



OFFICE OF THE GOVERNOR  
GUAM

MAR 28 2000

The Honorable Joanne M. S. Brown  
Legislative Secretary  
I Mina'Bente Singko na Liheslaturan Guåhan  
Twenty-Fifth Guam Legislature  
Suite 200  
130 Aspinal Street  
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY

ACKNOWLEDGMENT RECEIPT

Received By [Signature]

Time 2:16 PM.

Date 28 March 2000

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 318 (COR), "AN ACT TO ADD §40128(g) AND TO AMEND §§40131 AND 40115(c) OF CHAPTER 40, DIVISION 4, PART 3 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO EMPOWERING DEPUTIES TO ENFORCE LITTER LAWS ON GUAM AND THE USEAGE OF PENALTIES RECEIVED TO FUND VILLAGE BEAUTIFICATION AND SAFETY PROJECTS", which I have signed into law today as **Public Law No. 25-119.**

This legislation makes it possible to enlarge the government's effort to improve the beautification of our island. It provides authorization for the Guam Environmental Protection Agency and other government entities who can issue citations for violations of litter and defacement laws to deputize persons to fine violators and of litter and defacement laws.

The deputizing of persons to fine violators of litter and defacement laws will only take place after the individuals are trained by the Guam Community College Pro-Tech Institute. The members of the village Municipal Planning Councils are those who will be deputized to assist in this beautification effort.

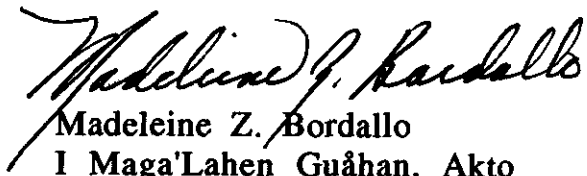
The fines levied for violations of litter and defacement laws will be deposited in the Municipal Litter and Defacement Fund and used by each

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village, with the approval of their Municipal Planning Councils, for beautification and safety projects in their villages.

This legislation should result in more education for our people in avoiding litter and defacement, with more trained persons available to issue citations, and the resulting money used for beautification and safety projects within the villages.

Very truly yours,



Madeleine Z. Bordallo  
I Maga'Lahen Guåhan, Akto  
Governor of Guam

Attachment:      copy attached for signed bill or overridden bill  
                         original attached for vetoed bill

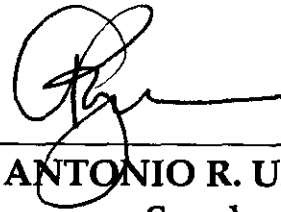
cc:    The Honorable A.R. Unpingco  
       Speaker

00848

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN  
2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 318 (COR) "AN ACT TO ADD §40128(g) AND TO AMEND §§40131 AND 40115(c) OF CHAPTER 40, DIVISION 4, PART 3 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO EMPOWERING DEPUTIES TO ENFORCE LITTER LAWS ON GUAM AND THE USEAGE OF PENALTIES RECEIVED TO FUND VILLAGE BEAUTIFICATION AND SAFETY PROJECTS," was on the 9<sup>th</sup> day of March 2000, duly and regularly passed.



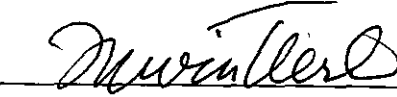
ANTONIO R. UNPINGCO  
Speaker

Attested:



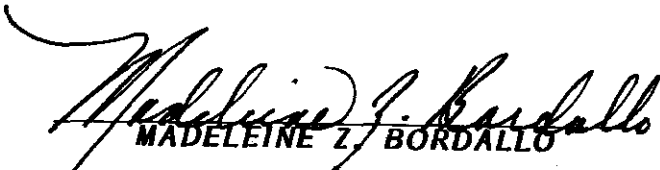
JOANNE M.S. BROWN  
Senator and Legislative Secretary

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This Act was received by I Maga'lahaen Guahan this 16<sup>th</sup> day of March, 2000,  
at 4:00 o'clock P.M.



Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:



MADELEINE Z. BORDALLO  
Akto I Maga'lahaen Guahan

Date: 3/28/2000

Public Law No. 25-119

**MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**1999 (FIRST) Regular Session**

**Bill No. 318 (COR)**

As substituted by the Committee on  
Power, Public Works, Tax and Regulatory  
Reform, Municipal and Community Affairs and  
amended on the Floor.

