



2011 NOV 22 AM 8:59

**EDDIE BAZA CALVO**  
Governor

**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor of Guam*

November 21, 2011

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

31-11-1120  
Office of the Speaker  
**Judith T. Won Pat, Ed. D.**  
Date 11/21/11  
Time 4:49 PM  
Received by

Dear Madame Speaker:

Transmitted herewith is Bill No. 204-31 (COR) "AN ACT TO REQUIRE THE DEPARTMENT OF PARKS AND RECREATION TO CONDUCT A REVIEW OF BEACHES AND NEARSHORE AREAS SURROUNDING GUAM", which I signed into law on November 17, 2011 as **Public Law 31-133**.

*Senseramente,*

**EDDIE BAZA CALVO**

Attachment: copy of Bill

# 1126

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

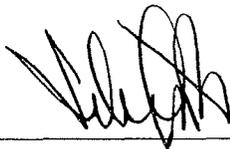
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that Bill No. 204-31 (COR), "AN ACT TO REQUIRE THE DEPARTMENT OF PARKS AND RECREATION TO CONDUCT A REVIEW OF BEACHES AND NEARSHORE AREAS SURROUNDING GUAM," was on the 8<sup>th</sup> day of November, 2011, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

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This Act was received by *I Maga'lahaen Guåhan* this 9<sup>th</sup> day of Nov., 2011, at 1:25 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date:

**NOV 17 2011**

Public Law No. 311-133

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

**Bill No. 204-31 (COR)**

Introduced by:

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

**AN ACT TO REQUIRE THE DEPARTMENT OF PARKS  
AND RECREATION TO CONDUCT A REVIEW OF  
BEACHES AND NEARSHORE AREAS SURROUNDING  
GUAM.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the island of Guam has an abundance of natural resources, including beautiful  
4 beaches and pristine ocean waters. Guam's waters have become a popular  
5 attraction for local residents and visitors to participate in swimming, fishing,  
6 surfing, diving, paddling, and other recreational and commercial water activities.

1            *I Liheslaturan Guåhan* further finds that this increased water activity in  
2 Guam has led to a subsequent increase in safety concerns and, in certain instances,  
3 the occurrence of tragic events. Past tragedies involving swimmers, paddlers and  
4 fishermen have reinforced these concerns. The increased interest and participation  
5 in activities offered in Guam’s waters call for a comprehensive safety review.  
6 Information gathered from this review may demonstrate, and reinforce, the need  
7 for hiring more lifeguards and other trained personnel, who are responsible for  
8 keeping Guam’s shores and waters safe.

9            Therefore, it is the intent of *I Liheslaturan Guåhan* to require the  
10 Department of Parks and Recreation to conduct a review of the safety records of  
11 beaches and other nearshore areas islandwide, and to report the findings to *I*  
12 *Liheslaturan Guåhan*.

13            **Section 2.** The Department of Parks and Recreation *shall* conduct a review  
14 of the beaches and nearshore areas in Guam, including the scope and frequency of  
15 ocean activities at designated beaches and nearshore areas; any accidents, injuries  
16 and deaths attributable to the activities; and the success or failure of any safety  
17 equipment, safety features or safety procedures utilized or implemented for the  
18 purpose of ensuring the safety of the public.

19            For the purpose of conducting a review, the Department of Parks and  
20 Recreation may work in concert with other relevant instrumentalities of the  
21 government of Guam, including, but *not* limited to, the Guam Police Department,  
22 the Guam Fire Department, the Department of Agriculture, and the Guam  
23 Environmental Protection Agency. The Department of Parks and Recreation may  
24 also seek the assistance of instrumentalities outside the government of Guam  
25 including, but *not* limited to, the United States Navy and the United States Coast  
26 Guard.

1           **Section 3. Report to *I Liheslaturan Guåhan*.** The Department of Parks  
2 and Recreation *shall* submit a report to the Speaker of *I Liheslaturan Guåhan* on  
3 the findings of the review, including recommendations for improving safety in  
4 Guam’s beaches and nearshore areas, *no later than* January 31, 2012.

5           **Section 4.** Any funding deemed necessary for the purposes of satisfying  
6 the mandates outlined in Sections 2 and 3 of this Act *shall* be expended from the  
7 operating budget of the Department of Parks and Recreation.

8           **Section 5. Severability.** *If* any provision of this Law or its application to  
9 any person or circumstance is found to be invalid or contrary to law, such  
10 invalidity shall *not* affect other provisions or applications of this Law which can be  
11 given effect without the invalid provisions or application, and to this end the  
12 provisions of this Law are severable.

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: 11/07/11<sup>8</sup>

## VOTING SHEET

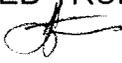
Bill No. 204-31 (COR)

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

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

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
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 \_\_\_\_\_

CERTIFIED TRUE AND CORRECT:  


\_\_\_\_\_  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence



**I Mina'Trentai Unu Na Liheslaturan Guåhan**  
**Office of The Legislative Secretary**  
**Tina Rose Muña Barnes**

2011  
 AUG - 5  
 PM 3:16  
 eam

July 29, 2011

**The 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

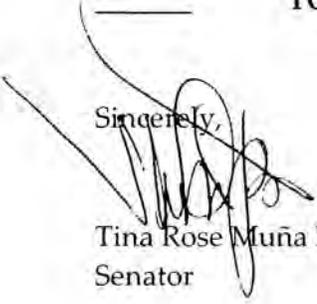
**RE: Committee Report on Bill No. 204-31 (COR)**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on **Bill No. 204-31 (COR)** – “An act to require the Department of Parks and Recreation to conduct a review of beaches and nearshore areas surrounding Guam”.

