



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

31-11-932
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:00 PM
Received by CKV

Dear Madame Speaker:

Transmitted herewith is Bill No. 118-31 (COR) "AN ACT TO ADD NEW §§77126 THROUGH 77132 TO CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A LIFEGUARD VOLUNTEER CORPS WITHIN THE DEPARTMENT OF PARKS AND RECREATION TO ENHANCE THE PROTECTION AND SAFETY OF THE PEOPLE OF GUAM AT PUBLIC RECREATIONAL AREAS", which was signed into law on September 30, 2011 as **Public Law 31-86**.

Senseramente,

EDDIE BAZA CALVO

2011 OCT - 5 AM 8:07
MWA

Attachment: copy of Bill

932

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

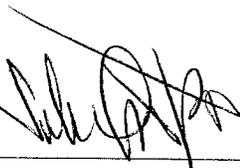
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 118-31 (COR), "AN ACT TO ADD NEW §§77126 THROUGH 77132 TO CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A LIFEGUARD VOLUNTEER CORPS WITHIN THE DEPARTMENT OF PARKS AND RECREATION TO ENHANCE THE PROTECTION AND SAFETY OF THE PEOPLE OF GUAM AT PUBLIC RECREATIONAL AREAS," was on the 19th day of September, 2011, duly and regularly passed.



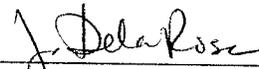
Judith T. Won Pat, Ed.D.
Speaker

Attested:



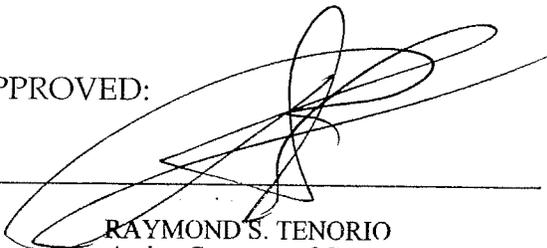
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen 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. 31-86

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

Bill No. 118-31 (COR)

As 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 NEW §§77126 THROUGH 77132 TO CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A LIFEGUARD VOLUNTEER CORPS WITHIN THE DEPARTMENT OF PARKS AND RECREATION TO ENHANCE THE PROTECTION AND SAFETY OF THE PEOPLE OF GUAM AT PUBLIC RECREATIONAL AREAS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that due to the limited financial resources of government of Guam, departments
4 and agencies are constrained in their ability to hire individuals for critical

1 positions. As the custodian of all public beaches and government of Guam-
2 operated pools, the Department of Parks and Recreation plays an integral role in
3 providing a safe environment for the public.

4 *I Liheslaturan Guåhan* also finds that there have been numerous tragedies
5 involving the loss of life that have taken place at government pools and beaches,
6 which could possibly have been avoided with the presence and assistance of a
7 lifeguard on duty.

8 *I Liheslaturan Guåhan* further finds that the Department of Parks and
9 Recreation currently has seventy-six (76) seashore parks, to include two (2) public
10 swimming pools under its responsibility. Though all of these parks are under the
11 jurisdiction of the Parks and Recreation and are open to the public, the majority of
12 them *do not* have lifeguards on duty as a measure of precaution due to budgetary
13 constraints.

14 *I Liheslaturan Guåhan* finds that the Department of Parks and Recreation
15 currently *only* employs twelve (12) lifeguards. These twelve (12) lifeguards are
16 stationed at the four (4) most popular Department of Parks and Recreation sites,
17 which are *Ypao* Beach Park, *Matapang* Beach Park, the *Hagåtña* Pool, and the
18 newly-opened *Dededo* Pool. Since the opening of the *Dededo* Pool, the
19 Department has found itself with an even higher demand for lifeguards.

20 *I Liheslaturan* finds that volunteers can be an important part of any
21 organization and are proven to be a valuable asset to agencies that serve the
22 community. The people of Guam have been known to give of their time and efforts
23 willingly, and the spirit of volunteerism is exceptionally evident in the Guamanian
24 people. A fine example of this spirit of volunteerism is exemplified by the Guam
25 Police Department's Community Assisted Policing Effort (C.A.P.E) volunteer
26 program. The C.A.P.E. program was established in 2006, and has proven to be
27 successful.

1 It is the intent of *I Liheslaturan Guåhan* to establish a program, mirroring
2 the format and structure of C.A.P.E, by establishing a Lifeguard Volunteer Corps
3 within the Department of Park and Recreation.

4 **Section 2.** A new §77126 is hereby *added* to Article 1, Chapter 77 of Title
5 21, Guam Code Annotated, to read:

6 **“§ 77126. Lifeguard Volunteer Corps; Authorization.** The
7 Department *shall* be authorized to establish a Lifeguard Volunteer Corps
8 program for the purpose of supplementing its water safety programs and
9 activities relative to lifeguard services. The Commission *shall* establish
10 rules and regulations necessary and applicable to the program pursuant to
11 Article 3 of Chapter 9, Title 5, Guam Code Annotated – Rule Making
12 Procedures. The Department *shall* establish the necessary forms which
13 volunteers *shall* complete, which at a minimum *shall* include the following:
14 (1) Lifeguard Volunteer Corps application form; (2) confidentiality form;
15 and (3) candidate interview form. The Department *shall* consult with the
16 Department of Administration in the development of applicable forms and
17 recruitment procedures.

18 (a) Definitions. *Volunteer* means any duly qualified person, as
19 provided pursuant to this Section, who performs a service for the
20 Department of Parks and Recreation without promise or expectation of
21 services rendered as a member of the Lifeguard Volunteer Corps.

22 (b) Recruitment. Volunteers *shall* be recruited by the Director of
23 the Department of Parks and Recreation on a continuous and ongoing basis
24 consistent with the Department’s policy on equal opportunity
25 nondiscriminatory employment. The primary qualification in the application
26 process *shall* be the interest in assisting the Department of Parks and

1 Recreation with providing protection to the public at beaches and pools
2 under the custodianship of the Department.

3 (c) Qualification Screening. Individuals desiring to apply to be a
4 Lifeguard Volunteer *shall* first provide the following documentation to the
5 Director, which at a minimum *shall* include, but is *not* limited to:

- 6 (1) Red Cross Lifeguard Certification;
- 7 (2) Guam Police Department Clearance; and
- 8 (3) Superior Court of Guam Clearance.

