



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA LAHI
AGANA, GUAM 96910 U.S.A.

RECEIVED
OFFICE OF THE SPEAKER
DATE: 9/27/93
TIME: 4:55 pm
RECD BY: Perry

SEP 27 1993

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

**REFER TO
LEGISLATIVE SECRETARY**

Dear Mr. Speaker:

Transmitted herewith is Bill No. 1 which I have signed into law this date as
Public Law 22-37.

Sincerely yours,

Joseph F. Ada
JOSEPH F. ADA
Governor of Guam
220369

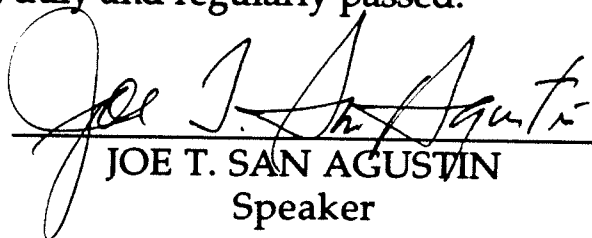
Attachment



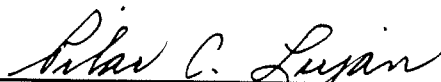
TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 1 (LS), "AN ACT TO ADD §68103 TO TITLE 21, GUAM CODE ANNOTATED, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS," was on the 15th day of September, 1993, duly and regularly passed.


JOE T. SAN AGUSTIN
Speaker

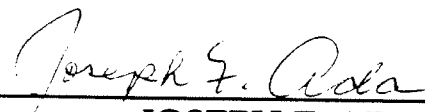
Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 17th day of September,
1993, at 10:14 o'clock A.M.


Assistant Staff Officer
Governor's Office

APPROVED:


JOSEPH F. ADA
Governor of Guam

Date: _____

Public Law No. 22-37

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 1

Introduced by:

C. T. C. Gutierrez
E. P. Arriola
T. S. Nelson
A. R. Unpingco
T. C. Ada
J. P. Aguon
J. G. Bamba
A. C. Blaz
M. Z. Bordallo
D. F. Brooks
F. P. Camacho
H. D. Dierking
P. C. Lujan
M. D. A. Manibusan
V. C. Pangelinan
D. Parkinson
E. D. Reyes
J. T. San Agustin
D. L. G. Shimizu
T. V. C. Tanaka

AN ACT TO ADD §68103 TO TITLE 21, GUAM CODE ANNOTATED, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS.

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

2 **Section 1. §68103 is added to Title 21, Guam Code Annotated, to read:**

3 **"§68103. Permits for religious displays. (a) Legislative**
4 **findings and intent. The United States of America was founded on**
5 **the principle of religious freedom, as immigrants from Europe**

1 searched for a place to practice their religion of choice openly. The
2 Constitution embodies the principle of separation of church and state
3 as a means to guarantee this freedom, not to make it more difficult
4 for citizens to practice their religion. The more recent challenge is to
5 allow for all types of religious freedoms, even the freedom to avoid
6 participation in religion, without making the state an instrument of
7 the avoidance of religion rather than allowing for the exercise of the
8 conscience of each citizen.

9 The Catholic religion became established in the Mariana
10 Islands and Guam with the arrival of Padre San Vitores, now known
11 as Blessed Diego of the Marianas, a Jesuit priest who studied the
12 Chamorro language on the ship before his arrival in the islands. In
13 over three hundred years of the blending of Spanish culture with
14 island culture, the Catholic religion has become an intimate and
15 important part of the present-day Chamorro culture. Prior to other
16 contact, the Catholic religion was practiced almost exclusively by the
17 island residents.

18 In more recent years, since the arrival of the American Naval
19 Government in 1899, other religions have also been practiced on
20 Guam, both Christian and others. In the modern era, since the lifting
21 of the restrictions on travel to Guam during the administration of
22 President John F. Kennedy, Guam has become home to a variety of
23 people of different cultures. Although other religions are
24 represented, including atheism, the predominant religion on Guam,
25 grounded in many cultural practices, is the Catholic religion.

26 In keeping with the American ideal of freedom of religious
27 expression for persons of all persuasions, and particularly in order to

1 lift the repressive element on the free and open practice of religion, it
2 is desirable to allow on a fair and equal basis the expression of all
3 religious beliefs during the periods of their public celebrations, which
4 are near and dear to the hearts of the people, but also a source of
5 cultural learning and inspiration for those who do not ascribe to a
6 particular religion or any religion. With this ideal in mind, it is
7 desirable to offer permitting of religious displays.

8 (b) The chief executive officer or administrator of any
9 government of Guam department or agency ("Administrator") may
10 grant permits for the temporary use of government real property
11 and structures under the control of the Administrator's department
12 or agency not otherwise occupied or used by the government, by
13 **bona fide** religious groups or organizations not organized for profit
14 for the purpose of displaying symbols of their religion on or around a
15 **bona fide** holiday celebrated by such group's religion.

