

OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	į
Received By Melekin	ļ
Time 3:00 pM	
Date 3/27/94	

FEB 27 1996

The Honorable Don Parkinson Speaker Twenty-Third Guam Legislature 424 West O'Brien Drive Julale Center - Suite 222 Agana, Guam 96910 CFFILL OF THE FLAMBER

Date: 2/27/46

Time: 1/3-50A

Received By: 1/2-50A

Print Name: Handlenamic

REFER TO LEGISLATIVE BECRETAGY

Dear Speaker Parkinson:

Enclosed please find a copy of Substitute Bill No. 363 (LS), "AN ACT TO AMEND §3401(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES", which I have **signed** into law today as **Public Law No. 23-72.** 

The current law relative to accessible parking for persons with disabilities authorizes trained private security personnel to issue citations for violations of accessible parking law. This legislation includes government security personnel also, in an effort to attain greater compliance. Presently, government security personnel may be aware of violations of the accessible parking law, but are not allowed to enforce it by issuing citations to violators. This will allow for this further enforcement of access to buildings for persons with disabilities.

Very truly yours,

Carl T. C. Gutierrez

Attachment

230999

### TWENTY-THIRD GUAM LEGISLATURE 1996 (SECOND) Regular Session

This is to certify that Substitute Bill No. 363 (LS), "AN ACT TO AMEND §3401.1(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES," was on the 22nd day of February, 1996, duly and regularly passed.

regularly passed.	
_	Dush
	D. PARKINSON
A ( ( ) ) 1	Speaker
Attested:	
JUDITH WON PAT-BORJA Senator and Legislative Secretary	
This Act was received by the Governor this 1996, at o'clock / .M.	day of Frehruay
APPROVED:	Assistant Staff Officer Governor's Office
CARL T. C. GUTIERREZ Governor of Guam	
Date: 2 - 27 - 96	
Public Law No. <u>23-72</u>	

#### TWENTY-THIRD GUAM LEGISLATURE 1995 (FIRST) Regular Session

Bill No. 363 (LS)

Introduced by:

M. C. Charfauros

T. S. Nelson

A. C. Blaz

T. C. Ada

J. P. Aguon

E. Barrett-Anderson

J. M. S. Brown

F. P. Camacho

H. A. Cristobal

M. Forbes

A. C. Lamorena V

C. Leon Guerrero

L. Leon Guerrero

S. L. Orsini

V. C. Pangelinan

D. Parkinson

J. T. San Agustin

A. L. G. Santos

F. E. Santos

A. R. Unpingco

J. Won Pat-Borja

AN ACT TO AMEND §3401.1(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES.

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

- 2 Section 1. Legislative Findings and Intent. The Legislature finds that
- 3 Government Security Personnel were not included in the enforcement of

- 1 Public Law 23-11, concerning Accessible Parking for Persons with Disabilities.
- 2 The Legislature further finds that excluding such personnel from issuing
- 3 citations for violations of P. L. 23-11 has resulted in both a lack of
- 4 enforcement and a lack of adherence to such statutes in parking areas
- 5 encompassing government buildings. The Legislature intends to enforce P. L.
- 6 23-11 in an effective and comprehensive manner by allowing both private and
- 7 government security personnel to issue citations.
- 8 Section 2. §3401.1 (h) of Title 16, Guam Code Annotated, is hereby
- 9 amended to read:
- 10 "§3401.1 (h) Persons Authorized to Issue Citations. Private and
- 11 Government Security Personnel, and persons who are designated by the
- 12 Governor's Commission on Persons with Disabilities and employed by Non-
- 13 Profit Organizations (NPOs) representing or serving people with disabilities,
- 14 are hereby authorized to issue citations to enforce the provisions of this Act
- 15 provided they obtain proper training in law enforcement as evidenced by a
- 16 certificate of completion from an accredited law enforcement academy or
- 17 institute. Citation forms may be distributed by the Guam Police Department
- 18 for use in the enforcement of this Act."

