



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JUN 19 2002

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

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 153 (COR) "AN ACT TO ADD ARTICLE 3 TO CHAPTER 2 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE SALE AND MEASUREMENT OF PETROLEUM PRODUCTS" which was enacted into law without the signature of the Governor. This legislation is now designated as **Public Law No. 26-114**.

Very truly yours,

Carl T. C. Gutierrez  
I Maga'Lahen Guåhan  
Governor of Guam

Attachments: original bill for vetoed legislation or  
copy of bill for signed or overridden legislation  
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco  
Speaker

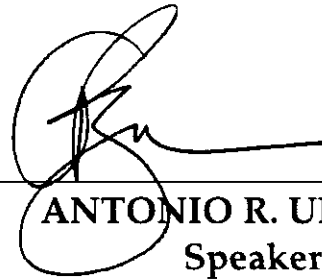
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	2:31
Date	6/19/02

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MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2002 (SECOND) Regular Session

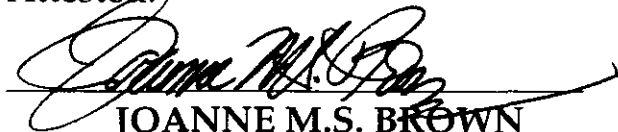
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 153 (COR), "AN ACT TO ADD ARTICLE 3 TO CHAPTER 2 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE SALE AND MEASUREMENT OF PETROLEUM PRODUCTS," was on the 17<sup>th</sup> day of May, 2002, duly and regularly passed.



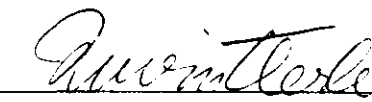
ANTONIO R. UNPINGCO  
Speaker

Attested:



JOANNE M.S. BROWN  
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 6<sup>th</sup> day of June, 2002,  
at 11:35 o'clock 0 .M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

CARL T. C. GUTIERREZ  
*I Maga'lahaen Guåhan*

Date: June 19, 2002

Public Law No. 26-114

Became law without the signature of  
I Maga'Lahaen Guahan, the Governor  
of Guam

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN**  
**2001 (FIRST) Regular Session**

**Bill No. 153 (COR)**

As substituted by the Author  
and amended.

Introduced by:

V. C. Pangelinan  
A. L.G. Santos  
M. C. Charfauros  
J. F. Ada  
T. C. Ada  
F. B. Aguon, Jr.  
J. M.S. Brown  
E. B. Calvo  
F. P. Camacho  
Mark Forbes  
L. F. Kasperbauer  
L. A. Leon Guerrero  
K. S. Moylan  
A. R. Unpingco  
J. T. Won Pat

**AN ACT TO ADD ARTICLE 3 TO CHAPTER 2 OF  
TITLE 11 OF THE GUAM CODE ANNOTATED,  
RELATIVE TO THE SALE AND MEASUREMENT  
OF PETROLEUM PRODUCTS.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 finds the purchase of petroleum products from vendors by consumers is an  
4 integral part of life in our Community. *I Liheslaturan Guåhan* further  
5 recognizes through irrefutable scientific evidence that the temperature of the

1 surrounding environment affects the behavior of petroleum products, which  
2 results in a change in the volume that it occupies.

3 *I Liheslaturan Guåhan* further finds that certain devices are available and  
4 used to measure and compensate for this expansion. It is the intent of *I*  
5 *Liheslaturan Guåhan* to require sales of *all* petroleum products to be  
6 accomplished by the use of a meter or device that compensates for  
7 temperature, accounting for the thermo-expansion of petroleum products,  
8 which provides for accountable sales of petroleum products to the consumers  
9 of Guam.

10 **Section 2. Short Title.** This Article shall be known and may be  
11 cited as, "*Petroleum Sale, Accounting and Inspection.*"

12 **Section 3.** Article 3 is hereby *added* to Chapter 2 of Title 11 of the Guam  
13 Code Annotated to read as follows:

14 **"Article 3.**

15 **Petroleum Sale, Accounting and Inspection.**

16 **Section 2300. Definitions.**

17 **Section 2301. Measurement Standard.**

18 **Section 2302. Petroleum Product: Liquid.**

19 **Section 2300. Definitions.** As used in this Article:

20 (a) '*API*' means the American Petroleum Institute.

21 (b) '*API gravity*' means the relationship expressed by  
22 degrees API equal one hundred and forty-one and five tenths  
23 divided by specific gravity at sixty/sixty degrees Fahrenheit,  
24 minus one hundred and thirty-one and five tenths, and is

1 abbreviated °API. By definition, it reflects a special gravity at sixty  
2 degrees Fahrenheit ( $^{\circ}\text{API} = 141.5/\text{S.G. } 60/60^{\circ} - 131.5$ ).