16 (c) The permits authorized by subsection (b) of this section shall
17 be granted for a period not to exceed three (3) weeks.

18 (d) The form of the permit shall be prescribed by the Attorney
19 General.

20 (e) The Administrator shall make reasonable rules, not
21 inconsistent with the provisions of this section, governing the
22 qualifications for, applications for, and issuance, the terms and
23 conditions, the supervision of operations, and the enforcement of the
24 terms of the permit, as may be necessary or desirable for the public
25 interest."

TWENTY-SECOND GUAM LEGISLATURE

1993 (FIRST) Regular Session

Date: 9/15/93

VOTING SHEET

Bill No. 1

Resolution No. _____

Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francisco R.				
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL 20

Elizabeth P. Arriola

Committee on Youth, Senior Citizens and Cultural Affairs

The Honorable Joe T. San Agustin
Speaker
Twenty-Second Guam Legislature
Temporary Legislative Building
155 Hesler Street
Agana, Guam 96910

April 2, 1993

VIA: CHAIRPERSON, COMMITTEE ON RULES

Dear Mr. Speaker,

The **Committee on Youth, Senior Citizens and Cultural Affairs**, to which was referred "Bill # 1, **AN ACT TO ADD §68103 TO TITLE 21, GUAM CODE ANNOTATED, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS,**" has had the same under consideration and now wishes to report back its recommendation to do pass .

Committee votes received:

<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>REPORT OUT</u>	<u>OTHER</u>
8	0	2	0

Attached herewith are the Committee Report and other pertinent documents for your perusal.

Sincerely,

Elizabeth P. Arriola
ELIZABETH P. ARRIOLA

attachments



TWENTY-SECOND GUAM LEGISLATURE

COMMITTEE ON YOUTH, SENIOR CITIZENS AND CULTURAL AFFAIRS

== VOTE SHEET ==

ON

(BILL NO. 1)... An act to add §68103 to Title 21, Guam Code Annotated, to permit religious groups to use government land for the display of religious symbols.

Chairperson:	To Pass	Not to Pass	Report Out	Inactive File
<u><i>E. Arriola</i></u> ELIZABETH P. ARRIOLA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>F. R. Santos</i></u> Vice Chair FRANK R. SANTOS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>J. George Bamba</i></u> Members: J. GEORGE BAMBA	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Anthony C. Blaz</i></u> ANTHONY C. BLAZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>Madeleine Z. Bordallo</i></u> MADELEINE Z. BORDALLO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>Felix P. Camacho</i></u> FELIX P. CAMACHO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>Herminia D. Dierking</i></u> HERMINIA D. DIERKING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>Edward D. Reyes</i></u> EDWARD D. REYES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>David L. G. Shimizu</i></u> DAVID L. G. SHIMIZU	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>Joe T. San Agustin</i></u> SPEAKER JOE T. SAN AGUSTIN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMMITTEE REPORT
of the
**COMMITTEE ON YOUTH, SENIOR CITIZENS
AND CULTURAL AFFAIRS**
ON BILL NO. 1

*"An Act To Add §68103 To Title 21, Guam Code
Annotated, To Permit Religious Groups To Use
Government Land For The Display Of Religious
Symbols"*

PREFACE

A public hearing on **Bill 1** was held by the Committee on Youth, Senior Citizens and Cultural Affairs at 11:10 a.m. Tuesday, March 23, 1993 in the Public Hearing Room of the Temporary Legislative Building in Agana.

Present at the Hearing were Chairperson, Senator Elizabeth P. Arriola and attended by Senators Tom Ada, Tony Blaz, Doris Brooks, Felix Camacho, and David L.G. Shimizu.

TESTIMONY RECEIVED

- The Committee received written testimony in support of **Bill 1**, from the Archdiocese of Agana; Cerila M. Rapadas, Executive Director of Catholic Social Services; Reverend E. Neil Culbertson, President of the Guam Ministerial Association; Romana C. Mendiola, Senior Center Coordinator for SPIMA; Patricia Santos Sison, teacher and librarian working at Dededo Middle School

- Oral testimony included statements from Tan Rosario Santos of Yona; Tan Maria Crisostomo of Inarajan; and Rita Artero and Tan Rita Laxamana both of Yigo. The following is a summary of the oral testimony:

- The images displayed at the senior citizens centers are symbols of the continuity of tradition and culture; that every house has its own rules; the U.S. has its own and those rules should be followed; however, Guam and her people have their own and it should not be questioned by anyone; the Chamorro culture and the Catholic religion are the foundation; that removal of the religious icons from the senior citizens' centers is erasing the American way of life, which is filled with decadence; the moral education one receives from family values seem to be dispensed of; family and parents are the guiding light for the youth and the future; that the family and home nurture the individual's spiritual development; that the stripping of freedom of religion from the people denies the ensurance of spiritual well-being and the moral fiber of the youth.