Introduced by:

E. B. Calvo  
J. M. S. Brown  
K. S. Moylan  
F. B. Aguon, Jr.  
E. C. Bermudes  
A. C. Blaz  
M. G. Camacho  
Mark Forbes  
L. F. Kasperbauer  
A. C. Lamorena, V  
C. A. Leon Guerrero  
V. C. Pangelinan  
J. C. Salas  
S. A. Sanchez, II  
A. R. Unpingco

**AN ACT TO ADD §40128(g) AND TO AMEND §§40131  
AND 40115(c) OF CHAPTER 40, DIVISION 4, PART 3  
OF TITLE 5 OF THE GUAM CODE ANNOTATED,  
RELATIVE TO EMPOWERING DEPUTIES TO  
ENFORCE LITTER LAWS ON GUAM AND THE  
USEAGE OF PENALTIES RECEIVED TO FUND  
VILLAGE BEAUTIFICATION AND SAFETY  
PROJECTS.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds that even before the implementation of the Solid Waste Tipping and  
4 User Fees, the illegal dumping of trash, garbage and litter has been a major  
5 problem in keeping Guam clean. With the implementation of the Solid Waste  
6 Tipping and User Fees, the Mayors of Guam are concerned that illegal  
7 dumping will not only continue, but increase significantly, making  
8 enforcement of litter laws impossible. In order to help in the enforcement of  
9 litter laws, the Mayors are requesting that community members be deputized  
10 and given the authority to fine and cite violators of litter and defacement laws  
11 and regulations.

12           **Section 2.** Section 40128(g) is hereby *added* to Chapter 40, Division 4,  
13 Part 3 of Title 5 of the Guam Code Annotated to read as follows:

14           “(g) The Guam Environmental Agency (“GEPA”) and all other  
15 government entities authorized to issue citations for violations of litter  
16 and defacement laws may deputize persons, after training from the  
17 Guam Community College Pro-Tech Institute, to fine violators of litter  
18 and defacement laws in the same manner that Mayors and Vice-Mayors  
19 are empowered in §40115 of Chapter 40, Division 4, Part 1 of Title 5 of  
20 the Guam Code Annotated.”

21           **Section 3.** Section 40131 of Chapter 40, Division 4, Part 3 of Title 5 of  
22 the Guam Code Annotated is hereby *amended* to read as follows:

23           **“Section 40131. Municipal Litter and Defacement Fund.**

1 There is established a Municipal Litter and Defacement Fund for each  
2 municipality which shall be maintained separate and apart from any  
3 other funds of the government of Guam and shall be controlled and  
4 administered by the Municipal Planning Council of each municipality.  
5 Independent records and accounts shall be maintained in connection  
6 therewith by each Municipal Planning Council. Monies received from  
7 §40115(c) of this Title, or §40128 (g) of this Title, shall be deposited into  
8 the Municipal Litter and Defacement Fund of the municipality of the  
9 Mayor, Vice-Mayor or Municipal Planning Council member issuing the  
10 citation. The monies shall be used by the Mayor with the approval of  
11 the Municipal Planning Council for beautification and safety projects,  
12 including, but not limited to, the purchase of supplies.”

13 **Section 4.** Section 40115(c) of Chapter 40, Division 4, Part 3 of Title 5 of  
14 the Guam Code Annotated is hereby *amended* to read as follows:

15 “(c) to fine violators of sanitary and health laws and to cite  
16 violators of litter and defacement laws and regulations. Such citations  
17 shall be accompanied by an order to appear at the Traffic Court Division  
18 of the Superior Court of Guam, pursuant to 10 GCA §51206. The Traffic  
19 Court shall have the authority to impose a fine to those found guilty of  
20 violating such laws and regulations in an amount *not less than* Five  
21 Hundred Dollars (\$500.00) and *not more than* One Thousand Dollars  
22 (\$1000.00), and to pay over such fines to the Municipal Litter and  
23 Defacement Fund; or to perform community service *not to exceed* one  
24 hundred (100) hours, or both. The community service shall include

1 cleaning of roadsides, public grounds and the cleaning of public  
2 buildings and facilities within the municipality in which the violation  
3 took place. Such community service shall be assigned by the Mayor, or  
4 in the Mayor's absence, by the Vice-Mayor. Any decision or action of  
5 the Mayor or Vice-Mayor pursuant to the authority of this Subsection  
6 may be appealed to the Superior Court of Guam within thirty (30) days  
7 of the date of such decision or action."

