarms@guamlegislature.org>, Vince Arriola <vparriola@teleguam.net>, Therese Terlaje <tterlaje@guam.net>

Bcc: jmesngon.senatorrodriguez@gmail.com

--

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Senators,

Please find attached 2nd Notice of Public Hearing for May 31, 2011. Thanks and have a great evening!

Sincerely,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: [671.649.8638](tel:671.649.8638)Email: Cherbert.senatorrodriguez@gmail.com

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2 attachments

 **Senators 2ND Notice Public Hearing MAY 31, 2011.pdf**
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 **Public Hearing Agenda May 31, 2011.pdf**
302K

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>
To: phnotice@guamlegislature.org

Fri, May 27, 2011 at 3:28 PM

Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.
I Mina'trentai Unu Na Liheslaturan Guáhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Please find attached notice of public hearing May 31, 2011.

Thanks,

[Quoted text hidden]

 **Public Hearing 2nd Notice May 31, 2011.pdf**
351K



SENATOR DENNIS G. RODRIGUEZ, JR.

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR. *DR*
CHAIRPERSON

SUBJECT: 2ND NOTICE OF PUBLIC HEARING

2ND NOTICE OF PUBLIC HEARING
Tuesday May 31, 2011 4:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on, May 31, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

4:00PM

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- **Bill No. 188-31 (COR) -An act relative restricting smoking in a motor vehicle when a child is present, by adding a new §90114 to Chapter 90, Title 10, Guam Code Annotated. (by D.G. Rodriguez, Jr.)**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

2nd Notice of Public Hearing May 31

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Fri, May 27, 2011 at 2:05 PM

To: clynt@spbguam.com, dcristostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofofguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, Oyaol Ngirairiki <odngirairiki@guampdn.com>, "Leon Guerrero, Lourissa C" <leonguerr@guam.gannett.com>
 Bcc: jmesngon.senatorrodriguez@gmail.com

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Please find attached 2nd Notice of Public Hearing.

Thanks,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

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2 attachments

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 **Public Hearing Agenda May 31, 2011.pdf**
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SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Tuesday, May 31, 2011 4:00PM

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on, May 31, 2011, at *Liheslaturan Guáhan's* Public Hearing Room in Hagåtña, on the following:

4:00PM

- **Bill No. 194-31 (COR) -An act to amend §15409 of Title 4 GCA; relative to appointing the Guam Election Commission as the main repository for Certificates of Completion for elected and appointed officials who complete the Ethics in Government program. (by J. T. Won Pat Ed.D.)**
- **Bill No. 188-31 (COR) -An act relative restricting smoking in a motor vehicle when a child is present, by adding a new §90114 to Chapter 90, Title 10, Guam Code Annotated. (by D.G. Rodriguez, Jr.)**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
E-mail: senatordrodriguez@gmail.com



SENATOR DENNIS G. RODRIGUEZ, JR.

PUBLIC HEARING AGENDA

TUESDAY MAY 31, 2011

4:00PM

Public Hearing Room, *I Liheslaturan Guåhan*, Hagatña, Guam

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

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

4:00PM

- **Bill No. 194-31 (COR) -An act to amend §15409 of Title 4 GCA; relative to appointing the Guam Election Commission as the main repository for Certificates of Completion for elected and appointed officials who complete the Ethics in Government program. (by J. T. Won Pat Ed.D.)**
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- IV. Announcements
- V. Adjournment

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Dennis G. Rodriguez, Jr. at 176 Serenu Avenue Suite 107, Tamuning, Guam, at our mailbox in the Legislature Building at 155 Hesler Place, Hagatna, Guam or via email to senatordrodriguez@gmail.com. Copies of the aforementioned Resolution and/or Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.org. Individuals requiring special accommodations or services, please contact our office at 649-8638. We look forward to your presence and participation.

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
E-mail: senatordrodriguez@gmail.com

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

Avg. Rating:

Legislature's public hearing room
, Hagatna, GU 96910
Phone: (671)649-8638

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Committee on Health and Human Services, Economic Development, Senior Citizens and Election Reform: Public hearing 4 p.m. May 31, Legislature's public hearing room, Hagatna. Bill 194-31 (cor), to appoint Guam Election Commission as main repository for certificates of completion for elected and appointed officials who complete Ethics in Government program; Bill 188-31 (cor), to restrict smoking in motor vehicle when child is present. Email testimony to: senatorrodriguez@gmail.com. For special accommodations, call 649-8638.

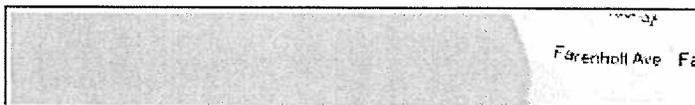
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Legislature's public hearing room





Hearing covers bills, resolution

Written by

Pacific Daily News

2:00 PM, May. 30, 2011|

The Committee on Health and Human Services, Economic Development, Senior Citizens and Election Reform, chaired by Sen. Dennis Rodriguez Jr., will conduct a public hearing tomorrow beginning at 4 p. m. in the Legislature's public hearing room.

The following is on the agenda:

- Bill 194, introduced by Speaker Judith Won Pat, this bill is relative to appointing the Guam Election Commission as the main repository for Certificates of Completion for elected and appointed officials who complete the Ethics in Government program.