- Written testimony **against Bill 1** was received by the Committee from

Reverend Thomas H. Hilt of the Chalan Pago Evangelical Christian Church, citing noteworthy points of the Bill, but questioning why any religious group, association or non profit organization would want to use government land or buildings for their displays.

There being no further testimony, Chairperson Elizabeth P. Arriola adjourned the public hearing on **Bill 1** at 11:59 a.m.

COMMITTEE FINDINGS

The Committee on Youth, Senior Citizens and Cultural Affairs finds there is a strong relationship between the religious and cultural aspects of the local people. To deprive them, most especially the senior citizens, of the freedom to display their own religious icons or symbols is to deprive them of the freedom to experience their own culture and heritage.

ATTACHMENTS

- Written testimony by the Archdiocese of Agana.
- Written testimony by Cerila M. Rapadas, Executive Director from Catholic Social Service.
- Written testimony from Reverend E. Neil Culbertson, President of the Guam Ministerial Association.
- Written testimony from Romana Mendiola, Senior Center Coordinator for SPIMA.
- Written testimony from Patricia Santos Sison, teacher/librarian from Dededo Middle School.
- Poem submitted by Tan Rita Laxamana
- Written testimony from Reverend H. Hilt, pastor from the Chalan Pago Evangelical Christian Church.

COMMITTEE RECOMMENDATIONS

The Committee on Youth, Senior Citizens and Cultural Affairs wishes to report Bill No 1, ***AN ACT TO ADD §68103 TO TITLE 21, GUAM CODE ANNOTATED, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS***" has had the same under consideration, and now wishes to report back the same with the recommendation **TO PASS.**



RECEIVED
3/2/93
11:05

Senator **HERMINIA D. DIERKING**
22nd GUAM LEGISLATURE

Committees:

February 26, 1993

CHAIRPERSON:

MEMORANDUM

Rules

CE CHAIRPERSON:

TO: Chairperson, Committee on Youth, Senior
Citizens and Cultural Affairs

Ways & Means

FROM: Chairperson, Committee on Rules

MEMBER:

SUBJ: Referral - Bill No. 1

Economic-
Agricultural
Development,
and Insurance

The above mentioned Bill was inadvertently referred to the Committee on Housing, Community Development. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended that you schedule a public hearing at your earliest convenience.

Education

Electrical
Power and
Consumer
Protection

Federal and
Foreign Affairs

HERMINIA D. DIERKING

General
Governmental
Operations and
Micronesian Affairs

Health,
Ecology and
Welfare

Attachment

Judiciary
and
Criminal Justice

cc: Chairperson, Committee on Housing,
Community Development

Tourism and
Transportation

Youth, Senior
Citizens and
Cultural Affairs




February 26, 1993

MEMORANDUM

TO: Chairperson, Committee on Housing, Community Development
FROM: Chairperson, Committee on Rules
SUBJ: Bill No. 1

The above mentioned Bill was inadvertently referred to your Committee. Bill No. 1 has been referred to the Committee on Youth, Senior Citizens and Cultural Affairs, which is the appropriate committee.

If you have any questions please contact my office. Thank you for your cooperation in this matter.


HERMINIA D. DIERKING

Attachment

cc: Chairperson, Committee on Youth,
Senior Citizens & Cultural Affairs

Committees:

CHAIRPERSON:

Rules

CHAIRPERSON:

Ways & Means

MEMBER:

Economic-
Agricultural
Development,
and Insurance

Education

Electrical
Power and
Consumer
Protection

Federal and
Foreign Affairs

General
Governmental
Operations and
Micronesian Affairs

Health,
Ecology and
Welfare

Judiciary
and
Criminal Justice

Tourism and
Transportation

Youth, Senior
Citizens and
Cultural Affairs

F

30

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 1

Introduced by:

① C. F. C. Gutierrez
②
④
TSN
+ c

YB:CA

AN ACT TO ADD §68103 TO TITLE 21, GUAM CODE ANNOTATED, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS.

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

Section 1. §68103 is added to Title 21, Guam Code Annotated, to read:

"§68103. Permits for religious displays. (a) Legislative findings and intent. The United States of America was founded on the principle of religious freedom, as immigrants from Europe searched for a place to practise their religion of choice openly. The constitution embodies the principle of separation of church and state as a means to guarantee this freedom, not to make it more difficult for citizens to practise their religion. The more recent challenge is to allow for all types of religious freedoms, even the freedom to avoid participation in religion, without making the state an instrument of the avoidance of religion rather than allowing for the exercise of the conscience of each citizen.

The Catholic religion became established in the Mariana Islands and Guam with the arrival of Padre San Vitores, now known as Blessed Diego of the Marianas, a Jesuit priest who studied the Chamorro language on the ship before his arrival in the islands. In over three hundred years of the blending of Spanish culture with Island culture, the Catholic religion has

1 become an intimate and important part of the present-day Chamorro
2 culture. Prior to other contact, the Catholic religion was practised almost
3 exclusively by the island residents.