9 (d) The Director *shall* establish and oversee a review and selection
10 panel to review the qualifications and conduct subsequent interviews with all
11 applicants whose applications have passed an initial administrative
12 background qualification screening. Due to the dangerous nature of the
13 work involved, and the inherent public safety issues requiring competent
14 personnel, the result of the interview *shall* be pass or fail, *not* conditional.

15 (e) Training. (1) Volunteers *shall* be provided with an orientation
16 program to acquaint them with the Department's personnel policies, and
17 procedures that have direct impact on them as a volunteer. (2) Volunteers
18 *shall* receive location-specific training from their assignment supervisor or
19 designee. (3) Volunteers *shall* receive periodic training as required, or as
20 deemed necessary by their supervisor or volunteer coordinator. (4) All
21 volunteers *shall* comply with the rules of conduct and with all other
22 directives, either oral or written, issued by the Department.

23 (f) Selection and Placement. (1) Upon selection, applicants *shall*
24 receive notification prior to the start of service. (2) Volunteers *shall* be
25 placed *only* in job assignments that are consistent with their skills, abilities
26 and the needs of the Department provided funding is identified."

1 **Section 3.** A new §77127 is hereby *added* Article 1, Chapter 77 of Title
2 21, Guam Code Annotated, to read:

3 “§77127. **Functions and Duties.** The general functions and duties
4 of the Volunteer Lifeguard Corps *shall* be to provide backup, supplemental
5 manpower for the provision of the lifeguard duties and services of the
6 Department. The Director *shall* formulate a program whereby the members
7 of the Volunteer Lifeguard Corps program *shall* adhere to the functions and
8 duties herein prescribed. From time to time the Director, with the consent of
9 the Commission, *shall* review and revise the functions and duties of the
10 volunteer lifeguard to insure an amicable discharge of responsibilities and
11 duties knowing the fact that their roles are the extension of duties of the
12 regular personnel.”

13 **Section 4.** A new §77128 is hereby *added* Article 1, Chapter 77 of Title
14 21, Guam Code Annotated, to read:

15 “§77128. **Recruitment.** The Director *shall* recruit, on an entirely
16 voluntary basis, local residents who desire to make available their services to
17 assist the Department in carrying out its lifeguard program functions. The
18 Director, with the concurrence of the Commission, *shall* further promulgate
19 rules and regulations regarding the age, health and other requirements for
20 recruitment.”

21 **Section 5.** A new §77129 is hereby *added* Article 1, Chapter 77 of Title
22 21, Guam Code Annotated, to read:

23 “§77129. **Training, Equipping and Maintenance of Records.**
24 The Director *shall* devise a program whereby the Department *shall* provide
25 the volunteer lifeguards with training on an ongoing basis, so as to ensure
26 their continuing competence and qualification for participation in the
27 Department’s lifeguard program. The Department *shall* maintain a roster of

1 volunteers who have received the training prescribed herein. In order to
2 maintain membership as a Volunteer, each member must keep up with his
3 scheduled training, and *no* Volunteer may remain as a member if he or she is
4 unable to keep up with or otherwise absorb the training. Additionally, basic
5 supplies and equipment *shall* be provided to assure the constant operability
6 of the Volunteer Lifeguard Corps program, including a continuing program
7 for replacement.”

8 **Section 6.** A new §77130 is hereby *added* Article 1, Chapter 77 of Title
9 21, Guam Code Annotated, to read:

10 “§77130. **Volunteer: Authority.** Whenever the members of the
11 Volunteer Lifeguard Corps program are rendering assistance to the
12 Department, such volunteers *shall* have the same powers, duties, privileges
13 and immunities, as if they were paid, full-time members of the Department,
14 *except* that they shall earn recruitment credit for services performed as
15 volunteers.”

16 **Section 7.** A new §77131 is hereby *added* Article 1, Chapter 77 of Title
17 21, Guam Code Annotated, to read:

18 “§77131. **Participation of Qualified Lifeguards Authorized.**
19 Privately employed lifeguards who are certified pursuant to the requirements
20 of law may be accepted as “volunteers”, and *shall* be exempted from the
21 qualification screening requirements contained in §77126(d) of Article 1,
22 Chapter 77, Title 21, Guam Code Annotated, *except* that all other
23 requirements for a government employed lifeguard *shall* be applicable to the
24 privately employed lifeguard volunteer.”

25 **Section 8.** A new §77132 is hereby *added* Article 1, Chapter 77 of Title
26 21, Guam Code Annotated, to read:

1 “§77132. **Honorarium.** Each member of the Volunteer Lifeguard
2 Corps program who successfully completes probationary requirements as
3 established by the Department, and who contributes a minimum of forty-two
4 (42) hours or more per month, *shall* receive an honorarium of Three
5 Hundred Five Dollars (\$305) per month, to defray the costs of maintenance
6 of their equipment and travel costs. The Department *shall* identify funds
7 within their Department appropriations to satisfy the intent of this Section.”

8 **Section 9. 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 applications, and to this end the
12 provisions of this Law are severable.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

Bill No. 118-31(COR)

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.	111	FBL	✗		
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

14
1
0
0
0

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

Monday, July 22, 2011

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'trentai Unu Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

2011 JUL 25 AM 2:42
won

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

RE: Committee Report on Bill No. 118-31(COR)

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 118-31(COR) – “An act to establish a lifeguard volunteers corps within the Department of Parks and Recreation to enhance the protection and safety of the people of Guam at public recreational areas, by adding a new §77125 to Chapter 77, Title 21, Guam Code Annotated.”