Committee votes are as follows:

- 4        **TO DO PASS**
- TO NOT PASS**
- 2        **TO REPORT OUT ONLY**
- TO ABSTAIN**
- TO PLACE IN INACTIVE FILE**

Sincerely,  
  
 Tina Rose Muña Barnes  
 Senator



I Mina'Trentai Unu Na Liheslaturan Guåhan  
Office of The Legislative Secretary  
Tina Rose Muña Barnes

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**COMMITTEE  
REPORT  
ON**

**BILL NO. 204-31 (COR)**  
*(Sponsor: M. Silva Taijeron)*

**“An act to require the Department of Parks and Recreation to conduct a review of beaches and nearshore areas surrounding Guam”.**



**I Mina'Trentai Unu Na Liheslaturan Guåhan**  
**Office of The Legislative Secretary**  
**Tina Rose Muña Barnes**

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July 19, 2011

**MEMORANDUM**

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

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

**Subject:** **Committee Report on Bill No. 204-31 (COR)**

Transmitted herewith for your consideration is the Committee Report on **Bill No. 204-31 (COR)** – **“An act to require the Department of Parks and Recreation to conduct a review of beaches and nearshore areas surrounding Guam.”**

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 204-31 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony on Bill No. 204-31 (COR)
- Copy of COR Referral of Bill No. 204-31 (COR)
- Fiscal Note for Bill No. 204-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

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

*Si Yu'os ma'åse'!*



**I Mina'Trentai Unu Na Liheslaturan Guåhan**  
**Office of The Legislative Secretary**  
**Tina Rose Muña Barnes**

**COMMITTEE VOTING SHEET**

**Bill No. 204-31 (COR) – “An act to require the Department of Parks and Recreation to conduct a review of beaches and nearshore areas surrounding Guam.”**

	SIGNATURE	TO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN DUE TO CONFLICT OF INTEREST	TO PLACE IN INACTIVE FILE
LEGISLATIVE SECRETARY TINA ROSE MUÑA BARNES Chairperson				✓		
SPEAKER JUDITH T. WON PAT, Ed.D. Vice-Chairperson						
VICE SPEAKER BENJAMIN J.F. CRUZ Member				7/28/11		
SENATOR RORY J. RESPICIO Member						
SENATOR THOMAS C. ADA Member						
SENATOR DENNIS G. RODRIGUEZ, JR. Member						
SENATOR JUDITH P. GUTHERTZ, DPA Member						
SENATOR ADOLPHO B. PALACIOS Member		7/25/11				
SENATOR VICENTE C. PANGELINAN Member						
SENATOR FRANK F. BLAS, JR. Minority Member	fb		7/27/11 fb			
SENATOR ALINE YAMASHITA Minority Member						
SENATOR V. ANTHONY ADA Minority Member			7/24/11			
SENATOR MANA SILVA TAIJERON Minority Member			7/29/11			
SENATOR CHRISTOPHER M. DUEÑAS Minority Member	st		7/27/11			



**I Mina'Trentai Unu Na Liheslaturan Guåhan**  
**Office of The Legislative Secretary**  
**Tina Rose Muña Barnes**

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**COMMITTEE REPORT DIGEST**

**I. OVERVIEW**

Bill No. 204-31(COR) was introduced on May 19, 2011 by Senator M. Silva Taijeron, and was subsequently referred by the Committee on Rules to the Committee on Municipal Affairs, Tourism, Housing and Recreation on May 20, 2011.

The Committee on Municipal Affairs, Tourism, Housing and Recreation convened a public hearing on Bill No. 204-31(COR) on Tuesday, June 14, 2011 at 9:00 A.M. in *I Liheslatura's* Public Hearing Room.

**Public Notice Requirements**

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets on Tuesday, June 7, 2011 (5-Day Notice), and again on Friday, June 10, 2011 (48-Hour Notice).

**Senators Present**

Senator Dennis G. Rodriguez, Jr., Acting Chairperson  
Senator Mana Silva Taijeron, Committee Member  
Senator V. Anthony Ada, Committee Member  
Senator, Aline A. Yamashita, Ph.D., Committee Member

**II. SUMMARY OF TESTIMONY & DISCUSSION**

The public hearing was Called-to-Order at 9:08 A.M.

Senator Dennis Rodriguez Jr. called the public hearing to order at 9:08a.m. He announced for the record that he was sitting in for the Chairperson of the Committee on Municipal Affairs, Tourism, Housing & Recreation and Legislative Secretary Tina Rose Muña Barnes, and recognized the presence of his colleagues Senator Mana Silva Taijeron, Senator Tony Ada, and Senator Aline Yamashita. He then asked Senator Taijeron to give a brief synopsis of Bill No. 204-31(COR), as she is the primary sponsor/author.