4 In more recent years, since the arrival of the American Naval
5 Government in 1899, other religions have also been practised on Guam,
6 both Christian and others. In the modern era, since the lifting of the
7 restrictions on travel to Guam during the Administration of President John
8 F. Kennedy, Guam has become home to a variety of people of different
9 cultures. Although other religions are represented, including atheism, the
10 predominant religion on Guam, grounded in many cultural practices, is the
11 Catholic religion.

12 In keeping with the American ideal of freedom of religious
13 expression for persons of all persuasions, and particularly in order to lift
14 the repressive element on the free and open practice of religion, it is
15 desirable to allow on a fair and equal basis the expression of all religious
16 beliefs during the periods of their public celebrations, which are near and
17 dear to the hearts of the people, but also a source of cultural learning and
18 inspiration for those who do not ascribe to a particular religion or any
19 religion. With this ideal in mind, it is desirable to offer permitting of
20 religious displays.

21 (b) The chief executive officer or administrator of any government of
22 Guam department or agency (hereinafter administrator) may grant
23 permits for the temporary use of government real property and structures
24 under the control of the Administrator's department or agency not
25 otherwise occupied or used by the government, by bona fide religious
26 groups or organizations not organized for profit for the purpose of

- 1 displaying symbols of their religion on or around a bona fide holiday
2 celebrated by such group's religion.
- 3 (c) The permits authorized by Subsection (b) of this Section shall be
4 granted for a period not to exceed three (3) weeks.
- 5 (d) The form of the permit shall be prescribed by the Attorney General.
- 6 (e) The administrator shall make reasonable rules, not inconsistent with
7 the provisions of this Section, governing the qualifications for,
8 applications for, and issuance , the terms and conditions , the supervision
9 of operations , and the enforcement of the terms of the permit, as may be
10 necessary or desirable for the public interest.

COMMITTEE ON YOUTH, SENIOR CITIZENS AND CULTURAL AFFAIRS



TWENTY-SECOND GUAM LEGISLATURE
Registration of Witness for a hearing on

Bill # 1
Religious Symbols

March 23, 1993

Date

NAME OF WITNESS	REPRESENTING, AGENCY, FIRM, DEPARTMENT, ETC.	STATEMENT (ORAL OR WRITTEN)	FAVOR, AGAINST OR OTHER
<i>Rev. Thomas H. HILT</i>	<i>Evangelical Christian Church</i>	<i>Written</i>	<i>Against</i>
<i>Rev. E. Neil Culbertson</i>	<i>Guam Ministerial Association</i>	<i>Written</i>	<i>For</i>
<i>Rita Calvo Artero</i>	<i>Catholic Church</i>	<i>oral</i>	<i>Against</i>
<i>Rita C. Lazarranca</i>	<i>Roman Catholic Church</i>	<i>Oral</i>	<i>against</i>
<i>maria m. Criostomo</i>	<i>SPIMA</i>	<i>oral</i>	<i>for Bill no 1 NO 1 + 135</i>
<i>Romana e Mundiala</i>	<i>GARP. SPIMA</i>	<i>oral/written</i>	<i>Favor of Bill</i>
<i>Pedro Pangolina</i>	<i>Garp. SPIMA</i>	<i>oral</i>	<i>Bill no 1</i>
<i>Rosario Santos</i>	<i>SPIMA</i>	<i>oral</i>	<i>Bill no 1</i>

Servicio Para I ManAmko

Guam Association of Retired Persons
P. O. Box 3057 - Agana, GU 96910
Retirement Bldg, Maite, Guam
(671) 477-9014/1156 472-6632 Fax: 477-9015



TESTIMONY IN FAVOR OF BILL NO. 1

"An Act to add Section 68103 to Title 21, Guam Code Annotated, to permit religious groups to use government land for the display of religious symbols."

By the Guam Association of Retired Persons (GARP)
and Servicio Para I Manamko (SPIMA)

Committee on Youth, Senior Citizens
and Cultural Affairs
March 23, 1993

Hafa Adai, Chairperson Elizabeth Arriola and members of the
Committee:

I am Romana C. Mendiola, Senior Center Coordinator for SPIMA
and also a man'amko.

I am here this morning to testify on behalf of Bill No. 1
which will permit religious groups to use government land and/or
building for display of religious symbols.

Presently, SPIMA has approximately 600 manamko coming to the
Senior Citizens Centers of which the majority are very religious.
In every Senior Center the man'amko will regularly set aside time
to say the rosary or novena devotion to their special patron and/or
statue or both.

In most Senior Centers there are several statues for different
devotions. People will bring their candles to be lit throughout
the day, especially to Saint Anthony, the Virgin Mary or Sacred
Heart and at Christmas time, naturally the Nino or Infant Jesus.

The manamko will take turns in leading the rosary or novenas.

