



Territory of Guam
Territorio Guam

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

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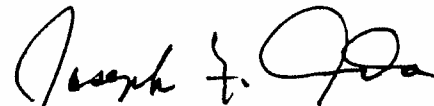
DEC 03 1993

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 90 which I have signed into law this date as
Public Law 22-57.

Sincerely yours,


JOSEPH F. ADA
Governor of Guam
220437


Attachment



TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

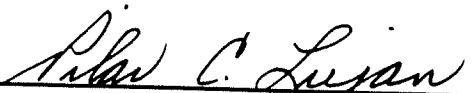
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 90 (LS), "AN ACT INSTRUCTING THE DEPARTMENT OF PUBLIC WORKS TO WORK IN CONJUNCTION WITH PRIVATE SCHOOL OFFICIALS IN ADDRESSING THE INCREASING STUDENT CONGESTION WITHIN THE AGAÑA DROP-OFF AND PICK-UP AREA BY LOCATING AN ALTERNATE CENTRALIZED LOCATION WHICH WILL INSURE THE SAFETY OF THE STUDENTS; AND PROVIDING FOR ADEQUATE SHELTER AND LAVATORY FACILITIES FOR THE SITE," was on the 19th day of November, 1993, duly and regularly passed.



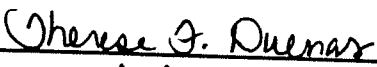
JOE T. SAN AGUSTIN
Speaker

Attested:



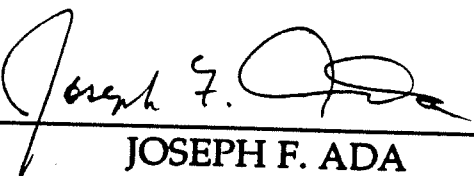
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 24th day of November, 1993, at
10:04 o'clock A.M.



Theresa F. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: DEC 03 1993

Public Law No. 22-57

**TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session**

**Bill No. 90 (LS)
As substituted by the
Committee on Rules**

Introduced by:

**M. Z. Bordallo
C. T. C. Gutierrez
T. C. Ada**

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

AN ACT INSTRUCTING THE DEPARTMENT OF PUBLIC WORKS TO WORK IN CONJUNCTION WITH PRIVATE SCHOOL OFFICIALS IN ADDRESSING THE INCREASING STUDENT CONGESTION WITHIN THE AGAÑA DROP-OFF AND PICK-UP AREA BY LOCATING AN ALTERNATE CENTRALIZED LOCATION WHICH WILL INSURE THE SAFETY OF THE STUDENTS; AND PROVIDING FOR ADEQUATE SHELTER AND LAVATORY FACILITIES FOR THE SITE.

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

2 **Section 1. Legislative intent.** The Legislature recognizes the increasing
3 congestion of traffic and business activities within the Agaña area, which has
4 on several occasions endangered the lives of private school students who are
5 dropped-off and picked-up in downtown Agaña, across from the Agaña
6 Cathedral. Because of the increasing risk posed to the island's students, a
7 need has surfaced to deal with this situation immediately. Therefore, the
8 Legislature believes that in order to address this condition, coordinated
9 efforts must be made by all concerned government agencies in conjunction
10 with private school officials to bring about a feasible solution which will
11 guarantee the continual safety of the students and simultaneously meet their
12 transportation needs.

13 **Section 2. Efforts coordinated.** The Department of Public Works
14 ("DPW") is hereby instructed to coordinate its efforts with representatives of
15 the island's private schools and other government agencies (if necessary) in
16 locating and selecting an alternate centralized location for the pick-up and
17 drop-off site of private school children which will address the purpose of this
18 Act. On selection of a location, DPW shall make necessary improvements to
19 the area to insure that the site is adequate to satisfy the general needs of its
20 bus drivers and the students. Such improvements should include, but are not
21 limited to, the construction of a shelter which will provide protection for the
22 students from the sun and rain, and lavatory facilities.

23 **Section 3. Funding.** If funds are necessary to carry out the provisions
24 of Section 2 of this Act, the Governor shall transfer to DPW the sums
25 necessary. If no funds are available for transfer, the Governor shall request
26 the Legislature to appropriate the necessary funds.