# TWENTY-THIRD GUAM LEGISLATURE 1996 (SECOND) Regular Session

	-	1	100
Date:		100	176

#### **VOTING SHEET**

Bill No. <u>363</u>	
Resolution No.	
Question:	

<u>NAME</u>	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	V			
AGUON, John P.	V			
BARRETT-ANDERSON, Elizabeth	W			
BLAZ, Anthony C.	V			
BROWN, Joanne S.	V			
CAMACHO, Felix P.	L			
CHARFAUROS, Mark C	~			
CRISTOBAL, Hope A.	~			
FORBES, MARK	$\nu$			
LAMORENA, Alberto C., V				
LEON GUERRERO, Carlotta	~			
LEON GUERRERO, Lou	<b>✓</b>			
NELSON, Ted S.	~			
ORSINI, Sonny L.	<b></b>			
PANGELINAN, Vicente C	~			
PARKINSON, Don	V			
SAN AGUSTIN, Joe T.	W			
SANTOS, Angel L. G.	W			
SANTOS, Francis E.				
UNPINGCO, Antonio R.				
WONPAT-BORJA, Judith				

UNPINGCO, Antonio R.				
WONPAT-BORJA, Judith				
TOTAL	21	_0	 0	
CERTIFIED TRUE AND CORRECT:				
Recording Secretary				

33/17

## 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

October 27, 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. 363**, wishes to report back to the Legislature with its recommendation to pass **Bill No. 363**- "AN ACT TO AMEND §3401.1(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES."

The voting record is as follows:

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

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

Your attention to this matter is greatly appreciated.

Attachments

MARK C. CHARDAUROS

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

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

Fax: (671) 472-3440

September 27, 1995

#### **MEMORANDUM**

TO:

Members

FROM:

Chairman

SUBJECT: Committee Report - **Bill No. 363** - "AN ACT TO AMEND §3401.1(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES."

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 363;
- 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. Charpapros

Attachments.

## COMMITTEE ON JUDICIARY, CRIMINAL JUSTICE AND ENVIRONMENTAL AFFAIRS

Twenty-Third Guam Legislature

## **COMMITTEE REPORT**

on

Bill No. 363

"AN ACT TO AMEND §3401.1(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES."

**SEPTEMBER 20, 1995** 

#### I. OVERVIEW

The Committee on Judiciary, Criminal Justice and Environmental Affairs scheduled a public hearing on September 20, 1995 at 9:30 a.m. at the Legislative Public Hearing Room. Public notice was announced on the September 19, 1995 issue of the PDN. Members present were:

Senator Mark C. Charfauros, Chairman

Senator Ben Pangelinan

Senator Ted Nelson

Senator Judith WonPat-Borja

Senator Hope Cristobal

Senator Angel L.G. Santos

Senator Tom Ada

Senator Lou Leon Guerrero

Senator Alberto Lamorena

Senator Mark Forbes, nonmember

Appearing before the Committee to testify on the bill were:

Mr. Charles Stake, Chief Prosecutor, Department of Law; written.

Ms. Berni Grajek, Developmental Disabilities Council; oral.

Mr. Rodney Priest, Protection & Advocacy of the Marianas; oral.

Mr. Jesus C. Torres, Governor's Commission on Person's with Disabilities; oral.

Mr. Eric Heisel, Department of Law; oral.

#### II. SUMMARY OF TOSTIMONY

Mr. Charles Stake, Chief Prosecutor, Department of Law; written.

Ms. Berni Grajek, Developmental Disabilities Council, testified in support of Bill 363. She stated that the Developmental Disabilities Council supports Bill 363, but was concerned about the bias' that individuals may have when issuing such citations.

Mr. Rodney Priest, Protection & Advocacy of the Marianas, testified in support of Bill 363. He stated that he was concerned about whether appropriate training would be provided for individuals issuing citations. The Chairman reassured Mr. Priest that the law requires training before any citations are issued.

Mr. Jesus C. Torres, Governor's Commission on Persons with Disabilities, testified in support of Bill 363. He stated that he was concerned about how well government security would be able to perform the duty of issuing citations. However, he stated that he would meet with the Governor's Commission on Persons with Disabilities, and would submit a formal written position on Bill 363 in the future.