Senator Taijeron said that Bill No. 204-31 (COR) will require the Department of Parks and Recreation to conduct a comprehensive study to determine which areas/public beaches are mostly used, and also identify if there are any safety issues/needs that need to be addressed. Taijeron said that this bill pairs well with Senator Rodriguez's bill that he introduced, and believes that such a study will allow the Department arguing points to secure additional funding/resources from the Government. Additionally, Senator



# I Mina'Trentai Unu Na Liheslaturan Guåhan

## Office of The Legislative Secretary

### Tina Rose Muña Barnes

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Taijeron has communicated with the Environmental Protection Agency, and they have concurred that this bill will be helpful to the Department of Parks and Recreation because it will help address any environmental safety issues at these beaches.

Department of Parks and Recreation representative, Michael Cura read the written testimony from the Department. Testimony is transmitted herewith.

Pete Calvo said that while he believes this bill would be a very important initiative, he also said that his department cannot sustain this level of coverage at this point in time, especially with the loss of their Chief Planner. Calvo said that DPR does provide this type of information to the Coastal Management for their documentation. Calvo thinks that this bill would perhaps be better situated with Coastal Management of the Bureau of Statistics and Plans (BSP) until such time when Parks and Recreation could have more personnel to compile such data.

Senator Taijeron is glad that Calvo recognizes the importance of this bill, but doesn't necessarily agree that this type of data collecting/surveying be given to another agency. Taijeron said that it is Calvo that has the expertise and not BSP, and that this bill would benefit DPR.

Calvo believes that this bill would help the department tremendously. However, at this present time, DPR only has 13 lifeguards in total, of which 2 are not fully functional, according to Calvo. Members of his staff work seven days a week, and simply put, the Department does not have the manpower. Calvo said that even with the limited number of lifeguards with the Department, it is very important that they be given down time, especially after being involved in a critical rescue.

Senator Aline Yamashita said that everyone would agree that data is needed. She suggested to Calvo that he consider tapping into other resources, perhaps speaking with Dr. Lee Yudin, the Dean of the College of Agriculture and Life Sciences and/or Dr. James Sellman of the College of Liberal Arts and Social Sciences of UOG, in seeking graduate students that could be tasked in compiling this sort of data for credit. She even made the suggestion to tap into highschool juniors and seniors, which would require a little more legwork, as more training would be needed to compile such data.

Pete Calvo thanked Senator Yamashita for this suggestion and told her that he was excited for the opportunity to collaborate with others in collecting this data.

Senator Tony Ada asked Pete Calvo whether or not he believes that there should be changes in the law to allow for DPR officials the authority to cite individuals who blatantly disregard beach closure notices when there are hazardous conditions.

Pete Calvo responded that the lifeguards are put in a predicament where their warnings are not heeded because they are not regarded as enforcement officers.



# I Mina'Trentai Unu Na Liheslaturan Guåhan

## Office of The Legislative Secretary

### Tina Rose Muña Barnes

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Joe Mendiola reiterated that the authority of lifeguards is very minimal and even undermined. Mendiola said that even if the public is warned, it's not like the lifeguards can hold people down to stop them from entering the water. He cited the tragedies of the deaths of the two kayakers that died not too long ago, and said that in that particular incident, all the kayakers that went out that day were warned by the DPR lifeguard on duty not to go out in the water because it was very dangerous at that time, and unfortunately, this communication was disregarded, resulting in the deaths of the young kayakers. Mendiola said that there are flags that DPR staff puts up, as an indication to the public of the dangers of the water.

Senator Tony Ada said that we should definitely look into what changes we can make in the law, and hopefully we could get more input from DPR as to how we can better help the department, specifically in regards to the lifeguards.

Senator Taijeron agreed with Senator Yamashita, and said that collaborating with UOG and/or GCC would be a good idea if DPR indeed does not have the manpower to do this comprehensive study. She thanked Senator Yamashita for thinking outside of the box and said that was something they have been doing a lot of lately. She told Calvo that she really hopes he considers these suggested partnerships, which will engage other Government of Guam agencies to assist in the collection of this data.

Senator Dennis Rodriguez, Jr. adjourned the public hearing at 10:04 a.m.

The public hearing was adjourned at 10:04 A.M.

### III. FINDINGS & RECOMMENDATIONS

The Committee on Municipal Affairs, Tourism, Housing and Recreation hereby reports out Bill No. 204-31(COR), with the recommendation TO PASS.



1           Therefore, it is the intent of *I Liheslaturan Guåhan* to require the Department  
2 of Parks and Recreation to conduct a review of the safety records of beaches and  
3 other nearshore areas islandwide, and to report the findings to *I Liheslaturan Guåhan*.

4           **Section 2.** The Department of Parks and Recreation shall conduct a review of  
5 the beaches and nearshore areas in Guam, including the scope and frequency of ocean  
6 activities at designated beaches and nearshore areas; any accidents, injuries and  
7 deaths attributable to the activities; and the success or failure of any safety  
8 equipment, safety features or safety procedures utilized or implemented for the  
9 purpose of ensuring the safety of the public.

10           For the purpose of conducting a review, the Department of Parks and  
11 Recreation may work in concert with other relevant instrumentalities of the  
12 government of Guam including, but not limited to, the Guam Police Department, the  
13 Guam Fire Department, the Department of Agriculture and the Guam Environmental  
14 Protection Agency. The Department of Parks and Recreation may also seek the  
15 assistance of instrumentalities outside the government of Guam including, but not  
16 limited to, the United States Navy and the United States Coast Guard.

17           **Section 3. Report to *I Liheslaturan Guåhan*.** The Department of Parks and  
18 Recreation shall report to the Speaker of *I Liheslaturan Guåhan* the findings of the  
19 review, including recommendations for improving safety in Guam's beaches and  
20 nearshore areas, no later than January 31, 2012.