1 **Section 4. Security.** The Governor shall cause adequate security to be
2 in place at all major student pick-up and drop-off areas in Guam during
3 school bus pick-up and drop-off hours.



Committee on General Governmental Operations

and

Micronesian Affairs

Twenty-Second Guam Legislature

Sen. Ted S. Nelson
Chairman

November 15, 1993

Honorable Joe T. San Agustin
Speaker
22nd Guam Legislature
155 Hessler Street
Agana, Guam 96910

Dear Mr. Speaker:

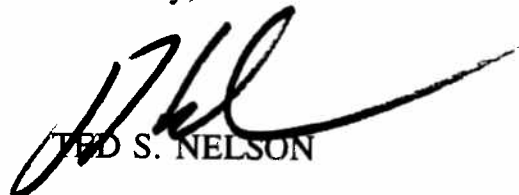
The Committee on General Governmental Operations and Micronesian Affairs, to which was referred **Bill No. 90** (*An Act relative to instructing the Department of Public Works to work in conjunction with Private School Officials in addressing the increasing student congested situatin within the Agana drop-off and pick-up area by locating an alternate centralized location which will insure the safety of the students; and providing for adequate shelter and lavatory facilities for the site*) has had the same consideration and now wishes to report back the same with the recommendation to **do pass as amended**.

The Committee votes are as follows:

To do pass	<u>7</u>
Not to pass	—
To report out only	—
To place in inactive file	—

A copy of the Committee Report and other pertinent documents are enclosed for your reference and information.

Sincerely,


TED S. NELSON


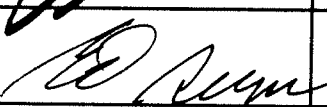
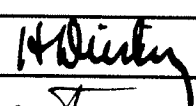
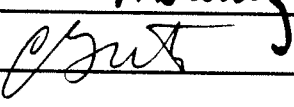
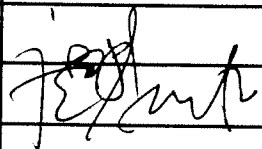
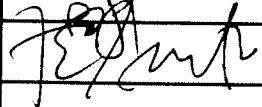
Enclosures

COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS
Twenty-Second Guam Legislature

VOTE SHEET ON BILL NO. 90

An Act relative to instructing the Department of Public Works to work in conjunction with Private School Officials in addressing the increasing student congested situatin within the Agana drop-off and pick-up area by locating an alternate centralized location which will insure the safety of the students; and providing for adequate shelter and lavatory facilities for the site."

RECOMMENDATION TO DO PASS AS AMENDED

Committee Members	Signature	To Do Pass	Not to Pass	To Report Out Only	To Place in the Inactive File
Senator Ted S. Nelson <i>Chairman</i>		✓			
Senator Edward D. Reyes <i>Vice-Chairman</i>		✓			
Speaker Joe T. San Agustin <i>Ex-Officio Member</i>					
Senator Thomas C. Ada	<i>tc. ad</i>	✓			
Senator J. George Bamba					
Senator Anthony C. Blaz					
Senator Felix P. Camacho					
Senator Herminia D. Dierking		✓			
Senator Carl T.C. Gutierrez		✓			
Senator Marilyn D.A. Manibusan					
Senator Vicente C. Pangelinan		✓			
Senator Francis E. Santos		✓			
Senator Thomas V.C. Tanaka					

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS**
TWENTY-SECOND GUAM LEGISLATURE
155 Hesler Street, Agana, Guam 96910

COMMITTEE REPORT

ON

BILL NO. 90

“An act relative to instructing the Department of Public Works to work in conjunction with Private School Officials in addressing the increasing student congested situation within the Agana drop-off and pick-up area by locating an alternate centralized location which will insure the safety of the students; and providing for adequate shelter and lavatory facilities for the site”.

COMMITTEE MEMBERS

Chairman: Ted S. Nelson
Vice Chairman: Edward D. Reyes
Ex-Officio Member: Speaker Joe T. San Agustin

Thomas C. Ada
Herminia D. Dierking
Carl T. C. Gutierrez
Vicente C. Pangelinan
Francis E. Santos

J. George Bamba
Anthony C. Blaz
Felix P. Camacho
Marilyn D.A. Manibusan
Thomas V.C. Tanaka

**PROFILE ON
Bill No. 90**

Official Title: "An act relative to instructing the Department of Public Works to work in conjunction with Private School Officials in addressing the increasing student congested situation within the Agana drop-off and pick-up area by locating an alternate centralized location which will insure the safety of the students; and providing for adequate shelter and lavatory facilities for the site".