- Bill 188, introduced by Rodriguez, this bill is relative to restricting smoking in a motor vehicle when a child is present.

Also tomorrow, a presentation of Resolution 108 will be given at the Sinajana Senior Citizens Center at 5 p.m.

The resolution would recognize and congratulate Guma'Mami Inc. for its 30 years of commitment to providing valuable community-based services to persons with disabilities on Guam, according to the Guam Legislature's website. The

presentation also includes those individuals and agencies that have impacted and have impacted and have been engaged in improving services for persons with disabilities.

IF YOU GO

- For more information on the public hearings for Bills 194 and 188, call the Office of Sen. Dennis Rodriguez Jr. at 649-8638.

- For more information on the presentation of Resolution 108, contact the Office of Sen. Tina Muña Barnes at 472-3455/6

- For more information on the public hearings for Bills 194 and 188, call the Office of Sen. Dennis Rodriguez Jr. at 649-8638.

- For more information on the presentation of Resolution 108, contact the Office of Sen. Tina Muña Barnes at 472-3455/6

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Pacific Daily News, Monday, May 30, 2011 guampdn.com

Hearing covers bills, resolution

Pacific Daily News

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ATTY DON PARKINSON
 204 Julale Center, Hagatna GU
 477-2079 after 10AM
 \$500 Simple Both Parties Sign
 Plus Court Fees
DIVORCE

IF YOU GO

2011 MAY 6 PM 4:32 EDM

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

Bill No. 18831 (LS)

Introduced by:

D. G. Rodriguez, Jr. ✓

**AN ACT RELATIVE RESTRICTING
SMOKING IN A MOTOR VEHICLE WHEN A
CHILD IS PRESENT, BY ADDING A NEW
§90114 TO CHAPTER 90, TITLE 10, GUAM
CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Mina'Trentai Unu Na Liheslaturan Guåhan* takes due note of the fact that smoking in an enclosed space has been clearly determined to be extremely hazardous to others present, and that there is no known safe level of exposure to secondhand smoke. Further, the smaller the space, the higher the level and concentration of toxins per cubic foot of air.

I Liheslaturan further finds that when someone smokes in the small enclosed space of a car, people are exposed to toxic air at levels many times higher than what the USEPA considers to be the threshold limit value (TLV) for hazardous air quality, even when a window is open. Further, the latent gaseous and particulate components of tobacco smoke absorb into the upholstery and other surfaces inside a car, and then off-gas back into the air over the course of many days. This creates an insidious situation wherein passengers are exposed to toxins long after anyone has actually smoked in the car.

I Liheslaturan takes due note of the fact that minors often have no say as to

1 the circumstances by which they are being exposed to secondhand smoke, and
2 finds that banning smoking in cars while children are present will serve as a pre-
3 emptive measure to keep Guam’s young people healthy.

4 It is the intent of *I Liheslaturan* to ensure the safety of Guam’s children by
5 setting regulatory standards which protect them from circumstances’ wherein they
6 are being exposed to airborne toxins found in secondhand smoke. This is
7 especially critical for younger children who are still growing and extremely
8 vulnerable and defenseless to toxins that destructively affect their maturation.

9 **Section 2:** A new §90114 is hereby added to Chapter 90, Title 10, Guam
10 Code Annotated, to read:

11 **“§90114. Prohibition of Smoking in a Vehicle When a Child is Present.**

12 (a) Smoking is prohibited in a motor vehicle if a child who is 17 years of age
13 or younger is present in the vehicle, regardless of whether the vehicle is
14 moving or stationary.

15 (b) A person who is in violation of Subsection (a) of this §90114 *shall*, upon
16 conviction thereof, be subject to a maximum fine of One Hundred
17 Dollars (\$100.00) for a first offense.

18 (c) The court *may* suspend the fine for a violation of this section, if:

19 (i) The person has not previously been convicted of a violation of this
20 section; and

21 (ii) The person proves to the court that the person has enrolled in a
22 smoking cessation program or its equivalent.

23 (d) A person who is in violation of Subsection (a) of this §90114 *shall*, upon
24 conviction thereof, be subject to subject to a maximum fine of Two
25 Hundred Dollars (\$200.00) for a **second offense**. The fine *shall not* be
26 suspended by the court for second or subsequent offenses.

1 (e) A person who is in violation of Subsection (a) of this §90114 *shall*, upon
2 conviction thereof, be subject to subject to a maximum fine of Five
3 Hundred Dollars (\$500.00) for each additional violation thereafter.

4 (f) A violation of this section may be used as a basis for or evidence of child
5 abuse or neglect.

6 (g) All fines paid, upon a conviction pursuant to a violation of this §90114,
7 *shall* be deposited in the *Guam Cancer Trust Fund* (P. L. 30-80, codified
8 in Title 11, Chapter 26, Guam Code Annotated, as amended) and shall be
9 expended pursuant to applicable law and regulations pertaining to the
10 *Fund*.

11 **Section 4: Effective Date.** This Act *shall* take effect immediately upon
12 enactment.

13 **Section 5: Severability.** If any provision of this law or its application to
14 any person or circumstance is found to be invalid or contrary to law, such
15 invalidity shall *not* affect other provisions or applications of this law which can be
16 given effect without the invalid provisions or applications, and to this end the
17 provisions of this Act are severable.