21           **Section 4.** Any funding deemed necessary for the purposes of satisfying the  
22 mandates outlined in Sections 2 and 3 of this Act shall be expended from the  
23 operating budget of the Department of Parks and Recreation.

24           **Section 5. Enactment.** The provisions of this Act shall become effective  
25 immediately upon enactment.

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



**Department of Parks and Recreation**

**Testimony on Bill No. 204-31**

Author: M. Silva Taijeron

Re: An Act to require the Department of Parks and Recreation (DPR) to conduct a Review of Beaches and Nearshore areas surrounding Guam

Chairman and distinguished Committee Members: Thank you for allowing the Department of Parks and Recreation to contribute to the discussion on this important matter.

The above subject Bill No. 204-31 requires a Safety 'Review' Report to be submitted to the legislature by January 31, 2012. The report should consist of the following:

1. Scope of frequency of ocean activities at designated beaches;
2. Accidents, injuries and deaths attributable to the activities; and
3. Success and failure of any safety equipment, safety features or procedures utilized or implemented for the purpose of ensuring the safety of the public.

Bill No. 204-31 recommends that DPR should work in collaboration with Guam Police Department, the Guam Fire Department, the Department of Agriculture and Guam Environmental Protection Agency, although the list is not exhaustive. Furthermore, Bill No. 204-31 requires that any funding needed to conduct the Review shall be expended from the operating budget of DPR.

Based on information contained in the proposed Bill No. 204-31, DPR will be able to provide the required information to the legislature by the timeline identified. Most of the information requested is on record with DPR Administration through its data reports that include all Territorial Seashore Beach Parks under the Department's jurisdiction. The current reports include information such as permits issued, amount of estimated visitors for the permitted area, and rented shelters and/or pavilions. DPR currently submits these reports to the Coastal Management Agency on an annual basis. In addition to such reports, DPR Park Rangers keep on record all incidents that occur at any/all of the DPR sites on a daily basis.

It is important to recognize however, that although these reports exist in different forms and are submitted to other entities, that in order to meet the requirements of Bill No. 204-31, DPR will need to identify staff that can compile the information and streamline the data. Doing so will ensure that the effectiveness of the review will allow the demonstration and reinforcement of hiring the much needed personnel to continue to protect Guam's shores and waters. A thorough review of the required information of the Bill will allow DPR to begin making contact with other organizations for information that may not currently be documented.

However, recently the department had lost the Chief Planner, as he had accepted a private sector opportunity. The Chief Planner would have been the most likely staff to undertake such an assignment as the report would require analytical talents. Additionally, the department does not have an Administrative Service Officer or an AO. This would leave the report data collections, compilation, analytical review and reporting format to be assigned to other staff already loaded with the daily activities of the present operation and not particularly suited to prepare this type of document. While the department would be excited to work on such a project, the present staffing situation does not allow for this activity to be taken on so lightly.

May we suggest that the reporting requirements be placed in the Bureau of Statistics and Plans, as most of the information required is already sent to them for compilation and analysis? The Guam Coastal Management Division has been instrumental in compiling data and presenting plans that have benefited

the island's growth and development. Providing the additional information would be an easy objective for the division, whereas DPR providing the report may further exhaust the overstretched staff resources.

If the department is assigned this activity, we will do our utmost to provide the best objective report possible given our present staffing capacity. In addition, we would do our best to meet the legislative timeline.

Thank you for the opportunity to testify on this important subject.

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 204-31 (COR)**

**AN ACT TO REQUIRE THE DEPARTMENT OF PARKS AND RECREATION TO CONDUCT A REVIEW OF BEACHES AND NEARSHORE AREAS SURROUNDING GUAM.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Parks and Recreation		Dept./Agency Head: Peter S. Calvo, Deputy Director, Acting	
Department's General Fund (GF) appropriation(s) to date:			3,715,648
Department's Other Fund (specify): Public Recreation Services Fund & Tourist Attraction Fund Appropriation(s) to date:			<u>1,082,071</u>
<b>Total Department/Agency Appropriation(s) to date:</b>			<b>\$4,797,719</b>

**Fund Source Information of Proposed Appropriation**

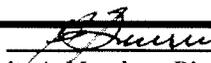
	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196 thru 30-239 & thru P.L. 31-12)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
 If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No  
 If no, what is the additional amount required? \$ \_\_\_\_\_ / / N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No  
 If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No  
 Is there a federal mandate to establish the program/agency? / / Yes / / No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /X/ No  
 / / Requested agency comments not received by due date /X/ Other: Time constraint

*5/26/11*

Analyst (s): Joe Certeza  Date: 05/23/2011 Director: Benita A. Manglona  Date: 6/7/11  
 Benita A. Manglona, Director

**Footnotes:**  
 The Bill has a potential fiscal impact for additional funding requirements. However, in its present form, such impact cannot be determined at this time.



# COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

2011 MAY 20  
CH 3:37

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY MEMBERS:**

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

**MINORITY MEMBERS:**

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

May 20, 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. 203-31 (COR) and 204-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 203-31(COR) and 204-31 (COR).

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 Liheslaturan Guåhan*.

