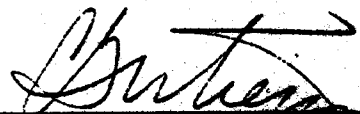


SEVENTEENTH GUAM LEGISLATURE  
1983 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 28, "AN ACT TO PERMIT POLICE OFFICERS TO USE THEIR PERSONAL VEHICLES FOR OFFICIAL PURPOSES, AND FOR OTHER PURPOSES," returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 7th day of November 1983, agree to pass said bill notwithstanding the objections of the Governor by a vote of two-thirds of all members thereof, to wit: by a vote of 15 members.

  
CARL T. C. GUTIERREZ  
Speaker

Attested:

ELIZABETH P. ARRIOLA  
Senator and Legislative Secretary

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This Act was received by the Governor this 9<sup>th</sup> day of November 1983, at 4:10 o'clock P.m.

  
Assistant Staff Officer  
Governor's Office

Public Law 17- 27

(By Legislative override  
November 7, 1983)

SEVENTEENTH GUAM LEGISLATURE  
1983 (FIRST) Regular Session

Bill No. 28

Introduced by:

A. R. Unpingco  
J. F. Quan  
T. S. Nelson

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AN ACT TO PERMIT POLICE OFFICERS TO USE THEIR  
PERSONAL VEHICLES FOR OFFICIAL PURPOSES, AND  
FOR OTHER PURPOSES.

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

2 Section 1. Section 8003 is added to the Government Code to read:

3 "Section 8003. (a) A pilot program is established in the  
4 Department of Public Safety to permit police officers to use their  
5 privately owned vehicles for official purposes. Notwithstanding any  
6 other provision of law, the Department of Public Safety shall prescribe  
7 adequate compensation and insurance coverage.

8 (b) The program shall allow thirty (30) officers of varying rank  
9 to use their personal vehicles for eighteen months. The Director shall  
10 promulgate any necessary rules for implementation of the pilot  
11 program. The rules shall provide that vehicles utilize bar-type lights  
12 placed on the roof of the vehicles rather than small rotating lights  
13 placed on dashboards and shall provide a way for the public to clearly  
14 distinguish when the vehicle is in use for a public purpose from when  
15 the vehicle is being used privately. The rules shall be adopted in  
16 conformance with the Administrative Adjudication Act. The Director  
17 shall report to the Legislature no later than November 1, 1984 on the  
18 implementation of the pilot program. The Director shall make  
19 recommendations to the Legislature on appropriate statutes to institute  
20 the program in the Department at the end of the pilot program. The  
21 Director shall report no later than February 1, 1985 on the pilot  
22 program. The pilot program will be limited to duty hours between  
23 sunrise and sunset."

1           Section 2. Subsection (k) of Section 6952, Chapter 1, Title VII-A of  
2 the Government Code of Guam is amended to read as follows:

3           "(k) 'Governmental Body' means any department, commission,  
4 council, board, bureau, committee, institution, agency, government  
5 corporation, authority or other establishment or official of the  
6 executive or judicial branches of Guam."

7           Section 3. Notwithstanding any provision of law the position of  
8 Deputy Provost of the Guam Community College shall be a classified position.

9           Section 4. 9 GCA Section 5106(a) is amended to read:

10           "(a) If a child is sixteen (16) years of age or older at the time  
11 he committed the offense for which he is charged, and if the conduct  
12 is a misdemeanor or a felony of the third degree, and if the court  
13 after full investigation deems it contrary to the best interest of such  
14 child or of the public to retain jurisdiction, the court may, in its  
15 discretion, certify such child for proper criminal proceedings to any  
16 court which would have trial jurisdiction of such offense if committed  
17 by an adult. A child who is sixteen (16) years of age or older at the  
18 time he committed the offense for which he is charged shall  
19 automatically be charged as an adult for any act which would  
20 constitute a felony of the first or second degree along with any acts  
21 which are misdemeanors or felonies of the third degree which are part  
22 of the same scheme of criminal activity as the felony. If a child is  
23 under sixteen (16) years of age at the time he committed the offense  
24 for which he is charged, and if the conduct would constitute an  
25 offense under Chapter 16 of Title 9 of this Code (Crimes and  
26 Corrections) (Homicides), and if the court after full investigation  
27 deems it contrary to the best interest of such child or of the public to  
28 retain jurisdiction, the court may, in its discretion, certify such child  
29 for proper criminal proceedings to any court which would have trial  
30 jurisdiction of such offense if committed by an adult. If a child is  
31 certified as an adult, the same judge shall not, in turn, preside over  
32 the criminal proceedings against such child."

33           Section 5. Part XIV of Section 5 of Chapter 1 of the General  
34 Appropriation Act of 1984 is amended by inserting the following Paragraph

1 at the end to read:

2 "The FTE restrictions imposed by Subsection (e) of Section 4 of  
3 this Chapter shall not be applicable to the Guam Community College  
4 because of the high number of part-time employees."

5 Section 6. Part XXXIX of Section 5 of Chapter 1 of the General  
6 Appropriation Act of 1984 is amended by inserting the following paragraph  
7 at the end to read:

8 "The FTE restrictions imposed by Subsection (e) of Section 4 of  
9 this Chapter shall not be applicable to the University of Guam because  
10 of the high number of part-time employees."

11 Section 7. Section 59009(1) of the Government Code is hereby repealed  
12 and reenacted to read as follows:

13 "(1) Any race track licensed and conducted under this Chapter is  
14 hereby permitted to sell tickets or other evidences, such as telephone  
15 recordings or other electronic devices, showing an interest in or a  
16 contribution to a pari-mutuel pool. The sale and purchase of tickets  
17 or other evidences showing an interest in or a contribution to  
18 pari-mutuel pools in this territory shall be under the supervision of  
19 the Guam Gaming Commission, and shall be done subject to such  
20 regulations as the Commission may from time to time describe."

21 Section 8. A new Section 6221 is added to Title 4 of the Guam Code  
22 Annotated to read:

23 "Section 6221. Any overtime not paid an employee within fifteen  
24 working days after a request for payment is submitted shall earn  
25 interest at the rate of ten percent (10%) per annum from the date due  
26 until the date paid the employee. The interest shall be paid the  
27 employee at the same time he receives his payment for overtime."