Committee votes are as follows:

- 6 TO DO PASS
- _____ TO NOT PASS
- 2 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Senseramente,

Senadora Tina Rose Muna Barnes



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

**COMMITTEE
REPORT
ON**

BILL NO. 118-31 (COR)

“An act to establish a lifeguard volunteers corps within the Department of Parks and Recreation to enhance the protection and safety of the people of Guam at public recreational areas, by adding a new §77125 to Chapter 77, Title 21, Guam Code Annotated.”



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

Monday, July 11, 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. 118-31(COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 118-31(COR) – “An act to establish a lifeguard volunteers corps within the Department of Parks and Recreation to enhance the protection and safety of the people of Guam at public recreational areas, by adding a new §77125 to Chapter 77, Title 21, Guam Code Annotated.”

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 118-31(COR)
- Public Hearing Sign-in Sheet
- Copy of COR Referral of Bill No. 118-31(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 Guahan
Office of The Legislative Secretary
Tina Rose Muña Barnes

COMMITTEE VOTING SHEET

Bill No. 118-31 (COR) D.G. Rodriguez, Jr. / T.R. Muña-Barnes
An act to establish a lifeguard volunteers corps within the Department of Parks and Recreation to enhance the protection and safety of the people of Guam at public recreational areas, by adding a new §77125 to Chapter 77, Title 21, Guam Code Annotated.

	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				✓ 7/7/11		
VICE SPEAKER BENJAMIN J.F. CRUZ Member						
SENATOR RORY J. RESPICIO Member						
SENATOR THOMAS C. ADA Member						
SENATOR DENNIS G. RODRIGUEZ, JR. Member						
SENATOR JUDITH P. GUTHERTZ, DPA Member				7/1/11		
SENATOR ADOLPHO B. PALACIOS Member		6/27 ✓				
SENATOR VICENTE C. PANGELINAN Member						
SENATOR FRANK F. BLAS, JR. Minority Member						
SENATOR ALINE YAMASHITA Minority Member		7/7/11				
SENATOR V. ANTHONY ADA Minority Member		7/8/11				
SENATOR MANA SILVA TAIJERON Minority Member		7/8/11				
SENATOR CHRISTOPHER M. DUEÑAS Minority Member		✓ 7/8/11				



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

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 118- 31(COR) was introduced on March 21, 2011, by Senator Dennis G. Rodriguez, Jr., and was subsequently referred by the Committee on Rules to the Committee on Municipal Affairs, Tourism, Housing and Recreation on March 23, 2011.

The Committee on Municipal Affairs, Tourism, Housing and Recreation convened a public hearing on Bill No. 118-31(COR) on Wednesday, May 11, 2011 at 9:00 A.M. in *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, May 3, 2011 (5-Day Notice), and again on Friday, May 6, 2011 (48-Hour Notice).

Senators Present

Senator Tina Rose Muña Barnes, Chairperson
Senator v.c. pangelinan, Committee Member
Senator Aline A. Yamashita, Ph.D., Committee Member

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called-to-Order at 9:03 A.M.

Senator Tina Rose Muña Barnes called the public hearing to order at 9:03a.m. She announced that public hearing notices, in accordance with the open Government law, were sent to the media on the 3rd and respectively on the 6th of May.

Senator Muña Barnes announced that they would now have public testimony on Bill No. 118-31 (COR), as introduced by Senator Dennis Rodriguez, Jr. She proceeded to apologize for the absence of Senator Dennis Rodriguez, Jr., who was unable to make it due to a previously scheduled appointment. She also thanked Senator Ben Pangelinan for joining them.

Joe Mendiola, of the Department of Parks and Recreation, gave favorable testimony in support of Bill No. 118-31 (COR), on behalf of Mr. Pete Calvo and the department. Mendiola commended the Committee on Municipal Affairs, Tourism, Housing, and Recreation for addressing the problem that there are in fact a significant number of lives lost in Guam's waters, and that this legislation will certainly mitigate the situation.



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

Mendiola clarified that there are three classifications of lifeguards: pool; beach; and ocean lifeguards, saying that the ocean certification is by far the most difficult. All lifeguards are pool and beach certified, but there are currently only three lifeguards total that are actually ocean/jetski certified.

Mendiola said that the Department is very limited with their staff, especially their lifeguards. Unlike other Govguam agencies, some employees of DPR work seven days out of the week, and hire more bodies to fulfill their mission in the summer. Mendiola said that the Department is in the process of getting trained with the Guam Fire Department and the Guam Police Department. He expressed great concern for the well-being of the lifeguards, and said that at a minimum, he believes that there should be liability waivers in place for the lifeguards should they be placed in harms way. He was particularly concerned about the families of the lifeguards and whether or not they would receive some sort of compensation, in the event something were to happen to their loved ones, while they were in the process of trying to save human life.

Senator Ben Pangelinan responded that because they are volunteering, we would indemnify these lifeguards of any personal responsibility/liability.

Mendiola said that the personal responsibility/liability was really his main concern.

Senator Pangelinan said that he understood Mendiola's concerns and thanked him for his testimony.

III. FINDINGS & RECOMMENDATIONS

The Committee on Municipal Affairs, Tourism, Housing and Recreation hereby reports out Bill No. 118-31(COR), with the recommendation TO PASS.

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

2011 MAR 21 4:09 PM

Bill No. 118-31 (cor)

Introduced by:

D. G. Rodriguez, Jr. *[Signature]*
TRUINA BORNER

AN ACT TO ESTABLISH A LIFEGUARD VOLUNTEERS CORPS WITHIN THE DEPARTMENT OF PARKS AND RECREATION TO ENHANCE THE PROTECTION AND SAFETY OF THE PEOPLE OF GUAM AT PUBLIC RECREATIONAL AREAS, BY ADDING A NEW §77125 TO CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Liheslaturan Guåhan* finds that due to the limited financial resources of government of Guam, departments and agencies are constrained in their ability to hire individuals for critical positions. As the custodian of all public beaches and government of Guam operated pools, the Department of Parks and Recreation plays an integral role in providing a safe environment for the public.