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

*Si Yu'os ma'åse!*

(2) Attachments

*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**May 19, 2011**

Page 1 of 1

<b>Bill No.</b>	<b>Sponsor(s)</b>	<b>Title</b>	<b>Date Introduced</b>	<b>Date Referred</b>	<b>120 Day Deadline</b>	<b>Committee Referred</b>	<b>Public Hearing Date</b>	<b>Date Committee Report Filed</b>	<b>Status (Date)</b> Passed? Failed? Vetoed? Overridden? Public Law?
204-31 (COR)	M. Silva Taijeron	AN ACT TO REQUIRE THE DEPARTMENT OF PARKS AND RECREATION TO CONDUCT A REVIEW OF BEACHES AND NEARSHORE AREAS SURROUNDING GUAM.	05/19/11 3:55 p.m.	5/20/11		Committee on Municipal Affairs, Tourism, Housing and Recreation			

5-19-11





Rhea Taitano <rhea@tinamunabarnes.com>

## 1st Notice of Public Hearing

Rhea Taitano <rhea@tinamunabarnes.com>

Tue, Jun 7, 2011 at 4:43 PM

To: Clerks <clerks@guamlegislature.org>, MIS <mis@guamlegislature.org>, Senator Adolpho Palacios <senabpalacios@gmail.com>, Senator Aline Yamashita <aline4families@gmail.com>, "Senator B.J. Cruz" <senadotbjcruz@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Chris Duenas <duenasenator@gmail.com>, "Senator Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Senator Frank Blas Jr." <frankblasjr@gmail.com>, Senator Judi Guthertz <senatorjudiguthertz@gmail.com>, Senator Mana Silva Taijeron <senatormana@gmail.com>, Senator Rory Respicio <rorryforguam@gmail.com>, Senator Sam Mabini <senatorsam@senatormabini.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Tom Ada <tom@senatorada.org>, Senator Tony Ada <senatortonyada@guamlegislature.org>, Speaker Judi Won Pat <speaker@judiwonpat.com>, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: bmkelman@guampdn.com, carlene@guahanmagazine.com, cmurphy1@guam.gannett.com, dtamondong@guampdn.com, editor2@directionsguam.com, editor@mvguam.com, gery@mvguam.com, hottips@kuam.com, janjeera@kuam.com, john@kuam.com, jtyquiengco@spbg Guam, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofofguam.com, marketing@hitradio100.com, news@k57.com, news@spbg Guam, publisher@glimpsesofofguam.com, reporter1@glimpsesofofguam.com, romeo@mvguam.com, slimtiaco@guampdn.com, Bob Gaeth <bgaeth@k57.com>, Catriona Melyan <cmelyan@guampdn.com>, Clynt Ridgell <clynt@spbg Guam>, Darryl Bearce <darryl@guamlegislature.org>, David Crisostomo <dcrisost@guampdn.com>, David Crisostomo <dcrisostomo@guampdn.com>, Derrick Muna Quinata <derrickmunaquinata@yahoo.com>, Don Muna <donmuna@gmail.com>, Duane George <dmgeorge@guampdn.com>, Ed Davis <ed@guamtech.com>, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Guam News Factor <scoop@guamnewsfactor.com>, Guam News Watch <scoop@guamnewsfactor.com>, Janela Buhain <janela@mvguam.com>, Jason Salas <jason@kuam.com>, Jeff Marchesseault <jeff@marianasmedia.com>, John Dela Rosa <john@marianasmedia.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Marianas Variety <admin@mvguam.com>, Marvic Cagurangan <mar\_vic\_cagurangan@yahoo.com>, Marvic Cagurangan <marvic@mvguam.com>, Michael Rudolph <michael@marianasmedia.com>, Mindy Aguon <mindy@kuam.com>, Nick Delgado <nick@kuam.com>, Patti Arroyo <parroyo@k57.com>, Ray Gibson <rgibson@k57.com>, Richard Dohrumal <rriike05@gmail.com>, Rlene Steffy <rlene@rlenelive.com>, Robert Kelley <rkelley@guamtech.com>, Romeo Carlos <romeogfx@yahoo.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Therese Hart <therese@mvguam.com>, Tina Chau <tina@marianasmedia.com>, Travis Coffman <travis.coffman@gmail.com>, Zita Taitano <zita@mvguam.com>, Lisa Cipollone <cipo@guamlegislature.org>, Tanya Mendiola <tanya4families@gmail.com>, Evelyn Claros <evelyn4families@gmail.com>, Lou Benavente <lou4families@gmail.com>, Ed Leon Guerrero <edleonguerrero@gmail.com>, rob.tupaz@gmail.com, Doc Wyttenbach-Santos <doc.wyttenbachsantos@gmail.com>, Bruce Lloyd <bruce.lloyd.media@gmail.com>, "Leslie E. Gatan" <leslie.g@senatormabini.com>, sem@guamlegislature.org, Elaine Tajalle <etajalle@guamlegislature.org>, Olivia Palacios <oliviampalacios@gmail.com>, cor@guamlegislature.org, Joshua Tenorio@senatorbjcruz.com, Peter Leon Guerrero <peterlg@gmail.com>, "Edward G. Lee" <edwardglee671@yahoo.com>, "Louise H. Aguon-Atalig" <louise\_atalig@yahoo.com>, Angela Leon Guerrero <leonguerrero.angela@gmail.com>, "James P. Castro" <jamespcastro@gmail.com>, Mary Fejeran <maryfejeran@gmail.com>, Mark Sayama <sayama01@yahoo.com>, "Mark D.S. Aflague" <markaflague@gmail.com>, Meia Torres <mtorres.senatordrodriguez@gmail.com>, Joseph Mesngon <jmesngon.senatordrodriguez@gmail.com>, Clifton Herbert <cherbert.senatordrodriguez@gmail.com>, "Therese C. Santos" <chechsantos@gmail.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Chelsa Muna-Brecht <chelsa@tinamunabarnes.com>, Carlo Branch <carlo@tinamunabarnes.com>, Gavin Santos <gavin@tinamunabarnes.com>, Elaine McDonald <elaine@tinamunabarnes.com>, Jane Chargualaf <jane@tinamunabarnes.com>, Audrey Ward <audrey@judiwonpat.com>, Frank Torres <fbtorres@judiwonpat.com>, steve@judiwonpat.com, "Berlene R. Taitano" <berlenerenae@hotmail.com>, pris@senatorpalacios.com, Cyrus Luhr <cyrus@senatorada.org>, Nicole Santos <nsantos@senatorada.org>, Jimmy Camacho <jcamacho@senatorada.org>, office@senatorada.org

