




CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JUN 27 1995

The Honorable Ted S. Nelson  
Acting Speaker  
Twenty-Third Guam Legislature  
424 West O'Brien Drive  
Julale Center - Suite 222  
Agana, Guam 96910

Via: Office of Speaker Don Parkinson

Dear Speaker Nelson:

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	9:10 am
Date	6-28-95

Enclosed please find a copy of Substitute Bill No. 249 (LS), "AN ACT TO AMEND §10111.1 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE THE PORT AUTHORITY POLICE", which I have **signed** into law today as **Public Law No. 23-28**.

Very truly yours,


  
Carl T. C. Gutierrez

Attachment  
230518

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 249 (LS), "AN ACT TO AMEND §10111.1 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE THE PORT AUTHORITY POLICE," was on the 6th day of June, 1995, duly and regularly passed. The Bill received twenty votes to pass, with one member off-island.



\_\_\_\_\_  
DON PARKINSON  
Speaker

Attested:



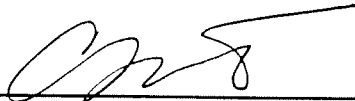
\_\_\_\_\_  
JUDITH WON PAT-BORJA  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 16 day of JUNE,  
1995, at 10:30 o'clock A.M.



\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:



\_\_\_\_\_  
CARL T. C. GUTIERREZ  
Governor of Guam

Date: 6-27-95

Public Law No. 23-28

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) Regular Session

Bill No. 249 (LS)

Introduced by:

M. C. Charfauros  
A. R. Unpingco  
J. P. Aguon

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J. Won Pat-Borja  
T. C. Ada  
V. C. Pangelinan  
A. L. G. Santos  
H. A. Cristobal  
L. Leon Guerrero  
T. S. Nelson  
F. E. Santos  
D. Parkinson  
A. C. Blaz  
J. M. S. Brown  
E. Barrett-Anderson  
F. P. Camacho  
M. Forbes  
A. C. Lamorena V  
C. Leon Guerrero  
S. L. Orsini  
J. T. San Agustin

AN ACT TO AMEND §10111.1 OF TITLE 12, GUAM  
CODE ANNOTATED, RELATIVE TO RENAMING THE  
PORT AUTHORITY SECURITY FORCE THE PORT  
AUTHORITY POLICE.

1           **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**  
2           **Section 1. Legislative statement and intent.** The Legislature finds that  
3 when legislation was adopted giving the Port Authority Security Force the

1 "Powers of Arrest", pursuant to 12 GCA §10111.1, there was an oversight in  
2 the name between "Security" and "Police". The Legislature finds that this  
3 oversight has resulted in lack of respect whereas the public perceives the Port  
4 Authority Security Force merely as a Security Force rather than a Law  
5 Enforcement entity. As a result of this lack of respect and improper  
6 identification, the security force has encountered problems when engaged in  
7 routine duties. The Legislature further finds that the Port Authority Security  
8 Force has engaged in assisting the Guam Police Department in many  
9 instances, and deserves to be recognized properly as a result of the duties they  
10 perform. It is the intent of this Legislature to make known to the public that  
11 the Port Authority Security Force is in fact a Law Enforcement Entity. The  
12 intent of this Legislature is to neither increase nor decrease the powers of  
13 Port Authority Security Officers, but merely to give these officers the respect  
14 and proper identification that they deserve. The Legislature acknowledges  
15 that the passage of this legislation will in no way reclassify these officers to a  
16 higher pay and in no way give more benefits to such officers. The Legislature  
17 recognizes that such classification and rectification must flow through the  
18 proper procedures and channels of the Government of Guam.

19 **Section 2.** §10111.1 of Title 12, Guam Code Annotated, is hereby  
20 amended to read:

21 "§10111.1. Port Authority Police.

22 (a) There is hereby established, under the direction of the Authority, a  
23 Port Authority Police which shall be responsible for the protection of persons  
24 and property at the Port Authority of Guam and all related facilities, and  
25 which shall coordinate its activities with the Guam Police Department, which  
26 shall have concurrent jurisdiction therewith. The Board, pursuant to the  
27 Administrative Adjudication Law, shall adopt reasonable rules and

1 regulations regarding its personnel, which rules and regulations shall be  
2 consistent with the provisions of Title 4 of this Code.