I Liheslaturan also finds that there have been numerous tragedies involving the loss of life that have taken place at government pools and beaches which could possibly have been avoided with the presence and assistance of a lifeguard on duty.

I Liheslaturan further finds that the Department of Parks and Recreation currently has 76 seashore parks, to include 2 public swimming pools under its

1 responsibility. Though all of these parks are under the jurisdiction of the Parks and
2 Recreation and are open to the public, the majority of them do not have lifeguards
3 on duty as a measure of precaution due to budgetary constraints.

4 *I Liheslaturan* finds that the Department of Parks and Recreation currently
5 only employs 12 lifeguards. These 12 lifeguards are stationed at the 4 most
6 popular Department of Parks and Recreation sites, which are Ypao Beach Park,
7 Matapang Beach Park, Hagåtña Pool and newly opened Dededo Pool. Since the
8 opening of the Dededo Pool the department has found itself with an even higher
9 demand for lifeguards.

10 *I Liheslaturan* finds that volunteers can be an important part of any
11 organization and are proven to be a valuable asset to agencies that serve the
12 community. The people of Guam have been known to give of their time and
13 efforts willingly, and the spirit of volunteerism is exceptionally evident in the
14 Guamanian people. A fine example of this spirit of volunteerism is exemplified by
15 the Guam Police Department's Community Assisted Policing Effort (C.A.P.E.)
16 volunteer program. The C.A.P.E. program was established in 2006, and has proven
17 to be successful.

18 It is the intent of *I Liheslaturan Guåhan* to establish a program, mirroring
19 format and structure of C.A.P.E., by establishing a Lifeguard Volunteer Corps
20 within the Department of Park and Recreation.

21 **Section 2.** A new section §77125 is hereby added to Article 1, Chapter 77 of
22 Title 21, Guam Code Annotated, to read:

23 **“§77125. Lifeguard Volunteer Corps; Authorization.** The Department
24 shall be authorized to establish a Lifeguard Volunteer Corps program for the
25 purpose of supplementing its' water safety programs and activities relative to

1 lifeguard services. The Commission shall establish rules and regulations necessary
2 and applicable to the program pursuant to Article 3 of Chapter 9, Title 5, Guam
3 Code Annotated – Rule Making Procedures. The Department shall establish the
4 necessary forms which Volunteers shall complete, which at a minimum shall
5 include the following: 1. Lifeguard Volunteer Corps Application form; 2.
6 Confidentiality form; and, 3. Candidate Interview form. The Department shall
7 consult with the Department of Administration in the development of applicable
8 forms and recruitment procedures.

9 (a) Definitions. 1. *Volunteer*: Any duly qualified person, as provided
10 pursuant to this section, who performs a service for the Department of
11 Parks and Recreation without promise or expectation of services
12 rendered as a member of the Lifeguard Volunteer Corps.

13 (b) Recruitment: Volunteers shall be recruited by the Director of the
14 Department of Parks and Recreation on a continuous and ongoing basis
15 consistent with the department’s policy on equal opportunity
16 nondiscriminatory employment. The primary qualification in the
17 application process shall be the interest in assisting the Department of
18 Parks and Recreation with providing protection to the public at beaches
19 and pools under the custodianship of the department.

20 (c) Qualification Screening: Individuals desiring to apply to be a lifeguard
21 Volunteer, shall first provide the following documentation to the
22 Director, which at a minimum shall include, but is not limited to:

- 23 1. Red Cross Lifeguarding Certification;
- 24 2. Guam Police Department Clearance; and,
- 25 3. Superior Court of Guam Clearance.

26 (d) The Director shall establish and oversee a review and selection panel to

1 review the qualifications and conduct subsequent interviews with all
2 applicants whose applications have passed an initial administrative
3 background qualification screening. Due to the dangerous nature of the
4 work involved, and the inherent public safety issues requiring
5 competent personnel, the result of the interview shall be pass or fail, not
6 conditional.

7 (e) Training: 1. Volunteers shall be provided with an orientation program
8 to acquaint them with the Department, personnel, policies, and
9 procedures that have direct impact on them as a Volunteer. 2.
10 Volunteers shall receive location-specific training from their assignment
11 supervisor or designee. 3. Volunteers shall receive periodic training as
12 required or as deemed necessary by their supervisor or Volunteer
13 coordinator. 4. Training must reinforce to Volunteers that they must
14 always represent themselves as Volunteers. 5. All Volunteers shall
15 comply with the rules of conduct and with all other directives, either
16 oral or written, issued by the department.

17 (f) Selection and Placement: 1. Upon selection, applicants shall receive
18 notification prior to the start of service. 2. Volunteers shall be placed
19 only in job assignments that are consistent with their skills, abilities and
20 the needs of the department.”

21 **Section 3. Functions and Duties.** The general functions and duties of
22 the Volunteer Lifeguard shall be to provide backup, supplemental manpower for
23 the provision of the life guard duties and services of the Department. The Director
24 shall formulate a program whereby the members of the Volunteer Lifeguard
25 program shall adhere to the functions and duties herein prescribed. From time to
26 time the Director, with the consent of the Commission, shall review and revise the

1 functions and duties of the volunteer lifeguard to insure an amicable discharge of
2 responsibilities and duties knowing the fact that their roles are the extension of
3 duties of the regular personnel.

4 **Section 4. Recruitment.** The Director shall recruit on an entirely voluntary
5 basis, local residents who desire to make available their services to assist the
6 Department in carrying out its *Lifeguard* program functions. The Director, with
7 the concurrence of the Commission, shall further promulgate rules and regulations
8 regarding the age, health and other requirements for recruitment.

9 **Section 5. Training, Equipping and Maintenance of Records.** The
10 Director shall devise a program whereby the Department shall provide the member
11 volunteers training on an ongoing basis so as to ensure their continuing
12 competence and qualification for participation in the Department's lifeguard
13 program. The Department shall maintain a roster of volunteers who have received
14 the training prescribed herein. In order to maintain membership as a Volunteer,
15 each member must keep up with his scheduled training and no Volunteer may
16 remain as a member if he or she is unable to keep up with or otherwise absorb the
17 training. Additionally, basic supplies and equipment shall be provided to assure a
18 constant operability of the Volunteer Lifeguard program, including a continuing
19 program for replacement.