Hafa Adai,

Please see the attached memo from Senator Muña Barnes, relative to the public hearing on June 14, 2011.

—

Saina Ma'āse',

Rhea Aguon Taitano  
Research Analyst  
Office of Senator Tina Muña Barnes  
Committee on Municipal Affairs, Tourism, Housing and Recreation  
155 Hesler Place  
Hagåtña, Guam 96910  
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Email: [raguontaitano@gmail.com](mailto:raguontaitano@gmail.com)



**1st Notice of Public Hearing for 6-14-2011.pdf**

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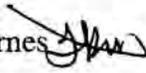
I Mina'Trentai Unu Na Liheslaturan Guåhan  
Office of The Legislative Secretary  
Tina Rose Muña Barnes

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June 7, 2011

Memorandum

TO: All Members/All Senators

FROM: Senator Tina Rose Muña Barnes   
Chairperson

**SUBJECT: First Notice of Public Hearing  
Tuesday, June 14, 2011**

*Hafa Adai!*

Please be advised that the Committee on Municipal Affairs, Tourism, Housing and Recreation will be conducting a public hearing on Tuesday, June 14, 2011, beginning at 9:00a.m., in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following:

- The executive appointment of **Evelyn Casil** to serve as the President of the Guam Housing Corporation
- The executive appointment of **Tomas L.G. Flores, Jr.** to serve as a member of the Guam Housing Corporation Board of Directors
- The executive appointment of **John T. Calvo** to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners
- The executive appointment of **John M. Rupley** to serve as a member of the Parks and Recreation Commission
- The executive appointment of **Ramon T. Topasna** to serve as a member of the Parks and Recreation Commission
- The executive appointment of **Joo H. Ko** to serve as a member of the Parks and Recreation Commission
- **Bill No. 106-31 (COR)- T.R. Muña Barnes**  
An act to *amend* §3202(j) to Chapter 3, Title 19 GCA relative to the payment for solemnization of marriage by a Mayor or Vice Mayor.



**I Mina'Trentai Unu Na Liheslaturan Guåhan**  
**Office of The Legislative Secretary**  
**Tina Rose Muña Barnes**

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Written testimonies may be submitted on the day of, prior to, or up to ten days after the public hearing to the Office of Senator Tina Rose Muña Barnes, 155 Hesler Place, Hagatña Guam 96910, via facsimile to 472-3400 or via email to [senator@tinamunabarnes.com](mailto:senator@tinamunabarnes.com). We comply with Title II of the Americans with Disabilities Act (ADA). If you should require assistance or special accommodations, please contact our office at 472-3455/6 and speak with Rhea Taitano or Richard Dohrumal. I look forward to your attendance and participation.

*Si Yu'os Ma'åse'!*

cc:                   Legal Counsel  
                      Sergeant-At-Arms/Protocol/AV  
                      Clerk of the Legislature  
                      MIS  
                      All media