Date Introduced: January 4, 1993

Main Sponsor(s): M.Z. Bordallo

Referral: Committee on General Governmental Operations and Micronesian Affairs on January 15, 1993.

Public Hearing: 9:30 a.m. Tuesday, October 21, 1993 in the Public Hearing Room of the Guam Legislature Temporary Bldg., Agana.

COMMITTEE REPORT

BILL NO. 90

“An act relative to instructing the Department of Public Works to work in conjunction with Private School Officials in addressing the increasing student congested situation within the Agana drop-off and pick-up area by locating an alternate centralized location which will insure the safety of the students; and providing for adequate shelter and lavatory facilities for the site”.

I. BACKGROUND

Bill No. 90 would instruct the Department of Public Works and all other Government of Guam departments and agencies affected, to work closely with private school officials to develop a plan to establish a centralized pick-up/drop-off area for private school students.

The committee conducted a Public Hearing 9:30 a.m. Thursday, October 21, 1993 in the Public Hearing Room of the Guam Legislature Temporary Building in Agana.

Committee Members Present: Sen. Ted S. Nelson, Chairman
Sen. Thomas C. Ada
Sen. Herminia D. Dierking
Sen. Vicente C. Pangelinan
Sen. Thomas V.C. Tanaka

Other Senators Present: Sen. John P. Aguon

All testimony received by the committee was in support of the intent of Bill No. 90. There was a general consensus from the witnesses that the bill needs to address supervision of the students and not so much as to relocate the drop-off/pick-up point.

II. SUMMARY OF TESTIMONY

Testifying: **Attorney John Dierking**
Legal Counsel
Archdiocese of Agana

Sister Mary McAuley
Principal
Cathedral Grade School

Sister Kathleen Sarmiento
Principal
Saint Anthony School

Felix F. Ungacta
Mayor
Agana, Guam

Willie T. Flores
Superintendent
Bus Operations, DPW

Attorney Dierking testified that the Archdiocese generally supports the bill, however, the bill lacks the language that would provide for the supervision of the students and traffic control by the Government of Guam. Currently, the safety of the students and traffic control is being monitored by a private security, which does not have any jurisdiction on the public roadways.

Sister McAuley reiterated the same sentiments as Attorney Dierking, and emphasized that the supervision of the students should be provided by the government of Guam, since the drop-off/pick-up area is on government property. Additionally, restroom facilities and shelters are also needed for the students.

Sister Kathleen agreed that supervision is of the utmost importance, however stated that relocating the drop-off/pick-up area is not necessarily the answer. Sister Kathleen continued that the present area is suitable, however, supervision is needed.

Mayor Felix F. Ungacta recommended that the drop-off/pick-up point remain status quo. Mayor Ungacta stressed the need for restroom facilities , fountains etc.

Willie T. Flores stated that the department is not prepared to give a position on the bill, and requested that the Department of Public Works be given a couple of weeks to prepare a written statement in reference to Bill No. 90.

III. FINDINGS

The committee finds that there is a need to amend Bill No. 90 to make the necessary changes and that the committee will be accepting additional testimony prior to reporting the bill out of committee.


IV. RECOMMENDATIONS

The Committee on General Governmental Operations and Micronesian Affairs hereby reports out Bill No. 90 to the Twenty-Second Guam Legislature with the recommendation **TO DO PASS Bill No. 90, as amended.**

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 90
As substituted by the
Committee on Rules

Introduced by:

M. Z. Bordallo
C. T. C. Gutierrez 
T. C. Ada
J. P. Aguon
E. P. Arriola
H. D. Dierking
P. C. Lujan
T. S. Nelson
V. C. Pangelinan
D. Parkinson
E. D. Reyes
J. T. San Agustin
F. E. Santos
D. L. G. Shimizu