Mr. Eric Heisel, Department of Law, stated that in the development of the original legislation there was concern that anyone authorized to issue citations other than law enforcement personnel may pose some liability questions. He stated that the liability issue was the reason the Attorney General's Office did not support this inclusion. However, he stated that since private security are currently authorized to issue citations, it would seem logical to include government security as well.

### III. FINDING AD RECOMMENDATION

The Committee finds that the inclusion of Government Security in the enforcement of Public Law 23-11 is necessary. The Committee finds that the exclusion of such personnel has resulted in a lack of enforcement of the accessible parking law in areas surrounding government buildings. The Committee further finds that Bill 363 would allow the objectives of Public Law 23-11 to be accomplished in an effective manner by allowing for the enforcement in areas surrounding both private and government buildings.

Accordingly, the Committee on Judiciary, Criminal Justice and Environmental Affairs, to which was referred **Bill No. 363**, does hereby submit its findings and recommendation to the Twenty-Third Guam Legislature **TO DO PASS Bill No. 363** "AN ACT TO AMEND §3401.1(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES."

## Senoor Mark C. Charouros

#### Chairman

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

Ada's Commercial & Professional Center 138 East Marine Dr., Suite 101C-Annex Agana, Guam 96910

Tel: (671) 472-3342<sup>~</sup>3 Fax: (671) 472-3440

### WITNESS SIGN-IN SHEET

Wednesday, September 20, 1995 9:30 a.m. Public Hearing Room Guam Legislature, Agana

**Bill No. 363:** AN ACT TO AMEND §3401.0(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES;

NAME (please print)	ORGANIZATION	ORAL/WRITTEN	FOR/AGAINST
Charles Stake	Chief Prosecutor	written	
Berni Grajek	Chief Prosecutor Dev. D. Sabilities Con	incil oval	
Berni Grajek Rodney Priest		_	
•	Protection + Advocaci of the morionessis Crovernor's Commession	I val	
Jesus C. Torres Eric Heisel	Dept of Law		
		5-3-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	

## **COMMITTEE ON RULES**



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

September 7, 1995

### **MEMORANDUM**

TO:

Chairman,

Committee on Judiciary, Criminal Justice

and Environmental Affairs

FROM:

Chairman, Committee on Rules

SUBJECT: Referral - Bill No. 363

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.

Attachment:

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

Bill No. <u>363</u>

Introduced by:

M.C. Charfauros
T.S. Nelson
A.C. Blaz

AN ACT TO AMEND §3401.1(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES.

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

SECTION 1. Legislative Findings and Intent. The Legislature finds that Government Security Personnel were not included in the enforcement of Public Law 23-11, concerning Accessible Parking for Persons with Disabilities. The Legislature further finds that excluding such personnel from issuing citations for violations of P.L. 23-11 has resulted in both a lack of enforcement and a lack of adherence to such statutes in parking areas encompassing government buildings. The Legislature intends to enforce P.L. 23-11 fin an effective and comprehensive manner by allowing both private and government security personnel to issue citations.

## SECTION 2. §3401.1(h) of Title 16 GCA is hereby amended to read:

"§3401.1(h) [Private] Persons Authorized to Issue Citations. Private and Government Security Personnel, and persons who are designated by the Governor's Commission on Persons with Disabilities and employed by Non-Profit Organizations (NPOs) representing or serving people with disabilities, are hereby authorized to issue citations to enforce the provisions of this Act provided they obtain proper training in law enforcement as evidenced by a certificate of completion from an accreditated law enforcement academy or institute. Citation forms may be distributed by the Guam Police Department for use in the enforcement of this Act."

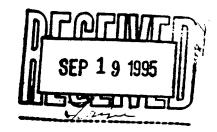


Calvin E. Holloway, Sr. Attorney General

Gus F. Diaz Chief Deputy Attorney General

#### Office of the Attorney General Territory of Guam

Phone: (671) 475-3324 Telefax: (671) 472-2493



September 19, 1995

The Honorable Mark C. Charfauros Chairman, Committee on Judiciary, Criminal Justice and Environmental Affairs Twenty-Third Guam Legislature Ada's Commercial & Professional Center 138 East Marine Drive, Suite 101C-Annex Agana, Guam 96910

Re: Bill Nos. 263, 295, 300, 313, and 363

Dear Senator Charfauros

Hafa Adai!