20 **Section 6. Volunteer: Authority.** Whenever the members of the Volunteer
21 Lifeguard program are rendering assistance to the Department, such volunteers
22 shall have the same powers, duties, rights (including coverage under the Worker's
23 Compensation Act), privileges and immunities, as if they were paid, full-time
24 members of the Department, except that they shall earn recruitment credit for
25 services performed as volunteers.

26 **Section 7. Allowance.** Each member of the Volunteer Lifeguard program

1 who successfully completes probationary requirements as established by the
2 Department, and who contributes a minimum of forty-two (42) hours or more per
3 month, shall receive an allowance of Two Hundred Fifty Dollars (\$305) per month,
4 to defray the costs of maintenance of their equipment and travel costs. The
5 Department shall identify funds within their department appropriations to satisfy
6 the intent of this Section.

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

12 **Section 4. Implementation.** This Act shall be immediately effective upon
13 enactment.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan 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

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Judith T. Won Pat

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Senator
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LEGISLATIVE SECRETARY
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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

March 23, 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. 114-31 (COR) through 119-31 (COR)

Hafa Adai Ms. Manglona:

Transmitted herewith is a listing of *I Mina'trentai Unu na Liheslaturan 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,

Senator Judith P. Guthertz, DPA

Attachments

Cc: Clerk of the Legislature

2011 MAR 23 PM 12:05
EAM

MESSAGE CONFIRMATION

MAR-23-2011 10:02 AM WED

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 5
START TIME : MAR-23-2011 10:01 AM WED
ELAPSED TIME : 01' 04"
MODE : STD ECM
RESULTS : [O.K]



COMMITTEE ON RULES

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Senator
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March 23, 2011

VIA FACSIMILE
(671) 472-2825

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

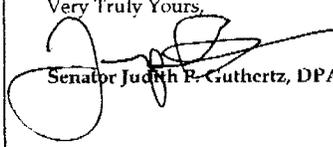
RE: Request for Fiscal Note -
Bill Nos. 114-31 (COR) through 119-31 (COR)

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

Very Truly Yours,


Senator Judith P. Guthertz, DPA

Attachments
Cc: Clerk of the Legislature

Rec'd by: Jackie
date: 3/23/11
time: 10:38am



COMMITTEE ON RULES

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2011 MAR 23 AM 10:37
JML

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CHAIRPERSON
MAJORITY LEADER

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Judith P. Guthertz
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vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

March 23, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 114-31 (COR) through 119-31 (COR)

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 114-31 (COR) through 119-31 (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!

(4) Attachments

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

March 21, 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? Vetoed? Overridden? Public Law?
118-31 (COR)	D. Rodriguez, Jr., T. R. Muna Barnes	AN ACT TO ESTABLISH A LIFEGUARD VOLUNTEERS CORPS WITH THE DEPARTMENT OF PARKS AND RECREATION TO ENHANCE THE PROTECTION AND SAFETY OF THE PEOPLE OF GUAM AT PUBLIC RECREATIONAL AREAS, BY ADDING A NEW §77125 TO CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED.	3/21/11 5:09 p.m.	3/23/11		Committee on Municipal Affairs, Tourism, Housing and Recreation			



Rhea Taitano <rhea@tinamunabarnes.com>

1st Notice of Public Hearing

Rhea Taitano <rhea@tinamunabarnes.com>

Tue, May 3, 2011 at 10:08 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 <roryforguam@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, john@kuam.com, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, news@k57.com, news@spbg Guam.com, publisher@glimpsesofguam.com, reporter1@glimpsesofguam.com, slimtiaco@guampdn.com, Bob Gaeth <bgaeth@k57.com>, "Carlo J.N. Branch" <carlo.branch@gmail.com>, Catriona Melyan <cmelyan@guampdn.com>, Clynt Ridgell <clynt@spbg Guam.com>, David Crisostomo <dcrisost@guampdn.com>, David Crisostomo <dcrisostomo@guampdn.com>, Duane George <dmgeorge@guampdn.com>, Ed Davis <ed@guamtech.com>, Elaine McDonald <elaine@tinamunabarnes.com>, Erin Thompson <egthompson@guampdn.com>, Gavin Santos <gavin@tinamunabarnes.com>, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Hit Radio 100 <officemanager@hitradiio100.com>, Jane Chargualaf <jane@tinamunabarnes.com>, Janela Buhain <janela@mvguam.com>, Jason Salas <jason@kuam.com>, Josh Tyquiengco <jtyquiengco@spbg Guam.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>, Office of the Governor <governor@guam.gov>, "Office of the Lt. Governor" <ltgov.tenorio@guam.gov>, Patti Arroyo <parroyo@k57.com>, Phillip Leon Guerrero <phillip.leonguerrero@guam.gov>, Ray Gibson <rgibson@k57.com>, Rhea Aguon Taitano <rhea@tinamunabarnes.com>, Richard Dohrumal <richard@tinamunabarnes.com>, Rick Nauta <marketing@hitradiio100.com>, Rick Reyes <ricky@tinamunabarnes.com>, Rlene Steffy <rlene@rlenelive.com>, Robert Kelley <rkelley@guamtech.com>, Romeo Carlos <romeogfx@yahoo.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, Shaun Bevan <smbevan@guampdn.com>, Stephanie Cepeda <stephanie@tinamunabarnes.com>, Telo Taitague <telo.taitague@guam.gov>, Therese Hart <therese@mvguam.com>, Travis Coffman <travis.coffman@gmail.com>, Troy Torres <troy.torres@guam.gov>, Zita Taitano <zita@mvguam.com>, "A. Norma Alfague" <normaalfague@hotmail.com>, Amanda Shelton <ashelton.senatorrodriguez@gmail.com>, Angela Leon Guerrero <leonguerrero.angela@gmail.com>, Anjelica Okada <aokada@guamlegislature.org>, Audrey Ward <audrey@judiwonpat.com>, "Berlene R. Taitano" <berlenerenae@hotmail.com>, Bill Phillips <phillipsguam@gmail.com>, Bruce Lloyd <bruce.lloyd.media@gmail.com>, Carlos Pangelinan <carlos.pangelinan@senatorbjcruz.com>, Charisha Hualde <charisha.hualde@gmail.com>, Charles Ecret <cdecet@gmail.com>, Chris Budasi <chris.budasi@guamlegislature.org>, Chris Carillo <chris.carillo@senatorbjcruz.com>, Clerks <clerks@guamlegislature.org>, Clifton Herbert <cherbert.senatorrodriguez@gmail.com>, Coy Torres <coy@senatorada.org>, Cyrus Luhr <cyrus@senatorada.org>, Doc Wyttenbach-Santos <doc.wyttenbachsantos@gmail.com>, "Doreen T.C. Garcia" <doreen.garcia80@gmail.com>, Dorothy Cruz <dot@guamlegislature.org>, Ed Leon Guerrero <edleonguerrero@gmail.com>, Ed Pocaigue <edpocaigue@judiwonpat.com>, Eduardo Tuason <eduardo.t@senatormabini.com>, "Edward G. Lee" <edwardglee671@yahoo.com>, Elaine Tajalle <etajalle@guamlegislature.org>, Ely Mew <emew@guamlegislature.org>, Eugene Santos <santos.duenas@gmail.com>, Evelyn Claros <evelyn4families@gmail.com>, "Frank Aguon Jr." <aguon4guam@gmail.com>, Frank Torres