Testimony in Favor of Bill No. 1
By the Guam Association of Retired Persons (SPIMA)
Committee on Youth, Senior Citizens and Cultural Affairs
22nd Guam Legislature
March 23, 1993

Also in singing for the novenas or mass. They enjoy the leadership and the spiritual enlightening they receive from contentment and peace from within. If statues and religious devotions are taken away, the manamko will be very unhappy, very stressful, very disappointed and ultimately not come to the center at all, so they've told me.

This, Senator Arriola and members of the Committee, we don't want to see happen. So, please, Senator, make the manamko happy and pass Bill No. 1. Allow the manamko to continue coming to the Senior Centers to socialize, recreate and practice their spiritual devotions and prayers so they can live longer and happier. Let them find peace, joy and happiness by continuing to live their culture as they know it and by uniting their physical, psychological and spiritual lives.

Thank you for allowing us to come here today, and we look forward to knowing of your passage of Bill No. 1.

Si Yu'os Ma'ase,

Romana C. Mendiola

ROMANA C. MENDIOLA

COMMITTEE ON YOUTH, SENIOR CITIZENS AND CULTURAL AFFAIRS



TWENTY-SECOND GUAM LEGISLATURE

Registration of Witness for a hearing on

BILL 1

3-23-93

Date

NAME OF WITNESS

Pat Dixon

REPRESENTING, AGENCY, FIRM,
DEPARTMENT, ETC.

Myself

STATEMENT
(ORAL OR WRITTEN)

Oral statement

FAVOR, AGAINST OR
OTHER

*Bill #1
in favor!!*

March 23, 1993

Honorable Senator Elizabeth Arriola
Committee on Youth, Senior Citizens and Cultural Affairs
Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Honorable Senator:

Thank you for inviting me to submit Testimony or comments relative to Bill, 137, an Act to establish a board and care homes for elderly persons and disabled adults on Guam.

The bill is very important to meet the needs of housing and care of our elderly and our disabled adults now & in the future. Before a bigger problem confronts us, your bill, when it becomes law, will be able to alleviate the potential ill-effects of elderly housing needs due to this population living a longer and hopefully healthier life.

I hope you will bear with me regarding my suggestions. Allow me, please, to share more thoughts with you at a future time. I hope you will leave your door open for other comments later, as I have not fully deliberated on the full impact of this voluminous legislation.

For now, these are my comments:

8101.16 (1) (a) (1) "The Director of the licensing agency shall serve as chairperson of the council."

May I suggest that the chairperson of the council be the chairperson of the Council on Senior Citizens. PL 14-139 section 9985 (e) Council on Senior Citizens state, "serve as a senior citizens housing board and in this capacity shall undertake the following:

- (1) To make or cause to be made feasibility studies regarding the size, cost, site financing & planning for proposed constructions of senior citizens homes;
- (2) To select an appropriate site for the senior citizen homes;" etc.

The powers & duties of the council on senior citizens and the proposed new board seems to me to be overlapping in their responsibilities and the two can be linked together in this bill to solidify jurisdiction. A language relegating the Director of the licensing agency to serve as the executive secretary will be good compromise.

Page 29 Section 8106.16 (1) (a) (2) the membership of the council:

May I suggest an option... The reason I am offering other positions is because those mentioned in your bill have been delegated much too many board and council duties and may be over-assigned. As a consequence, they tend to over extend themselves and at some time or other may not really do justice to all of those responsibilities. They are very busy people and I fear because of this reason, the board may not get its full share of needed attention. Their time is the major factor here, not their personalities of qualifications.

May I then suggest the following composition:

1. Chairperson of the Council on Senior Citizens.
2. President of the Guam Nurses Association.
3. President of the Board of Pharmacy.
4. Chairperson of the Board of Guam Vocational Rehabilitation.
5. President of the Guam Medical Society.
6. President of Guam Contractor's Board.
7. Administrator one (1) or licensee of a licensed Board & care home (17-30 persons).
8. Administrator one (1) or licensee of a licensed Board & care home (9-16 persons).
9. Administrator one (1) or licensee of a licensed board & care home (2-8 persons).
10. Two (2) residents of board & care home.

Which department will the agency be? Will it be the Department of Public Health and Social Services or will it be the department of Vocational Rehabilitation? I suggest the PHSS with clear consideration for the Division on Senior Citizens.

Last but not least, (page 30) 8101.16 (4) reimbursements of expenses: May I suggest that the members of the council be paid \$50.00 per meeting and not to exceed \$100.00 per member a month like other boards. It really works better in getting a quorum for meetings.

I would also venture to recommend a budget regarding personnel and operational cost for this bill. It will not delay implementation on the law when it is covered as a complete package.

Thank you again for your valuable time and attention. I would like to wish you well and hope for your success in this matter as well as your other endeavors.

Sincerely,


JULIE ANN S. BLAZ

Member, Guam Council on Senior Citizens

Tuesday 23, March 1993

TOWARD A
MORE
EXCELLENT
MINISTRY

Twenty-Second Guam Legislature
Pacific Arcade Bldg
155 Hesler Street
Agana, Guam 96910

Esteemed Senators,

I am writing to express my support for Bill No. 1(LS), "AN ACT TO ADD § 68103 TO TITLE 21, GUAM CODE ANNOTATED, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS."