Rhea Taitano <rhea@tinamunabarnes.com>

## 2nd Notice of Public Hearing

Rhea Taitano <rhea@tinamunabarnes.com>

Fri, Jun 10, 2011 at 9:51 AM

To: Clerks <clerks@guamlegislature.org>, MIS <mis@guamlegislature.org>, Senator Adolpho Palacios <senabpalacios@gmail.com>, Senator Aline Yamashita <aline4families@gmail.com>, "Senator B.J. Cruz" <senadotbjcruz@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Chris Duenas <duenasenator@gmail.com>, "Senator Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Senator Frank Blas Jr." <frankblasjr@gmail.com>, Senator Judi Guthertz <senatorjudiguthertz@gmail.com>, Senator Mana Silva Taijeron <senatormana@gmail.com>, Senator Rory Respicio <rorryforguam@gmail.com>, Senator Sam Mabini <senatorsam@senatormabini.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Tom Ada <tom@senatorada.org>, Senator Tony Ada <senatortonyada@guamlegislature.org>, Speaker Judi Won Pat <speaker@judiwonpat.com>, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: bmkelman@guampdn.com, carlene@guahanmagazine.com, cmurphy1@guam.gannett.com, dtamondong@guampdn.com, editor2@directionsguam.com, editor@mvguam.com, gerry@mvguam.com, hottips@kuam.com, janjeera@kuam.com, john@kuam.com, jtyquiengco@spbg Guam.com, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, managingeditor@glimpsesoFGuam.com, marketing@hitradio100.com, news@k57.com, news@spbg Guam.com, publisher@glimpsesoFGuam.com, reporter1@glimpsesoFGuam.com, romeo@mvguam.com, slimtiaco@guampdn.com, Bob Gaeth <bgaeth@k57.com>, Catriona Melyan <cmelyan@guampdn.com>, Clynt Ridgell <clynt@spbg Guam.com>, Darryl Bearce <darryl@guamlegislature.org>, David Crisostomo <dcrisost@guampdn.com>, David Crisostomo <dcrisostomo@guampdn.com>, Derrick Muna Quinata <derrickmunaquinata@yahoo.com>, Don Muna <donmuna@gmail.com>, Duane George <dmgeorge@guampdn.com>, Ed Davis <ed@guamtech.com>, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Guam News Factor <scoop@guamnewsfactor.com>, Guam News Watch <scoop@guamnewsfactor.com>, Janela Buhain <janela@mvguam.com>, Jason Salas <jason@kuam.com>, Jeff Marchesseault <jeff@marianasmedia.com>, John Dela Rosa <john@marianasmedia.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Marianas Variety <admin@mvguam.com>, Marvic Cagurangan <mar\_vic\_cagurangan@yahoo.com>, Marvic Cagurangan <marvic@mvguam.com>, Michael Rudolph <michael@marianasmedia.com>, Mindy Aguon <mindy@kuam.com>, Nick Delgado <nick@kuam.com>, Patti Arroyo <parroyo@k57.com>, Ray Gibson <rgibson@k57.com>, Richard Dohrumal <rlikeke05@gmail.com>, Rlene Steffy <rlene@rlenelive.com>, Robert Kelley <rkelley@guamtech.com>, Romeo Carlos <romeogfx@yahoo.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Therese Hart <therese@mvguam.com>, Tina Chau <tina@marianasmedia.com>, Travis Coffman <travis.coffman@gmail.com>, Zita Taitano <zita@mvguam.com>, Lisa Cipollone <cipo@guamlegislature.org>, Tanya Mendiola <tanya4families@gmail.com>, Evelyn Claros <evelyn4families@gmail.com>, Lou Benavente <lou4families@gmail.com>, Ed Leon Guerrero <edleonguerrero@gmail.com>, rob.tupaz@gmail.com, Doc Wyttenbach-Santos <doc.wyttenbachsantos@gmail.com>, Bruce Lloyd <bruce.lloyd.media@gmail.com>, "Leslie E. Gatan" <leslie.g@senatormabini.com>, sem@guamlegislature.org, Elaine Tajalle <etajalle@guamlegislature.org>, Olivia Palacios <oliviampalacios@gmail.com>, cor@guamlegislature.org, Joshua Tenorio@senatorbjcruz.com, Peter Leon Guerrero <peterlg@gmail.com>, "Edward G. Lee" <edwardglee671@yahoo.com>, "Louise H. Aguon-Atalig" <louise\_atalig@yahoo.com>, Angela Leon Guerrero <leonguerrero.angela@gmail.com>, "James P. Castro" <jamespcastro@gmail.com>, Mary Fejeran <maryfejeran@gmail.com>, Mark Sayama <sayama01@yahoo.com>, "Mark D.S. Aflague" <markaflague@gmail.com>, Meia Torres <mtorres.senatorrodriguez@gmail.com>, Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>, Clifton Herbert <cherbert.senatorrodriguez@gmail.com>, "Therese C. Santos" <chechsantos@gmail.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Chelsa Muna-Brecht <chelsa@tinamunabarnes.com>, Carlo Branch <carlo@tinamunabarnes.com>, Gavin Santos <gavin@tinamunabarnes.com>, Elaine McDonald <elaine@tinamunabarnes.com>, Jane Chargualaf <jane@tinamunabarnes.com>, Audrey Ward <audrey@judiwonpat.com>, Frank Torres <fbtorres@judiwonpat.com>, steve@judiwonpat.com, "Berlene R. Taitano" <berlenerenae@hotmail.com>, pris@senatorpalacios.com, Cyrus Luhr <cyrus@senatorada.org>, Nicole Santos <nsantos@senatorada.org>, Jimmy Camacho <jcamacho@senatorada.org>, office@senatorada.org, peter.calvo@dpr.guam.gov, vangelujan@yahoo.com, thomas.morrison@bsp.guam.gov

Hafa Adai,

Please see the attached memo from Senator Muña Barnes, relative to the public hearing on Tuesday, June 14, 2011.

—

Saina Ma'āse',

Rhea Aguon Taitano  
Research Analyst  
Office of Senator Tina Muña Barnes  
Committee on Municipal Affairs, Tourism, Housing and Recreation  
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 **2nd Notice of Public Hearing, 6-14-2011.pdf**

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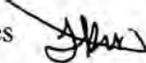
I Mina'Trentai Unu Na Liheslaturan Guåhan  
Office of The Legislative Secretary  
Tina Rose Muña Barnes

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June 10, 2011

Memorandum

TO: All Members/All Senators

FROM: Senator Tina Rose Muña Barnes   
Chairperson

SUBJECT: **First Notice of Public Hearing**  
**Tuesday, June 14, 2011**

*Hafa Adai!*

Please be reminded that the Committee on Municipal Affairs, Tourism, Housing and Recreation will be conducting a public hearing on Tuesday, June 14, 2011, beginning at 9:00a.m., in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following:

- The executive appointment of **Evelyn Casil**, to serve as a member of the Parks and Recreation Commission
- The executive appointment of **Elizabeth Gayle** to serve as a member of the Parks and Recreation Commission
- The executive appointment of **Annmarie T. Muña**, to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners
- **Bill No. 204-31 (COR)- M.S. Taijeron**  
An act to require the Department of Parks and Recreation to conduct a review of beaches and nearshore areas surrounding Guam.