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Hafa Adai,

Please see the attached memo from Senator Tina Muña Barnes, relative to the public hearing on the 11th of May.

--

Saina Ma'åse',

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
(W) (671) 472-3455/6
(F) (671) 472-3400
Email: raquontaitano@gmail.com



1st Notice of Public Hearing for 5-11-2011.pdf

341K

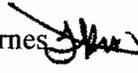


I Mina'Trentai Unu Na Liheslaturan Guåhan
Office of The Legislative Secretary
Tina Rose Muña Barnes

May 3, 2011

Memorandum

TO: All Members/All Senators

FROM: Senator Tina Rose Muña Barnes 
Chairperson

SUBJECT: **First Notice of Public Hearing**
Wednesday, May 11, 2011

Hafa Adai!

Please be advised that the Committee on Municipal Affairs, Tourism, Housing and Recreation will be conducting a public hearing on Wednesday, May 11, 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 **Jon J. Rojas** to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners
- The executive appointment of **Vanessa Lee Borja Ji** to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners
- The executive appointment of **Elizabeth Gayle** to serve as a member of the Parks & Recreation Commission
- **Bill No. 118-31 (COR)- D.G. Rodriguez, Jr. / T.R. Muna-Barnes**
An act to establish a lifeguard volunteers corps within the Department of Parks and Recreation to enhance the protection and safety of the people of Guam at public recreational areas, by adding a new §77125 to Chapter 77, Title 21, Guam Code Annotated.
- **Bill No. 138-31 (LS)- V.C. Pangelinan / J.T. Won Pat, Ed.D. / T.R. Muna-Barnes**
An act to *repeal* and *reenact* Article 7, Chapter 4, Title 12, Guam Code Annotated, relative to the Guam Housing Corporation's first-time homeowners relief program and to amend Section 5 of Public Law 20-210, to amend Section 11(c) of Public Law 20-120 as repealed and reenacted by Public Law 26-123, and to amend Section 12 of Public Law 20-210.



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

Resolution No. 74-31 (COR) T.R. Muna-Barnes / J.P. Guthertz, DPA

Relative to voicing I Liheslaturan Guahan's (The Guam Legislature's) vehement support for the full implementation of Public Law 110-229 and requesting that the US Secretary of Homeland Security, the Honorable Janet Napolitano, provide for the issuance of a China Russia Visa Waiver Program through her parole authority and the issuance of a broader final rule for the Marianas Visa Waiver Program.

Additionally, the Committee on Municipal Affairs, Tourism, Housing and Recreation will hold an informational briefing on tourism at 2:00p.m. in the public hearing room. The briefing will include presentations from the Guam Visitors Bureau and other tourism industry experts. The following topics will be addressed:

- **The impact of a challenged Japan on visitor arrival numbers jobs in the tourism sector, and the economy;**
- **The status of ongoing efforts to implement the China Russia Visa Waiver for Program for Guam;**
- **The status of the Travel Promotion Act of 2010**
- **Strategic initiatives and recommendations of the Guam Visitors Bureau and the visitor industry for 2010**

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. 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, May 6, 2011 at 5:14 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 Tajeron <senatormana@gmail.com>, Senator Rory Respicio <rolyforguam@gmail.com>, Senator Sam Mabini <senatorsam@senatormabini.com>, Senator Tina Mufia 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>

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Hafa Adai,

Please see the attached memo from Senator Tina Muña Barnes, relative to the public hearing on May 11, 2011.

For your convenience, the memo is also copied below for those who may not be able to view the document in PDF format.

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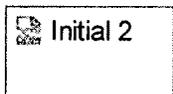
Saina Ma'åse',

Rhea Aguon Taitano
 Research Analyst
 Office of Senator Tina Muña Barnes
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 Hagåtña, Guam 96910
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 Email: raguontaitano@gmail.com

May 6, 2011

Memorandum

TO: All Members/All Senators



FROM: Senator Tina Rose Muna Barnes
Chairperson

**SUBJECT: Second Notice of Public Hearing
Wednesday, May 11, 2011**

Hafa Adai!