This legislation goes a long way toward reversing what has been an alarming exclusion of religion and the rights of free speech in our society. Historically our Constitution and the disestablishment clause were written to ensure the government would not promote any one religion to the exclusion of other religious sects and faith groups. Freedom for religion was the goal, not freedom from religion and religious ideas. The Constitution and the very spirit of our democracy has never guaranteed people the right "not to be offended by religious ideas" or to be guaranteed that religious displays and expressions will be kept out of public view. Democracy is not for the squeamish; it promotes a potpourri of ideology and debate.

From our point of view, the present trend toward limiting religious display and acts from our public arena, throughout the United States, has resulted in enforcing the religion of Secular Humanism. I call Secular Humanism a religion because even the Supreme Court of our land has called it such. Humanism is the belief that man is alone in the universe and can look only to humanity for answers, meaning, and final destiny, i.e., "Man is the measure of all things." This view, like any other religion, is one that cannot be proven by scientific methods, but is built on presuppositions that are simply taken by faith. And this faith has by default become the official established religion which shapes the values and present curriculum of our schools and has increasingly censored all other faiths in the legal, social and moral debate in our country.

Today Secular Humanism is the invisible religion that has acted as censor of all other faiths. It does this by denying its own religious assumptions and claiming a superior objectivity and rationality that we are told "religion" doesn't have. The result has been an astonishing limitation and often outright exclusion of historic religions from the public arena. The land of free speech has become instead a land of speech free zones.

The citizens of our democracy do not have a right to be protected from being offended by differing religious ideas and icons in the market-place of ideas; Rather, we all share the responsibility to tolerate diversity and protect the freedom that promotes this exchange. Bill No. 1 (LS) brings our government back to its beginnings as a government which restores the rightful place of religious expression to our public forum. Whether it be Catholic Christianity or Protestant Christianity, Judaism in its many varieties, Islam with its many groups, Humanist and the like, government must end the exclusion. The Bill before us, in a very fair manner, accomplishes just these aims. We urge a speedy passage of this addition to the laws of Guam, a place where America's freedoms, to include its religious freedoms, might begin. Thank you.

Sincerely in Christ,

A handwritten signature in cursive script that reads "Rev. E. Neil Culbertson". The signature is written in dark ink and is centered on the page.

**Rev. E. Neil Culbertson, President
The Guam Ministerial Association**



TOWARD A
MORE
EXCELLENT
MINISTRY

Tuesday 23, March 1993

Twenty-Second Guam Legislature
Pacific Arcade Bldg
155 Hesler Street
Agana, Guam 96910

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**Rev. E. Neil Culbertson, President
The Guam Ministerial Association**

TESTIMONY SUBMITTED

AGAINST

BILL NO. 1: "AN ACT TO ADD SUBSECTION 68103 TO TITLE 21, GCA, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS."

My name is Reverend Thomas H. Hilt. I am the pastor of Evangelical Christian Church in Chalan Pago and I am here today submitting testimony against Bill No 1.

In reading Bill No. 1, I believe that the author, Senator Carl T. C. Gutierrez, makes four (4) significant points worth noting.

First, this Bill, if enacted, would authorize "bona fide religious groups, or associations or organizations not organized for profit" to display "symbols of religion on or around a bona fide holiday" on government land and/or buildings. The premise for this, the author notes, is based upon a rich religious heritage of over four hundred (400) years and the profound effect this religious heritage has had in the development of Guam's society.

Second, this Bill would make the directors of government agencies responsible for the oversight these displays.

Third, this Bill would also make the same directors responsible for establishing and enforcing rules and regulations for the display of said religious symbols on government land and buildings under their jurisdiction.

Finally, the Bill affords equitable access to all religious groups, association or organizations not organized for profit who so desire to avail themselves of this opportunity.

Yet, it is what the Bill does not do or say that is of greatest concern to me and causes me to oppose this legislation.

First, it does not tell me why any religious group, association or non profit organization would want to utilize government land and/or buildings to display religious symbols on or around a bona fide holiday. This fundamental question remains unanswered throughout the Bill.

Second, the Bill does not provide agency directors with significant guidelines to ensure the establishment of uniform policies and procedures. For example: the size and type of display; will a permit fee be charged, if so, how much; what will collected permit fee funds be used for in the future; there is no disclaimer statement indicating that such displays would not constitute an endorsement of that religious group by the government or government agency.

Third, the Bill does not provide significant language declaring immunity from prosecution for the religious group who could be listed as part of a legal action filled against the Government of Guam by a private citizen, group or agency of the federal government for perceived "violation of separation of church-state laws".

Finally, the bill seems to evade the fact that what is really intended here is a back door approach to allowing government to have religious symbols displayed on government land and/or buildings without coming in direct violation of any current federal guidelines prohibiting such displays.