3 (b) Members of the Port Authority Police, while on Port grounds and  
4 acting within their official capacity, shall have the powers of peace officers,  
5 including, but not limited to, the authority to arrest and enforce the Port Rules  
6 and Regulations, applicable federal security programs, and the Vehicle Code  
7 of Guam.

8 (c) Employees currently occupying positions in the Port Authority of  
9 Guam Security Force upon enactment of this section shall be reassigned to  
10 the new positions within the new Port Authority Police".

# TWENTY-THIRD GUAM LEGISLATURE

1995 (FIRST) Regular Session

Date: 6/6/95

## VOTING SHEET

Bill No. 249

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓		:	
AGUON, John P.				✓
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C	✓			
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL 20 \_\_\_\_\_ 1 \_\_\_\_\_

PR 23-28

# Senator Mark C. Charfauros

Chairman

Committee on Judiciary, Criminal Justice and Environmental Affairs  
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

June 5, 1995

SPEAKER DON PARKINSON  
Twenty-Third Guam Legislature  
155 Hesler St.  
Agana, Guam 96910

Dear Mr. Speaker:

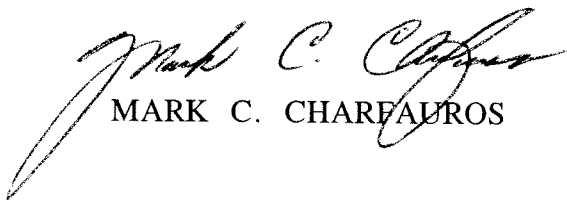
The Committee on Judiciary, Criminal Justice and Environmental Affairs to which was referred **Bill No. 249**, wishes to report back to the Legislature with its recommendation to pass **Bill No. 249** - "AN ACT TO AMEND 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE."

The voting record is as follows:

TO PASS	<u>10</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>1</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.



MARK C. CHARFAUROS

Attachments

COMMITTEE ON JUDICIARY, CRIMINAL  
JUSTICE AND ENVIRONMENTAL  
AFFAIRS

*Twenty-Third Guam Legislature*

COMMITTEE REPORT

on

Bill No. 249

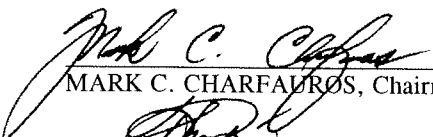

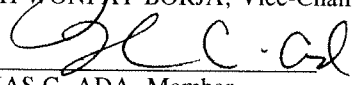
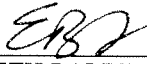

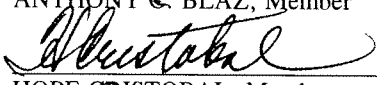

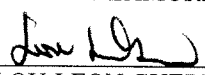
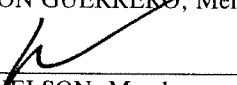

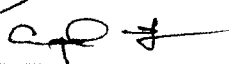
"AN ACT TO AMEND 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE  
PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE."

MAY 22, 1995



**COMMITTEE ON JUDICIARY, CRIMINAL JUSTICE AND  
ENVIRONMENTAL AFFAIRS  
23rd Guam Legislature  
VOTING RECORD**

**Bill No. 249- "AN ACT TO AMEND 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE."**

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK C. CHARFAUROS, Chairman	✓	—	—	—
 JUDITH WONPAT-BORJA, Vice-Chairman	✓	—	—	—
 THOMAS C. ADA, Member	—	—	✓	—
 ELIZABETH BARRETT-ANDERSON, Member	✓	—	—	—
 JOANNE BROWN, Member	✓	—	—	—
ANTHONY G. BLAZ, Member	—	—	—	—
 HOPE CRISTOBAL, Member	✓	—	—	—
 A. TONY LAMORENA, Member	✓	—	—	—
 LOU LEON GUERRERO, Member	✓	—	—	—
 TED S. NELSON, Member	✓	—	—	—
 VICENTE C. PANGELINAN, Member	✓	—	—	—
 ANGEL L.G. SANTOS, Member	✓	—	—	—
DON PARKINSON, Ex-Officio Member	—	—	—	—

## I. OVERVIEW

The Committee on Judiciary, Criminal Justice and Environmental Affairs scheduled a public hearing on May 22, 1995 at 9:30 a.m. at the Legislative Public Hearing Room. Public notice was announced on the May 21, 1995 issue of the PDN. Members present were:

Senator Mark C. Charfauros, Chairman  
Senator Judith WonPat-Borja, Vice-Chairperson  
Senator Tom Ada  
Senator Ted S. Nelson  
Senator Ben Pangelinan  
Senator Joanne Brown  
Senator Tony Lamorena  
Senator Elizabeth Barrett-Anderson.