Thank you for your letter of September 13, 1995, concerning the Public Hearing on Wednesday, September 20, 1995, regarding subject bills.

Mr. Charles Stake, our Chief Prosecutor will testify on those bills which concern our Prosecution Division...Bill Nos. 263, 295, 300, and 313. Mr. Eric Heisel will provide testimony on Bill No. 363. Our written comments on each of the subject bills is enclosed.

If there are any questions, please call me.

With thanks in anticipation of your consideration.



Ltr. to Sen. Mark Charfauros September 19, 1995 Page 2

Dångkolo Na Agradesimento - Thank You Very Much!

With best regards,

CALVIN E. HOLLOWAY, SR.

Attorney General

Enclosures

cc: Chief Prosecutor, Prosecution Division Eric Heisel, Assistant Attorney General, Civil Division

senmacha.of5 CEH.jrc





#### GOVERNMENT OF GUAM AGANA, GUAM 96910

September 18, 1995

Intra-Department Memorandum

RECEIVED

SEP 1 8 1995

ATTORNEY GENERAL'S OFFICE

Attorney General To:

Chief Deputy Attorney Gener

From:

Chief Prosecutor

Subject: Comments on Bills 263, 295, 300 and 313

Set out below, please find the comments you requested on Bills 263, 295, 300, and 313.

Bill No. 263

p. 2, LL: 30-31 I would seek to have the exception read:

"and has been convicted of a felony for the first time relative to the possession of erystal methamphetamine any controlled substance . . . . "

p. 2, L: 33 A mandatory fine of \$5,000.00 may work against one of the concerns noted in the findings, the economic hardship that ice use causes families. There should be a hardship exception which the court can apply at its discretion.

Page 3- I like the idea of fines going into a drug treatment and enforcement fund. It should be noted that the drug that contributes most to crime on Guam is alcohol. It may be appropriate to suggest that, if the legislature is serious about curbing crime and substance abuse, that the alcohol tax be increased and the additional revenues placed in this fund.

This Bill, Bill No. 295, and the entirety 9 GCA Chapter 67, would benefit from several broad ranging provisions:

A section that clarifies that residual amounts of controlled substances qualify for purposes of "possession".

A provision that equates use with possession, by including in the definition of possession, the possession



Intra-Dept. Memo to .G.
Subj: Comments on Bills 263, 295, 300 and 313
September 18, 1995
Page 2

in one's bloodstream of the drug (or a similar formula). The statute could make the presence of metabolites (in blood or urine) expressly admissible as evidence of possession in the bloodstream. This could also be accomplished by having a provision that directly penalizes USE of controlled substances.

#### Bill No. 295

As noted above, this Bill would be improved by a provision making clear that knowing use necessarily incorporates knowing possession. This would have a significant impact on the sanctions imposed on folks who test positive. Rather than the administrative provisions discussed in section 88.40, they could also be prosecuted. Prisoners would be liable for Possession and for Promoting Prison Contraband. Folks on Parole or Probation could be processed for revocation as well as outright prosecution. It is important that the Bill NOT limit sanctions imposable so as to preclude prosecution.

Consideration should be given to adding a provision that mandates urine testing for all persons ARRESTED for any felony. [This last idea flows from a federal program goal from some years back. It's constitutionality should be researched before it receives serious consideration. It may be possible to institute such a program if it is appropriately limited and the legislation is carefully worded.]

Bill No. 300 This provision should be enacted post haste.

Bill No. 313 This Bill looks good on its face. Its intent is to comply with federal grant requirements and we support this objective.

Submitted for your information.

CHARLES D. STAKE

#### September 19, 1995

Memorandum (Intraoffice)

To:

Attorney General 9/9/9/95

Via:

Deputy, Litigation Division

From:

Assistant Attorney General

Amendment to Accessible Parking Law Subject:

As you had requested, I am writing this memo to give you some background information on Bill No. 363.