Because of these reasons, I am strongly opposed to this or any other legislation which would so use the church in such a subtle manner.

Respectfully submitted,



Thomas H. Hilt, Rev.

Children Learn What They Live.....

***If A Child Lives With Criticism,
He Learns To Condemn.....***

***If A Child Lives With Hostility,
He Learns To Fight.....***

***If A Child Lives With Ridicule,
He Learns To Be Shy.....***

***If A Child Lives With Shame,
He Learns To Feel Guilty.....***

***If A Child Lives With Encouragement,
He Learns Confidence.....***

***If A Child Lives With Praise,
He Learns To Appreciate.....***

***If A Child Lives With Security,
He Learns To Have Faith.....***

***If A Child Lives With Fairness,
He Learns Justice.....***

***If A Child Lives With Approval,
He Learns To Like Himself.....***

***If A Child Lives With Acceptance And Friendship,
He Learns To Find Love In The World.....***



CATHOLIC SOCIAL SERVICE

Location: Farenholt Ave., Tamuning
P.O. Box EJ, Agana, Guam 96910
Fax No. 649-9224

MAIN OFFICE: 649-5717
648-4974
648-1924
649-7377
KITCHEN: 646-6163
Aloe Shelter: 472-8729

Bishop Anthony S. Apuron
FM CAP DD
Chairman, Board of Directors

Mrs M Rapadas
Executive Director

March 19, 1993

The Honorable Elizabeth P. Arriola
Chairperson, Committee on Youth,
Senior Citizens and Cultural Affairs
Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Senator Arriola:

Re: Bill No. 1

The intent of the bill is to allow the use of government property and/or structures for the purposes of a display of religious symbols (in celebration of certain holidays). The displays could be set up by religious groups or non-profit organizations.

The culture of the local people is very closely intertwined with the Catholic faith or religion; so much so, that village celebrations or fiestas is to honor the village patron saint's life as an example for people to emulate. It seems only fair that part of the religious freedom we exercise is the freedom to display religious symbols in celebration of a specific religious holiday. Nowadays, the government bends over backward to recognize and distinguish the separation of church and state and forgets that people should be allowed the freedom to exercise their religious preference and should not place the burdens on them in the pursuit of this freedom.

We at Catholic Social Service are proud of our religious affiliation. Our philosophy assists us in looking at a person as one with dignity, and deliver our services accordingly.

As a person, mother and child, I would wholeheartedly support this measure as an indication of the government's willingness and goodwill to cooperate with the Island people in the pursuit of the freedom to worship.

Sincerely,

Cerila M. Rapadas
CERILA M. RAPADAS
Executive Director

**STATEMENT OF ARCHDIOCESE AGANA
REGARDING BILL 1 (LS), TWENTY-SECOND GUAM LEGISLATURE**

The Archdiocese of Agana supports, in concept, Bill 1 (LS). The constitutionality of the said Bill should, of course, be considered by the legal advisors of the Legislative Branch.

Should the Bill be deemed in accordance with the Organic Act of Guam and the Constitution of the United States, and is enacted into law, it should assist in giving the Government of Guam some needed latitude in recognizing and accommodating the central role religion plays in our society.

It appears that some persons may have the view that the Constitution requires the relentless extirpation of all contact between government and religion, however, we see in local and federal government much involvement of the religious heritage of our island and our nation. For instance, government school books and bus transportation are provided children in our private schools. Legislative sessions in both the Guam Legislature and in the United States Congress begin with daily prayer led by legislative Chaplains paid by the government. Congress, by law, created the National Day of Prayer. The Pledge of Allegiance to the Flag describes the United States as "one Nation under God". Our national motto, "In God We Trust", was created by federal law. The motto is engraved above the Speaker's dias in the Chamber of the United States House of Representatives and is reproduced on every coin minted and ever dollar. President Franklin D. Roosevelt suggested, in Presidential Proclamation Number 2629, that there be "a nationwide reading of the Holy Scriptures during the period from Thanksgiving Day to Christmas so that Americans may bear more earnest witness to our gratitude to Almighty God". The members of the House and Senate in the United States Congress have been provided a special prayer room in the Capitol with a stained glass window depicting President Washington kneeling in prayer; and around him is etched the first verse of the 16th Psalm: "Preserve me O God, for in Thee do I put my trust".

All of the above examples show that both the law and the heritage of our nation and our island do not compel that local government be hostile or show a callous indifference to religious groups. Government neutrality does not compel one to ignore the fact that a vast portion of our people, in America and in Guam, believe in and worship God and that many of our legal, political and personal values derive historically from religious teachings.

Justice Goldberg wrote in Abington School District V. Schempp:

"It is said, and I agree, that the attitude of government toward religion must be one of neutrality. But untutored devotion to the concept of neutrality can lead to invocation or approval or results which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious. Such results are not only not compelled by the Constitution, but, it seems to me, are prohibited by it."