Appearing before the Committee to testify on the bill was:

Mr. Ben Bucao, Chief, Port Authority Security Force, oral.

## II. SUMMARY OF TESTIMONY

Mr. Ben Bucao testified in support of Bill 249. He said the name change from Port Authority Security to Port Authority Police will increase moral among the ranks since they feel they are deserving of the title. He said his officers do the same jobs and duties as the Guam Police, the only difference being the areas of coverage and jurisdictions. Bucao said his force has been highly recommended to cover the entire Cabras Island, including Route 11 to Route 18, including Route 1.

### III. FINDING AND RECOMMENDATION

The Committee finds that Port Authority Security Force officers deserve to be recognized as law enforcement officers. The Committee finds that such officers have responded to many dangerous situations which require proper identification. The Committee further finds that this name change will not affect the powers or jurisdiction of such officers.

Accordingly, the Committee on Judiciary, Criminal Justice and Environmental Affairs, to which was referred **Bill No. 249**, does hereby submit its findings and recommendation to the Twenty-Third Guam Legislature **TO DO PASS Bill No. 249** "AN ACT TO AMEND 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE."

● Senator Mark C. Charfauros ●

Chairman

Committee on Judiciary, Criminal Justice and Environmental Affairs  
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

May 30, 1995

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 249** - "AN ACT TO AMEND 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE."

Transmitted herewith for your information and action is the Committee on Judiciary, Criminal Justice and Environmental Affairs' Report on the subject Bill.

The narrative report is accompanied by the following:

1. Original Bill 249;
2. Committee Voting Sheet;
3. Testimony and Sign-in Sheet
4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.

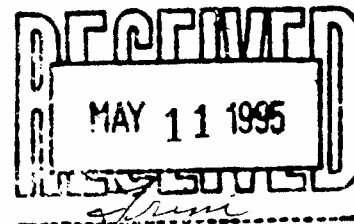
MARK C. CHARFAUROS

Attachments.



# COMMITTEE ON RULES

Twenty-Third Guam Legislature  
155 Hesler St., Agana, Guam 96910



May 11, 1995

## MEMORANDUM

**TO:** Chairman, Committee on Judiciary, Criminal Justice  
and Environmental Affairs

**FROM:** Chairman, Committee on Rules

**SUBJECT:** Referral - Bill No. 249

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.



**SONNY LUJAN ORSINI**

Attachment

**TWENTY-THIRD GUAM LEGISLATURE**  
**1995 (FIRST) REGULAR SESSION**

Bill No. 249

Introduced by:

M.C. Charfauros  
A.R. Unpingco  
J.P. Aguon  
J.WP. Borja  
T.C. Ada  
V.C. Pangelinan  
A.L.G. Santos  
H.A. Cristobal  
L. Leon Guerrero  
T.S. Nelson  
F.E. Santos  
D. Parkinson  
A.C. Blaz  
J.M.S. Brown  
E.B. Anderson

AN ACT TO AMEND TITLE 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE.