AN ACT INSTRUCTING THE DEPARTMENT OF PUBLIC WORKS TO WORK IN CONJUNCTION WITH PRIVATE SCHOOL OFFICIALS IN ADDRESSING THE INCREASING STUDENT CONGESTION WITHIN THE AGAÑA DROP-OFF AND PICK-UP AREA BY LOCATING AN ALTERNATE CENTRALIZED LOCATION WHICH WILL INSURE THE SAFETY OF THE STUDENTS; AND PROVIDING FOR ADEQUATE SHELTER AND LAVATORY FACILITIES FOR THE SITE.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. Legislative intent. The Legislature recognizes the increasing
3 congestion of traffic and business activities within the Agaña area, which has
4 on several occasions endangered the lives of private school students who are

1 dropped-off and picked-up in downtown Agaña, across from the Agaña
2 Cathedral. Because of the increasing risk posed to the island's students, a
3 need has surfaced to deal with this situation immediately. Therefore, the
4 Legislature believes that in order to address this condition, coordinated
5 efforts must be made by all concerned government agencies in conjunction
6 with private school officials to bring about a feasible solution which will
7 guarantee the continual safety of the students and simultaneously meet their
8 transportation needs.

9 **Section 2. Efforts coordinated.** The Department of Public Works
10 ("DPW") is hereby instructed to coordinate its efforts with representatives of
11 the island's private schools and other government agencies (if necessary) in
12 locating and selecting an alternate centralized location for the pick-up and
13 drop-off site of private school children which will address the purpose of this
14 Act. On selection of a location, DPW shall make necessary improvements to
15 the area to insure that the site is adequate to satisfy the general needs of its
16 bus drivers and the students. Such improvements should include, but are not
17 limited to, the construction of a shelter which will provide protection for the
18 students from the sun and rain, and lavatory facilities.

19 **Section 3. Funding.** Should DPW need funding to implement the
20 provisions of Section 2 of this Act, a request should be submitted to the
21 Governor and the Legislature no later than one hundred eighty (180) days
22 following the enactment of this Act.

23 **Section 4. Security.** The Governor shall cause adequate security to be
24 in place at all student pick-up and drop-off areas in Guam used by more than
25 ten (10) per day during school bus pick up and drop-off hours.

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

BILL NO. 90(LS)

INTRODUCED BY:

M. Z. BORDALLO



**"AN ACT RELATIVE TO INSTRUCTING
THE DEPARTMENT OF PUBLIC WORKS
TO WORK IN CONJUNCTION WITH
PRIVATE SCHOOL OFFICIALS IN
ADDRESSING THE INCREASING STUDENT
CONGESTED SITUATION WITHIN THE
AGANA DROP-OFF AND PICK-UP AREA
BY LOCATING AN ALTERNATE CENTRALIZED
LOCATION WHICH WILL INSURE THE SAFETY
OF THE STUDENTS; AND PROVIDING FOR
ADEQUATE SHELTER AND LAVATORY
FACILITIES FOR THE SITE."**

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

Section 1. Legislative Intent.

The Guam Legislature recognizes the increasing congestion of traffic and business activities within the Agana area, which has on several occasions endangered the lives of private school students who are dropped-off and picked-up in downtown Agana, across from the Agana Cathedral. Because

1 of the increasing risk posed to our island students, a need has
2 surfaced to deal with this situation immediately. Therefore, the
3 Guam Legislature believes that in order to address this
4 condition, coordinated efforts must be made by all effected
5 government agencies in conjunction with private school officials
6 to bring about a feasible solution which will guarantee the
7 continual safety of our students and simultaneously meet their
8 transportation needs.
9

0 Section 2. Legislative Provision.

1 The Department of Public Works is hereby instructed
2 to coordinate its efforts with representatives of the island's
3 private schools and other government agencies (if necessary) in
4 locating and selecting an alternate centralized location for the
5 pick-up and drop-off site of the private school children, which
6 will address the purpose as stated in Section 1 of this Act.
7

8 Upon selection of a location, DPW shall make necessary
9 improvements to the area to insure that the site is adequate to
0 satisfy the general needs of its bus drivers and the students.
1 Such improvements should include, but is not limited to, the
2 construction of a shelter, which will provide protection for the
3 students from the sun and rain, and lavatory facilities.
4

5 Section 3. Funding Needs.

6 Should the Department of Public Works need funding
7 to implement the provisions stipulated in Section 2 of this Act,
8 such funding requests should be submitted to the Governor and
9 the Guam Legislature no later than 180 days following the
0 enactment of this Act.
1
2