As you know, I was largely responsible for piecing together the proposed legislation that ended up as Public Law No. 23-11, the Accessible Parking Law. While drafting it, I had numerous discussions with Ben Servino, who was then the director of the Governor's Commission on Persons with Disabilities. There were a few areas where we did not see eye to eye. For one thing, Ben wanted to include a provision in the law that would allow the deputization of certain individuals to issue traffic citations to vehicles illegally parked in accessible parking spaces. recall, the word "handicapped" is verboten.) Our office decided not to include such a provision, largely because of the potentially complex liability issues that might arise. As I recall, the Guam Police Department was also against inclusion of such a provision, on similar grounds.

After our office was finished with the final draft of the legislation, we sent it to Ben. After that, several changes were made to the legislation, including the addition of 16 §3401.1(h). Therefore, this provision was included without the blessing of this office.

Recently, Guam Community College has been conducting training pursuant to §3401.1(h) and certifying individuals to issue traffic citations. As you know, I conducted an overview of the Accessible Parking Law at one of the trainings on August 30. It was at that time that I realized that §3401.1 authorized certification of private employees only, those who work for private security businesses and those who work for certain, designated nonprofit organizations. Therefore, under the Accessible Parking Law, government security guards are not eligible for certification (unless they can be categorized as "law enforcement personnel," as the term is used in 16 GCA §3401.1(f)).

Memo to Attorney General September 19, 1995 Page 2

When I followed up on this later, I learned that GCC has already certified some government of Guam security guards under the law. Since this was probably done improperly, I drafted the attached memo to the president of GCC. I advised Adolf Sgambelluri of this, and he suggested that the law should be amended to include government security guards.

Things obviously happened very quickly, because now we have Bill No. 363, which amends \$3401.1(h) to include government security personnel within the categories of people who can be certified to issue these citations.

The bottom line is this: As long as §3401.1(h) is going to continue to be the law, for purposes of the Accessible Parking Law, it makes sense to include government security personnel. However, perhaps our office should continue to oppose §3401.1 in general, because of the potential liability problems. As you recall, members of the hotel association refused to attend the last certification training because it wants an opinion from this office regarding the extent of its liability in the event its security guards issue tickets under the new law. So, already, liability has become an issue in the private sector.

## Sengor Mark C. Charguros

#### Chairman

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

Ada's Commercial & Professional Center 138 East Marine Dr., Suite 101C-Annex Agana, Guam 96910

Tel: (671) 472-3342~3 Fax: (671) 472-3440

## WITNESS SIGN-IN SHEET

Tuesday, March 7, 1995 9:30 a.m. Public Hearing Room Guam Legislature, Agana

**Bill No. 363:** AN ACT TO AMEND §3401.0(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES.

NAME (please print)	ORGANIZATION Developmental	ORAL/WRITTEN	FOR/AGAINST
Berni Grajek	Disabilities Couna	e oral	
Lawy Post	- Pagartner Edminia	/	100
Sand Tour	Land Marine &	This file	<u> </u>
Enic Heisel	Dept. of Land	0r-1	



### Notice of Public earing

23rd Guam Legislature

#### Senator

### Mark C. Charfauros

Chairman, Committee on Judiciary, Criminal Justice and Environmental Affairs

Bill No. 263: AN ACT TO ADD A NEW §80.30.1, A NEW §80.31.1 AND A NEW §67.62.1 TO 9 GCA RELATIVE TO MANDATORY SENTENCING FOR THE POSSESSION OF CRYSTAL METHAMPHETAMINE, AND THE CREATION OF A SPECIAL FUND TO SUPPORT DRUG TREATMENT AND EDUCATION AND LAW ENFORCEMENT, FOR THE PURPOSES OF COMBATING THE INCREASING ABUSE OF CRYSTAL METHAMPHETAMINE, OTHERWISE KNOWN AS "ICE", IN THE TERRITORY OF GUAM AND TO PROTECT THE YOUTH OF GUAM FROM THE DANGERS OF THIS ILLEGAL SUBSTANCE;