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

2       **SECTION 1. Legislative Statement and Intent.** The Legislature finds that when  
3 legislation was adopted giving the Port Authority Security Force the "Powers of Arrest," pursuant  
4 to Title 12, Section 10111.1, there was an oversight in the name between "Security" and "Police."  
5 The Legislature finds that this oversight has resulted in lack of respect whereas the public  
6 perceives the Port Authority Security Force merely as a Security Force rather than a Law  
7 Enforcement entity. As a result of this lack of respect and improper identification, the security  
8 force has encountered problems when engaged in routine duties. The Legislature further finds that  
9 the Port Authority Security Force has engaged in assisting the Guam Police Department in many  
10 instances, and deserves to be recognized properly as a result of the duties they perform. It is the  
11 intent of this Legislature to make known to the public that the Port Authority Security Force is in  
12 fact a Law Enforcement Entity. The intent of this Legislature is to neither increase nor decrease  
13 the powers of Port Authority Security Officers, but merely to give these officers the respect and

1 proper identification that they deserve. The Legislature acknowledges that the passage of this  
2 legislation will in no way reclassify these officers to a higher pay and in no way give more benefits  
3 to such officers. The Legislature recognizes that such classification and rectification must flow  
4 through the proper procedures and channels of the Government of Guam.

5 **SECTION 2. §10111.1 of 12 Guam Code Annotated is hereby amended to read:**

6 **"§10111.1. [~~Authority Security Force~~] Port Authority Police.**

7 (a) There is here established, under the direction of the Authority, a [~~Port Security Force~~]  
8 Port Authority Police which shall be responsible for the protection of persons and property at the  
9 Port Authority of Guam and all related facilities, and which shall coordinate its activities with the  
10 Guam Police Department, which shall have concurrent jurisdiction therewith. The Board,  
11 pursuant to the Administrative Adjudication Law, shall adopt reasonable rules and regulations  
12 regarding its personnel, which rules and regulations shall be consistent with the provisions of Title  
13 4 of this Code.

14 (b) Members of the [~~Port Security Force~~] Port Authority Police, while on Port grounds and  
15 acting within their official capacity, shall have the powers of peace officers, including, but not  
16 limited to, the authority to arrest and enforce the Port Rules and Regulations, applicable federal  
17 security programs and the Vehicle Code of Guam.

18 (c) Employees currently occupying positions in the Port Authority of Guam Security  
19 Force upon enactment of this section shall be reassigned to the new positions within the new [~~Port~~  
20 Security Force] Port Authority Police."







**BUREAU OF BUDGET & MANAGEMENT RESEARCH**  
OFFICE OF THE GOVERNOR, Post Office Box 2950, Agaña, Guam 96910

**CARL T.C. GUTIERREZ**  
GOVERNOR

MAY 25 1995

**JOSEPH E. RIVERA**  
DIRECTOR

**MADELEINE Z. BORDALLO**  
I.T. GOVERNOR

**FRANCES J. BALAJADI**  
DEPUTY DIRECTOR

The Bureau requests that Bill No(s). 249 be granted a waiver pursuant to Public Law 12-229 for the following reasons:

Bill No. 249 is an Act to amend Title 12 GCA, Section 10111.1, relative to renaming the Port Authority Security Force to Port Authority Police.

Bill No. 249 is administrative in nature and does not pose a financial impact on the General Fund or other fund, as the Bill language states, "the Legislature acknowledges that the passage of this legislation will in no way reclassify these officers to a higher pay and in no way give more benefits to such officers."

*frances J. Balajadi*  
JOSEPH E. RIVERA,  
Acting



## Notice of Public Hearing

**Senator Mark C. Charfauros**

Chairman

Committee on Judiciary, Criminal Justice and  
Environmental Affairs

Twenty-Third Guam Legislature

### Public Hearing

**Bill No. 85:** AN ACT TO CLARIFY THE QUALIFICATIONS FOR INCUMBENT GOVERNMENT ATTORNEYS TO TAKE THE BAR EXAMINATION.

**Bill No. 91:** AN ACT TO PROVIDE FOR THE DISQUALIFICATION OF OR ASSIGNMENT OF A DIFFERENT JUDGE OR REFEREE IN CASES WHERE PREJUDICE EXISTS OR IS CLAIMED, BY ADDING NEW SECTIONS 175.1, 175.2 & 175.3 TO CHAPTER II OF THE CIVIL PROCEDURE CODE.

**Bill No. 115 (as amended by the author):** AN ACT TO AMEND SUBSECTION (a) OF SECTION 2107, TO REPEAL AND REENACT SUBSECTION (b) TO SECTION 2107, TO AMEND SECTIONS 2704 AND 2705 ALL OF TITLE 10, GCA, PERTAINING TO THE INCREASE OF CERTAIN PENALTIES FOR WELFARE AND FOOD STAMP FRAUD.