Please be reminded that the Committee on Municipal Affairs, Tourism, Housing and Recreation will be conducting a public hearing on Wednesday, May 11, 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 **Jon J. Rojas** to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners

• The executive appointment of **Vanessa Lee Borja Ji** to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners

~~• The executive appointment of **Elizabeth Gayle** to serve as a member of the Parks & Recreation Commission~~

• **Bill No. 118-31 (COR)- D.G. Rodriguez, Jr. / T.R. Muna-Barnes**

An act to establish a lifeguard volunteers corps within the Department of Parks and Recreation to enhance the protection and safety of the people of Guam at public recreational areas, by adding a new §77125 to Chapter 77, Title 21, Guam Code Annotated.

• **Bill No. 138-31 (LS)- V.C. Pangelinan / J.T. Won Pat, Ed.D. / T.R. Muna-Barnes**

An act to *repeal and reenact* Article 7, Chapter 4, Title 12, Guam Code Annotated, relative to the Guam Housing Corporation's first-time homeowners relief program and to amend Section 5 of Public Law 20-210, to amend Section 11(c) of Public Law 20-120 as repealed and reenacted by Public Law 26-123, and to

amend Section 12 of Public Law 20-210.

Resolution No. 74-31 (COR) T.R. Muna-Barnes / J.P. Guthertz, DPA

Relative to voicing I Liheslaturan Guahan's (The Guam Legislature's) vehement support for the full implementation of Public Law 110-229 and requesting that the US Secretary of Homeland Security, the Honorable Janet Napolitano, provide for the issuance of a China Russia Visa Waiver Program through her parole authority and the issuance of a broader final rule for the Marianas Visa Waiver Program.

Additionally, the Committee on Municipal Affairs, Tourism, Housing and Recreation will hold an informational briefing on tourism at 2:00p.m. in the public hearing room. The briefing will include presentations from the Guam Visitors Bureau and other tourism industry experts. The following topics will be addressed:

- **The impact of a challenged Japan on visitor arrival numbers jobs in the tourism sector, and the economy;**
- **The status of ongoing efforts to implement the China Russia Visa Waiver for Program for Guam;**
- **The status of the Travel Promotion Act of 2010**
- **Strategic initiatives and recommendations of the Guam Visitors Bureau and the visitor industry for 2010**

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. 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

 **2nd notice of Public Hearing, 5-11-2011.pdf**
342K

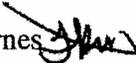


I Mina'Trentai Unu Na Liheslaturan Guåhan
Office of The Legislative Secretary
Tina Rose Muña Barnes

May 6, 2011

Memorandum

TO: All Members/All Senators

FROM: Senator Tina Rose Muña Barnes 
Chairperson

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Wednesday, May 11, 2011

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- ~~The executive appointment of **Elizabeth Gayle** to serve as a member of the Parks & Recreation Commission~~
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I Mina'Trentai Unu Na Liheslaturan Guåhan
Office of The Legislative Secretary
Tina Rose Muña Barnes

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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

PUBLIC HEARING
Wednesday, May 11, 2011

AGENDA

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

9:00 AM

- A. The executive appointment of **Jon J. Rojas** to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners
- B. The executive appointment of **Vanessa Lee Borja Ji** to serve as a member of the Hagåtña Restoration & Redevelopment Authority, Board of Commissioners
- ~~C. The executive appointment of **Elizabeth Gayle** to serve as a member of the Parks & Recreation Commission~~
- D. **Bill No. 118-31 (COR)- D.G. Rodriguez, Jr. / T.R. Muna-Barnes**
An act to establish a lifeguard volunteers corps within the Department of Parks and Recreation to enhance the protection and safety of the people of Guam at public recreational areas, by adding a new §77125 to Chapter 77, Title 21, Guam Code Annotated.
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I Mina'Trentai Unu Na Liheslaturan Guåhan
Office of The Legislative Secretary
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Program through her parole authority and the issuance of a broader final rule for the Marianas Visa Waiver Program.

IV. Remarks

V. Adjournment

Electronic copies of the aforementioned items can be found on the Guam Legislature's website at 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, 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

2011 MAR 21 PM 4:09

Bill No. 118-31 (cor)

Introduced by:

D. G. Rodriguez, Jr. *[Signature]*
TRUINA BORNER

AN ACT TO ESTABLISH A LIFEGUARD VOLUNTEERS CORPS WITHIN THE DEPARTMENT OF PARKS AND RECREATION TO ENHANCE THE PROTECTION AND SAFETY OF THE PEOPLE OF GUAM AT PUBLIC RECREATIONAL AREAS, BY ADDING A NEW §77125 TO CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED.

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

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan* finds
3 that due to the limited financial resources of government of Guam, departments
4 and agencies are constrained in their ability to hire individuals for critical
5 positions. As the custodian of all public beaches and government of Guam
6 operated pools, the Department of Parks and Recreation plays an integral role in
7 providing a safe environment for the public.

8 *I Liheslaturan* also finds that there have been numerous tragedies involving
9 the loss of life that have taken place at government pools and beaches which could
10 possibly have been avoided with the presence and assistance of a lifeguard on duty.

11 *I Liheslaturan* further finds that the Department of Parks and Recreation
12 currently has 76 seashore parks, to include 2 public swimming pools under its

1 responsibility. Though all of these parks are under the jurisdiction of the Parks and
2 Recreation and are open to the public, the majority of them do not have lifeguards
3 on duty as a measure of precaution due to budgetary constraints.

4 *I Liheslaturan* finds that the Department of Parks and Recreation currently
5 only employs 12 lifeguards. These 12 lifeguards are stationed at the 4 most
6 popular Department of Parks and Recreation sites, which are Ypao Beach Park,
7 Matapang Beach Park, Hagåtña Pool and newly opened Dededo Pool. Since the
8 opening of the Dededo Pool the department has found itself with an even higher
9 demand for lifeguards.

10 *I Liheslaturan* finds that volunteers can be an important part of any
11 organization and are proven to be a valuable asset to agencies that serve the
12 community. The people of Guam have been known to give of their time and
13 efforts willingly, and the spirit of volunteerism is exceptionally evident in the
14 Guamanian people. A fine example of this spirit of volunteerism is exemplified by
15 the Guam Police Department's Community Assisted Policing Effort (C.A.P.E)
16 volunteer program. The C.A.P.E. program was established in 2006, and has proven
17 to be successful.