TESTIMONY SUBMITTED

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Because of these reasons, I am strongly opposed to this or any other legislation which would so use the church in such a subtle manner.

Respectfully submitted,

Thomas H. Hilt

Thomas H. Hilt, Rev.

My name is Patricia Santos Sison. I am a teacher/Librarian working for DOE at Dededo Middle School. But let the record show that I am also here because I am a citizen of the Kingdom of God and, therefore, I come because I belong to the family of Jesus, His mother Mary, and Joseph the Foster Father of Jesus. Because I belong to the Family of Jesus, I feel hurt and terribly offended whenever I hear that the enactment of the Christmas Pageant and the display of our Belen in the public schools is being taken away from us, the People of Guam. I commend and salute Sen. Carl Gutierrez for having the gumption to "stand tall" and defend the principles and religious beliefs of our Island based upon the First Amendment's "free exercise of religious freedom clause" of the Constitution.

I am here, therefore, to testify in behalf of BILL NO. 1 sponsored by Senator Carl Gutierrez because I am convinced that this Bill "protects" the religious freedom, cultural heritage and customs of our Chamorro people.

I am in favor of the "ACT TO ADD # 68103 TO TITLE 21, GUAM CODE ANNOTATED TO PERMIT. RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS:

Lastly, I respect the rights of other citizens to display their own religious symbols in government property as long as they are not subversive to the government of the United States, such as *atheistic*, nazistic, communistic, and satanic symbols which undermine the principles and beliefs of the Founding Fathers of the Constitution of the United States of America, whose constitutional beliefs and principles were based upon their Judaic---Christian heritage, tradition, and culture.

Pat Sison
PAT SISON

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 1 (LS)

Introduced by:


C. T. C. Gutierrez

AN ACT TO ADD §68103 TO TITLE 21, GUAM CODE ANNOTATED, TO PERMIT RELIGIOUS GROUPS TO USE GOVERNMENT LAND FOR THE DISPLAY OF RELIGIOUS SYMBOLS.

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

2 **Section 1.** §68103 is added to Title 21, Guam Code Annotated, to
3 read:

4 "§68103. Permits for religious displays. (a) Legislative findings
5 and intent. The United States of America was founded on the principle of
6 religious freedom, as immigrants from Europe searched for a place to
7 practise their religion of choice openly. The constitution embodies the
8 principle of separation of church and state as a means to guarantee this
9 freedom, not to make it more difficult for citizens to practise their religion.
10 The more recent challenge is to allow for all types of religious freedoms,
11 even the freedom to avoid participation in religion, without making the
12 state an instrument of the avoidance of religion rather than allowing for
13 the exercise of the conscience of each citizen.

14 The Catholic religion became established in the Mariana Islands and
15 Guam with the arrival of Padre San Vitores, now known as Blessed Diego
16 of the Marianas, a Jesuit priest who studied the Chamorro language on
17 the ship before his arrival in the islands. In over three hundred years of the
18 blending of Spanish culture with Island culture, the Catholic religion has

1 become an intimate and important part of the present-day Chamorro
2 culture. Prior to other contact, the Catholic religion was practised almost
3 exclusively by the island residents.

4 In more recent years, since the arrival of the American Naval
5 Government in 1899, other religions have also been practised on Guam,
6 both Christian and others. In the modern era, since the lifting of the
7 restrictions on travel to Guam during the Administration of President John
8 F. Kennedy, Guam has become home to a variety of people of different
9 cultures. Although other religions are represented, the predominant
10 religion on Guam, grounded in many cultural practices, is the Catholic
11 religion.

12 In keeping with the American ideal of freedom of religious
13 expression for persons of all persuasions, and particularly in order to lift
14 the repressive element on the free and open practice of religion, it is
15 desirable to allow on a fair and equal basis the expression of all religious
16 beliefs during the periods of their public celebrations, which are near and
17 dear to the hearts of the people, but also a source of cultural learning and
18 inspiration for those who do not ascribe to a particular religion or any
19 religion. With this ideal in mind, it is desirable to offer permitting of
20 religious displays.

21 (b) The chief executive officer or administrator of any government of
22 Guam department or agency (hereinafter administrator) may grant
23 permits for the temporary use of government real property and structures
24 under the control of the Administrator's department or agency, not
25 otherwise occupied or used by the government, by bona fide religious
26 groups, or associations or organizations not organized for profit, for the

1 purpose of displaying symbols of religion on or around a bona fide holiday
2 celebrated by the religion whose symbol is displayed.

3 (c) The permits authorized by Subsection (b) of this Section shall be
4 granted for a period not to exceed three (3) weeks.

5 (d) The form of the permit shall be prescribed by the Attorney General.

6 (e) The administrator shall make reasonable rules, not inconsistent with
7 the provisions of this Section, governing the qualifications for,
8 applications for, and issuance , the terms and conditions , the supervision
9 of operations , and the enforcement of the terms of the permit, as may be
10 necessary or desirable for the public interest.