8 **Section 5.** Each Municipal Planning Council shall, on or before July 30  
9 of each year, submit a status report on the Municipal Litter and Defacement  
10 Fund to *I Liheslaturan Guåhan*.

11 **Section 6.** The Public Auditor shall conduct an annual audit of the  
12 Municipal Litter and Defacement Fund of each municipality and shall submit  
13 a copy of the audit to *I Liheslaturan Guåhan*.

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**TWENTY-FIFTH GUAM LEGISLATURE**  
155 Hesler Street, Hagåtña, Guam 96910



COPY

March 16, 2000

The Honorable Carl T.C. Gutierrez  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*



Dear *Maga'lahi* Gutierrez:

Transmitted herewith is Substitute Bill No. 318(COR) which was passed by *I Mina'Bente Singko Na Liheslaturan Guåhan* on March 9, 2000.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joanne M.S. Brown".

JOANNE M.S. BROWN  
Senator and Legislative Secretary

Enclosure (1)

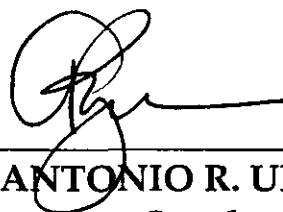


MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN  
2000 (SECOND) Regular Session

COPY


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ANTONIO R. UNPINGCO  
Speaker

Attested:



JOANNE M.S. BROWN  
Senator and Legislative Secretary

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This Act was received by *I Maga'lahaen Guahan* this 16<sup>th</sup> day of March, 2000,  
at 4:00 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

\_\_\_\_\_  
CARL T. C. GUTIERREZ  
*I Maga'lahaen Guahan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**1999 (FIRST) Regular Session**

**Bill No. 318 (COR)**

As substituted by the Committee on  
Power, Public Works, Tax and Regulatory  
Reform, Municipal and Community Affairs and  
amended on the Floor.

Introduced by:

E. B. Calvo  
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E. C. Bermudes  
A. C. Blaz  
M. G. Camacho  
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23           **“Section 40131. Municipal Litter and Defacement Fund.**

6

# I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

2000 (SECOND) Regular Session

Date: 3/9/00

## VOTING SHEET

S Bill No. 318 (COR)

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

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

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	11 ✓				
BERMUDES, Eulogio C.	1 ✓				
BLAZ, Anthony C.					✓
BROWN, Joanne M.S.	✓				
CALVO, Eduardo B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C.	✓				
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.	✓				

TOTAL

14    0    0    0    1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence


11:02

SEP 16 1999

**MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN  
1999 (FIRST) Regular Session**

Bill No. 318 (COR)

Introduced by:

E.B. Calvo 

Joanne M.S. Brown 

Kaleo S. Moylan 

**AN ACT TO ADD A NEW SUBSECTION 40128(g) TO  
CHAPTER 40, DIVISION 4 OF 5 GCA RELATIVE TO  
THE POWERS, DUTIES AND RESPONSIBILITIES OF  
MUNICIPAL PLANNING COUNCIL AND TO AMEND  
§40131 RELATIVE TO THE MUNICIPAL LITTER AND  
DEFACEMENT FUND.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds

that even before the implementation of the Solid Waste Tipping and User Fees, the illegal dumping of trash, garbage and litter has been a major problem in keeping Guam clean. With the implementation of the Solid Waste Tipping and User Fees, the Mayors of Guam are concerned that illegal dumping will not only continue and but increase significantly making enforcement of litter laws impossible. In order to help in the enforcement of litter laws, the Mayors are requesting that the members of the Municipal Planning Council be deputized and given the authority to fine and cite violators of litter and defacement laws and regulations.

**Section 2.** A new Subsection 40128(g) is hereby added to Chapter 40, Division 4 of Title 5 GCA to read:

“(g) The members of the Municipal Planning Council are hereby


**Introduced**

SEP 16 1999

**MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN  
1999 (FIRST) Regular Session**

Bill No. 314 (cop)

Introduced by:

E.B. Calvo 

Joanne M.S. Brown 

Kaleo S. Moylan 

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**AN ACT TO ADD A NEW SUBSECTION 40128(g) TO  
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