18 It is the intent of *I Liheslaturan Guåhan* to establish a program, mirroring
19 format and structure of C.A.P.E, by establishing a Lifeguard Volunteer Corps
20 within the Department of Park and Recreation.

21 **Section 2.** A new section §77125 is hereby added to Article 1, Chapter 77 of
22 Title 21, Guam Code Annotated, to read:

23 **“§77125. Lifeguard Volunteer Corps; Authorization.** The Department
24 shall be authorized to establish a Lifeguard Volunteer Corps program for the
25 purpose of supplementing its' water safety programs and activities relative to

1 lifeguard services. The Commission shall establish rules and regulations necessary
2 and applicable to the program pursuant to Article 3 of Chapter 9, Title 5, Guam
3 Code Annotated – Rule Making Procedures. The Department shall establish the
4 necessary forms which Volunteers shall complete, which at a minimum shall
5 include the following: 1. Lifeguard Volunteer Corps Application form; 2.
6 Confidentiality form; and, 3. Candidate Interview form. The Department shall
7 consult with the Department of Administration in the development of applicable
8 forms and recruitment procedures.

9 (a) Definitions. 1. *Volunteer*: Any duly qualified person, as provided
10 pursuant to this section, who performs a service for the Department of
11 Parks and Recreation without promise or expectation of services
12 rendered as a member of the Lifeguard Volunteer Corps.

13 (b) Recruitment: Volunteers shall be recruited by the Director of the
14 Department of Parks and Recreation on a continuous and ongoing basis
15 consistent with the department's policy on equal opportunity
16 nondiscriminatory employment. The primary qualification in the
17 application process shall be the interest in assisting the Department of
18 Parks and Recreation with providing protection to the public at beaches
19 and pools under the custodianship of the department.

20 (c) Qualification Screening: Individuals desiring to apply to be a lifeguard
21 Volunteer, shall first provide the following documentation to the
22 Director, which at a minimum shall include, but is not limited to:

- 23 1. Red Cross Lifeguarding Certification;
- 24 2. Guam Police Department Clearance; and,
- 25 3. Superior Court of Guam Clearance.

26 (d) The Director shall establish and oversee a review and selection panel to

1 review the qualifications and conduct subsequent interviews with all
2 applicants whose applications have passed an initial administrative
3 background qualification screening. Due to the dangerous nature of the
4 work involved, and the inherent public safety issues requiring
5 competent personnel, the result of the interview shall be pass or fail, not
6 conditional.

7 (e) Training: 1. Volunteers shall be provided with an orientation program
8 to acquaint them with the Department, personnel, policies, and
9 procedures that have direct impact on them as a Volunteer. 2.
10 Volunteers shall receive location-specific training from their assignment
11 supervisor or designee. 3. Volunteers shall receive periodic training as
12 required or as deemed necessary by their supervisor or Volunteer
13 coordinator. 4. Training must reinforce to Volunteers that they must
14 always represent themselves as Volunteers. 5. All Volunteers shall
15 comply with the rules of conduct and with all other directives, either
16 oral or written, issued by the department.

17 (f) Selection and Placement: 1. Upon selection, applicants shall receive
18 notification prior to the start of service. 2. Volunteers shall be placed
19 only in job assignments that are consistent with their skills, abilities and
20 the needs of the department.”

21 **Section 3. Functions and Duties.** The general functions and duties of
22 the Volunteer Lifeguard shall be to provide backup, supplemental manpower for
23 the provision of the life guard duties and services of the Department. The Director
24 shall formulate a program whereby the members of the Volunteer Lifeguard
25 program shall adhere to the functions and duties herein prescribed. From time to
26 time the Director, with the consent of the Commission, shall review and revise the

1 functions and duties of the volunteer lifeguard to insure an amicable discharge of
2 responsibilities and duties knowing the fact that their roles are the extension of
3 duties of the regular personnel.

4 **Section 4. Recruitment.** The Director shall recruit on an entirely voluntary
5 basis, local residents who desire to make available their services to assist the
6 Department in carrying out its *Lifeguard* program functions. The Director, with
7 the concurrence of the Commission, shall further promulgate rules and regulations
8 regarding the age, health and other requirements for recruitment.

9 **Section 5. Training, Equipping and Maintenance of Records.** The
10 Director shall devise a program whereby the Department shall provide the member
11 volunteers training on an ongoing basis so as to ensure their continuing
12 competence and qualification for participation in the Department's lifeguard
13 program. The Department shall maintain a roster of volunteers who have received
14 the training prescribed herein. In order to maintain membership as a Volunteer,
15 each member must keep up with his scheduled training and no Volunteer may
16 remain as a member if he or she is unable to keep up with or otherwise absorb the
17 training. Additionally, basic supplies and equipment shall be provided to assure a
18 constant operability of the Volunteer Lifeguard program, including a continuing
19 program for replacement.

20 **Section 6. Volunteer: Authority.** Whenever the members of the Volunteer
21 Lifeguard program are rendering assistance to the Department, such volunteers
22 shall have the same powers, duties, rights (including coverage under the Worker's
23 Compensation Act), privileges and immunities, as if they were paid, full-time
24 members of the Department, except that they shall earn recruitment credit for
25 services performed as volunteers.

26 **Section 7. Allowance.** Each member of the Volunteer Lifeguard program

1 who successfully completes probationary requirements as established by the
2 Department, and who contributes a minimum of forty-two (42) hours or more per
3 month, shall receive an allowance of Two Hundred Fifty Dollars (\$305) per month,
4 to defray the costs of maintenance of their equipment and travel costs. The
5 Department shall identify funds within their department appropriations to satisfy
6 the intent of this Section.

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

12 **Section 4. Implementation.** This Act shall be immediately effective upon
13 enactment.