Bill No. 295: AN ACT TO CREATE A NEW CHAPTER 88 TO 9 GCA RELATIVE TO ESTABLISHING A PROGRAM FOR SUBSTANCE ABUSE TESTING, ASSESSMENT AND TREATMENT FOR PERSONS CONVICTED AND INVOLVED IN THE GUAM JUSTICE SYSTEM, AS A MEANS OF REDUCING RECIDIVISM, ADDRESSING OFFENDERS AS A HIGH RISK GROUP, AND REDUCING SUBSTANCE ABUSE AND ITS DELETERIOUS EFFECTS IN THE TERRITORY OF GUAM;

**BIII No. 300:** AN ACT TO AMEND PUBLIC LAW 22-116 TO INCLUDE JUVENILES CONVICTED OF SEXUAL ASSAULT UPON ANOTHER PERSON TO UNDERGO MANDATORY TESTING FOR HIV OR OTHER SEXUAL DISEASES;

Bill No. 307 as substituted: AN ACT TO ADD A NEW SECTION 70.26 TO CHAPTER 70 OF TITLE 9 GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE USE OF MOTORIZED VESSELS IN AREAS WHERE NO RECREATIONAL WATER USE MASTER PLAN EXISTS:

**Bill No. 313:** AN ACT TO AMEND CHAPTER 86 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIMINAL INJURIES COMPENSATION COMMISSION;

BIII No. 316: AN ACT TO REQUIRE THE GUAM JUDICIAL COUNCIL TO ADOPT STANDARD JUDICIAL FORMS FOR PURPOSES OF FILING CIVIL AND CRIMINAL LITIGATIONS, SPECIAL PROCEEDINGS, PETITIONS, MOTIONS, NOTICES, ORDERS AND REQUESTS THAT MAY BE FILED IN COURT;

Bill No. 334: AN ACT TO REPEAL AND REENACT §8106 OF TITLE 7 GCA RELATIVE TO AUTHORIZING MARSHALS OF THE SUPERIOR COURT OF GUAM TO ISSUE TRAFFIC CITATIONS; Bill No. 356: AN ACT TO AMEND SUBSECTION (f) OF §5.55 OF TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE DEFINITION OF "PEACE OFFICER" FOR THE CUSTOMS AND QUARANTINE AGENCY;

Bill No. 363: AN ACT TO AMEND §3401.0(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES;

**BIII No. 364:** AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION 3339 AND AMEND SECTION 3315 ALL TO TITLE 16 GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS.

Date: Wednesday, September 20, 1995

Time: 9:30 a.m.

Place: Public Hearing Room,

Guam Legislature Temporary Bldg., Agana, Guam

The Public is invited to participate

SEP 1 1 1995

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

Bill No. 363 (とう)

Introduced by:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

M.C. Charfauros
T.S. Nelson
A.C. Blaz

AN ACT TO AMEND §3401.1(b) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES.

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

SECTION 1. Legislative Findings and Intent. The Legislature finds that Government Security Personnel were not included in the enforcement of Public Law 23-11, concerning Accessible Parking for Persons with Disabilities. The Legislature further finds that excluding such personnel from issuing citations for violations of P.L. 23-11 has resulted in both a lack of enforcement and a lack of adherence to such statutes in parking areas encompassing government buildings. The Legislature intends to enforce P.L. 23-11 in an effective and comprehensive manner by allowing both private and government security personnel to issue citations.

## SECTION 2. §3401.1(h) of Title 16 GCA is hereby amended to read:

"§3401.1(h) [Private] Persons Authorized to Issue Citations. Private and Government Security Personnel, and persons who are designated by the Governor's Commission on Persons with Disabilities and employed by Non-Profit Organizations (NPOs) representing or serving people with disabilities, are hereby authorized to issue citations to enforce the provisions of this Act provided they obtain proper training in law enforcement as evidenced by a certificate of completion from an accreditated law enforcement academy or institute. Citation forms may be distributed by the Guam Police Department for use in the enforcement of this Act."