



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

32-14-2356

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

December 31, 2014

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

Date: 12/31/14
Time: 3:15 pm
Received By: [Signature]

PO BOX 2950
DEC 31 PM 3:34
FBI

Dear Madam Speaker:

Enclosed is Bill No. 424-32 (LS), *An Act to Amend § 3226(h)(2) of Article 2, Division I, Chapter 3 of Title 9, Guam Administrative Rules and Regulations, Relative to Clarifying that Concrete and Solid Metal Walls are Acceptable as Perimeter Fencing for a Commercial Quarantine Facility*, which I have **vetoed**.

Although Bill 424-32 purports to clarify that concrete and solid metal walls are acceptable as perimeter fencing for a Commercial Quarantine Facility (CQF), as written, the true result of Bill 424 is not to “clarify” the type of fencing acceptable, but to *remove* the requirement of having any fencing at all for CQFs that have a “solid roof.” In other words, under Bill 424, if a CQF has a solid roof, then no fencing of any sort (whether concrete, metal, or wire) is required. By the same logic conversely, if the CQF does *not* have a solid roof, then a perimeter fence is required.

Further, by contemplating a CQF without a roof, Bill 424 contradicts other parts of Section 3226 which clearly require that all CQFs have a roof or ceiling over the animal kennels regardless of whether the premises of the CQF are completely enclosed and air-conditioned, or otherwise outdoors and utilizing the flow of free air. *See e.g.*, 9 G.A.R. § 3226(a)(1), § 3226(a)(11)-(12); § 3226(g)(4)-(5) (requiring that kennels be typhoon proof, in a sheltered area, and completely enclosed).

Senseramente,

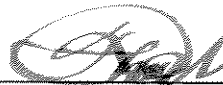
EDDIE BAZA CALVO

2356

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

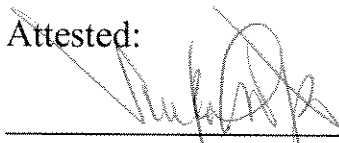
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that Bill No. 424-32 (LS), "AN ACT TO *AMEND* § 3226(h)(2) OF ARTICLE 2, DIVISION 1, CHAPTER 3 OF TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO CLARIFYING THAT CONCRETE AND SOLID METAL WALLS ARE ACCEPTABLE AS PERIMETER FENCING FOR A COMMERCIAL QUARANTINE FACILITY," was on the 17th day of December, 2014, duly and regularly passed.




Judith T. Won Pat, Ed.D.
Speaker

Attested:



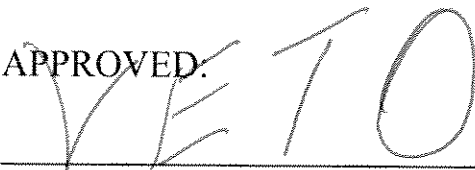
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 21 day of Dec,
2014, at
6:35 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahen Guåhan

DEC 31 2014

Date: _____

Public Law No. _____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 424-32 (LS)

Introduced by:

R. J. Respicio
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreddie
Tommy Morrison
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND § 3226(h)(2) OF ARTICLE 2,
DIVISION 1, CHAPTER 3 OF TITLE 9, GUAM
ADMINISTRATIVE RULES AND
REGULATIONS, RELATIVE TO CLARIFYING
THAT CONCRETE AND SOLID METAL WALLS
ARE ACCEPTABLE AS PERIMETER FENCING
FOR A COMMERCIAL QUARANTINE
FACILITY.**

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

2 **Section 1.** § 3226(h)(2) of Article 2, Division 1, Chapter 3 of Title 9,
3 Guam Administrative Rules and Regulations (GARR), is *amended* to read as
4 follows:

5 “(2) Unless a solid roof covers the entire facility, the premises of a

1 CQF *shall* be surrounded by a perimeter fence *no less than* eight (8) feet in
2 height and topped with barbed wire tilted inward. Fencing *shall* be
3 composed of concrete, solid metal, or wire. All wire *shall* be of a mesh size
4 of two (2) inches by two (2) inches or less, and of *no less than* nine (9)
5 gauge.”

6 **Section 2.** Any commercial quarantine facility with a perimeter wire fence
7 with a mesh size greater than two (2) inches by two (2) inches *shall* have a grace
8 period of six (6) months from the enactment of this Act to comply with the fencing
9 requirement in Section 1.