**Bill No. 116:** AN ACT TO ESTABLISH A WHITE COLLAR CRIMES UNIT WITHIN THE DEPARTMENT OF LAW'S PROSECUTION DIVISION.

**Bill No. 152:** AN ACT TO REPEAL AND REENACT THE SOLID WASTE MANAGEMENT AND LITTER CONTROL ACT, 10 GCA, CHAPTER 51.

**Bill No. 173:** AN ACT TO REPEAL AND REENACT SECTION 3209 (c) OF TITLE 16 GCA, RELATIVE TO REGULATING SUN SCREENING DEVICES ON MOTOR VEHICLES.

**Bill No. 193:** AN ACT TO ADD A NEW CHAPTER 48, TITLE XVII GCA, RELATIVE TO ESTABLISHING AND DESIGNATING "DRUG-FREE SCHOOL ZONES" THROUGHOUT GUAM'S SCHOOL, THROUGH PROHIBITING THE POSSESSION OF OR USE OF DRUGS WITHIN SUCH SPECIFIED AREAS IMMEDIATELY SURROUNDING THE SCHOOLS, FURTHER INSURING THE SAFETY OF SCHOOL CHILDREN; THIS PROVISION SHALL HEREBY BE DESIGNATED AS THE "DRUG-FREE SCHOOL ZONE". AND TO ADD A NEW SECTION 33.11 TO CHAPTER 80, TITLE IX, GCA, RELATIVE TO PUNISHMENT IMPOSED FOR DRUG OFFENSES IN CHAPTER 48, TITLE XVII.

**Bill No. 228 (as amended by the author):** AN ACT TO ADD SUBSECTION (qq) TO SECTION 1102, TO REPEAL AND REENACT SUBSECTION (c) OF SECTION 3209, TO ADD A NEW SUBSECTION (E) TO SECTION 3601 AND TO ADD A NEW SUBSECTION (F) TO SECTION 3603, TO TITLE 16, GCA RELATIVE TO THE APPLICATION OF SUN-SCREENING DEVICES ON THE WINDSHIELDS AND WINDOWS OF MOTOR VEHICLES AND TO PROVIDE PENALTIES THEREOF.

**Bill No. 248:** AN ACT TO AMEND SECTION 1112.1, CHAPTER 1 OF TITLE 12, RELATIVE TO RENAMING THE AIRPORT SECURITY FORCE TO AIRPORT POLICE.

**Bill No. 249:** AN ACT TO AMEND TITLE 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE.

**Bill No. 250:** AN ACT TO ADD A NEW SUBDIVISION (I) TO RULE 12, RULES OF CIVIL PROCEDURE, OF TITLE 7 GCA, RELATIVE TO SPECIAL MOTIONS.

**Bill No. 251:** AN ACT TO ADD A NEW SECTION 725 TO TITLE 1 GCA, TO DECLARE THE LEGISLATIVE DIRECTIVE THAT LAWS BE INTERPRETED ACCORDING TO THE NEEDS OF GUAM.

**Date:** Monday, May 22, 1995

**Time:** 9:30 a.m.

**Place:** Public Hearing Room

Guam Legislature

155 Hesler St. Agana

**The Public is invited to attend**

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) REGULAR SESSION

MAY 09 1995

Bill No. 249(15)

Introduced by:

M.C. Charfauros *[Signature]*  
A.R. Unpingco *[Signature]*  
J.P. Aguon *[Signature]*  
J.W.P. Borja *[Signature]*  
T.C. Ada *[Signature]*  
V.C. Pangelinan *[Signature]*  
A.L.G. Santos *[Signature]*  
H.A. Cristobal *[Signature]*  
L. Leon Guerrero *[Signature]*  
T.S. Nelson *[Signature]*  
F.E. Santos *[Signature]*  
D. Parkinson *[Signature]*  
A.C. Blaz *[Signature]*  
J.M.S. Brown *[Signature]*  
E.B. Anderson *[Signature]*

AN ACT TO AMEND TITLE 12 GCA, SECTION 10111.1, RELATIVE TO RENAMING THE PORT AUTHORITY SECURITY FORCE TO PORT AUTHORITY POLICE.

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