Written testimonies may be submitted on the day of, prior to, or up to ten days after the public hearing to the Office of Senator Tina Rose Muña Barnes, 155 Hesler Place, Hagåtña Guam 96910, via facsimile to 472-3400 or via email to [senator@tinamunabarnes.com](mailto:senator@tinamunabarnes.com). We comply with Title II of the Americans with Disabilities Act (ADA). If you should require assistance or special accommodations, please contact our office at 472-3455/6 and speak with Rhea Taitano or Richard Dohrumal. I look forward to your attendance and participation.

*Si Yu'os Ma'åse'!*

cc: Legal Counsel  
Sergeant-At-Arms/Protocol/AV  
Clerk of the Legislature  
MIS  
All media



**I Mina'Trentai Unu Na Liheslaturan Guåhan**  
**Office of The Legislative Secretary**  
**Tina Rose Muña Barnes**

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**PUBLIC HEARING**  
**Tuesday, June 14, 2011**

**AGENDA**

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

**9:00 AM**

- A. The executive appointment of **Evelyn Casil**, to serve as a member of the Parks and Recreation Commission
- B. The executive appointment of **Elizabeth Gayle**, to serve as a member of the Parks and Recreation Commission
- C. The executive appointment of **Annmarie T. Muña**, to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners
- D. **Bill No. 204-31 (COR)- M.S. Taijeron**  
An act to require the Department of Parks and Recreation to conduct a review of beaches and nearshore areas surrounding Guam.

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

---

Electronic copies of the aforementioned items can be found on the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Hard copies can be obtained by visiting the Office of the Clerk of the Legislature. Testimony should be addressed to Senator Tina Rose Muña Barnes, Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatña, Guam 96910, via e-mail to [senator@tinamunabarnes.com](mailto:senator@tinamunabarnes.com), or via facsimile to (671) 472-3400. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Richard Dohrumal or Rhea Taitano at our office. For further information, please call 472-3455/6. I look forward to your attendance and participation. *Si Yu'os Ma'åse'!*

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

Bill No. 204-31(ccv)

Introduced by:

2011 MAY 14 4:44 PM  
M. Silva Taijeron   
\_\_\_\_\_

**AN ACT TO REQUIRE THE DEPARTMENT OF PARKS  
AND RECREATION TO CONDUCT A REVIEW OF  
BEACHES AND NEARSHORE AREAS SURROUNDING  
GUAM.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the island of Guam has an abundance of natural resources including beautiful beaches and pristine ocean waters. Guam's waters have become a popular attraction for local residents and visitors to participate in swimming, fishing, surfing, diving, paddling and other recreational and commercial water activities.

*I Liheslaturan Guåhan* further finds that this increased water activity in Guam has led to a subsequent increase in safety concerns and, in certain instances, the occurrence of tragic events. Past tragedies involving swimmers, paddlers and fishermen have reinforced these concerns. The increased interest and participation in activities offered in Guam's waters call for a comprehensive safety review. Information gathered from this review may demonstrate, and reinforce, the need for hiring more lifeguards and other trained personnel who are responsible for keeping Guam's shores and waters safe.

1           Therefore, it is the intent of *I Liheslaturan Guåhan* to require the Department  
2 of Parks and Recreation to conduct a review of the safety records of beaches and  
3 other nearshore areas islandwide, and to report the findings to *I Liheslaturan Guåhan*.

4           **Section 2.** The Department of Parks and Recreation shall conduct a review of  
5 the beaches and nearshore areas in Guam, including the scope and frequency of ocean  
6 activities at designated beaches and nearshore areas; any accidents, injuries and  
7 deaths attributable to the activities; and the success or failure of any safety  
8 equipment, safety features or safety procedures utilized or implemented for the  
9 purpose of ensuring the safety of the public.

10           For the purpose of conducting a review, the Department of Parks and  
11 Recreation may work in concert with other relevant instrumentalities of the  
12 government of Guam including, but not limited to, the Guam Police Department, the  
13 Guam Fire Department, the Department of Agriculture and the Guam Environmental  
14 Protection Agency. The Department of Parks and Recreation may also seek the  
15 assistance of instrumentalities outside the government of Guam including, but not  
16 limited to, the United States Navy and the United States Coast Guard.

17           **Section 3. Report to *I Liheslaturan Guåhan*.** The Department of Parks and  
18 Recreation shall report to the Speaker of *I Liheslaturan Guåhan* the findings of the  
19 review, including recommendations for improving safety in Guam's beaches and  
20 nearshore areas, no later than January 31, 2012.

21           **Section 4.** Any funding deemed necessary for the purposes of satisfying the  
22 mandates outlined in Sections 2 and 3 of this Act shall be expended from the  
23 operating budget of the Department of Parks and Recreation.

24           **Section 5. Enactment.** The provisions of this Act shall become effective  
25 immediately upon enactment.

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