3 (c) '*Cubic foot*' means the amount of liquefied petroleum  
4 product, vapor or natural gas vapor, or synthetic natural gas  
5 vapor, or any blend of the above, which will occupy one thousand  
6 seven hundred twenty-eight (1,728) cubic inches when its  
7 temperature is sixty degrees (60°) Fahrenheit at a pressure of  
8 seven hundred sixty (760) mm of Hg (mercury). The density of  
9 the Hg shall be 13.5951 grams per cubic centimeter per second, per  
10 second.

11 (d) '*Guam standard petroleum measurement tables*' means the  
12 following tables, as listed in the manual of petroleum  
13 measurement standards D1250, as published by the ASTM in the  
14 first edition, August 1980: (1) Table 5B-Generalized products  
15 correction of observed API gravity to API gravity at sixty degrees  
16 (60°) Fahrenheit; (2) Table 6B-Generalized products correction for  
17 volume to sixty degrees (60°) Fahrenheit against API gravity at  
18 sixty degrees (60°) Fahrenheit.

19 (e) '*Petroleum products*' include automotive gasoline; diesel  
20 fuels; fuel oils; liquefied petroleum gas (both liquid and vapor);  
21 residuals, distillates and fractions; kerosene; aviation fuels; turbine  
22 fuels; solvent; hydro-carbons or synthetics; crude oil; lubrication  
23 oil; or any other oil or distillates or blends of the above, or any  
24 other product or byproduct normally considered petroleum

1 product and synthetic natural gas, or natural gas and  
2 manufactured gas or blends.

3 (f) '*U.S. petroleum gallon*' means that amount of petroleum  
4 product which occupies two hundred thirty-one (231) cubic inches  
5 exactly when its temperature is sixty degrees (60°) Fahrenheit, or  
6 the expanded equivalent thereto calculated using the observed  
7 temperature, or its expanded or contracted equivalent at any other  
8 temperature.

9 (g) '*Observed temperature*' means eighty-five degrees (85°)  
10 Fahrenheit.

11 **Section 2301. Measurement Standard.**

12 (a) Any petroleum product which is in a liquid state  
13 under conditions of seven hundred sixty (760) millimeters of Hg at  
14 sixty degrees (60°) Fahrenheit shall be measured in terms of the  
15 U.S. petroleum gallon; its multiple or decimal submultiples.

16 (b) Any petroleum product which is in a vapor state  
17 under condition of 258.575 or less of Hg at sixty degrees (60°)  
18 Fahrenheit shall be measured in terms of cubic feet or in terms of  
19 U.S. petroleum gallons, their multiples or decimal submultiples.

20 (c) The standards as published by the American Society  
21 for Testing and Materials ('ASTM') and the Society of Automotive  
22 Engineers ('SAE'), and the Guam standard petroleum  
23 measurement tables are hereby adopted for the measurement of  
24 petroleum products.

25 **Section 2302. Petroleum Product: Liquid.**

1           (a) All petroleum products in the liquid state under  
2 atmospheric conditions shall be kept, offered, exposed for sale or  
3 sold in terms of U.S. petroleum gallons or SI liters.

4           (b) All metered sales by the gallon or liter, *except* those  
5 using meters with a *maximum* rated capacity of twenty-five (25)  
6 gallons per minute or less, shall be accomplished by the use of a  
7 meter and/or device that *automatically* compensates for  
8 temperature.

9           (c) Devices used for measuring sales of liquid petroleum  
10 products that have a rated capacity of two hundred (200) gallons  
11 per minute or more shall be required to *automatically* compensate  
12 for temperature in accordance with this Article; *provided*, that  
13 whenever a partial compartment or partial tank truck load of the  
14 amount originally measured in accordance with this Subsection is  
15 delivered, it shall be delivered through a meter or device that  
16 compensates for temperature in accordance with this Article and  
17 the American Society for Testing and Materials ('ASTM')  
18 standards.

19           (d) Whenever a partial compartment or partial tank  
20 truckload is delivered, it shall be delivered through a meter that  
21 compensates for temperature in accordance with this Article and  
22 the American Society for Testing and Materials ('ASTM')  
23 standards.

1           (e) Tank markers shall *not* be used as a means for  
2 determining the quantity of product delivered into or from a  
3 vehicle tank truck.

4           (f) The density and volume of petroleum products shall  
5 be determined, verified and delivered in accordance with the  
6 appropriate Guam standard petroleum measurement table.”

7           **Section 4. Appropriation.** *I Liheslaturan Guåhan* hereby appropriates  
8 One Hundred Thousand Dollars (\$100,000.00) from the Territorial Highway  
9 Fund to the Department of Revenue and Taxation. Such funds shall be used  
10 to purchase equipment required to implement this Article. Such funds shall  
11 also be available for the training of personnel to ensure proper knowledge and  
12 techniques in handling such devices to measure and compensate for the  
13 petroleum products expansion due to surrounding temperature changes.

14           **Section 5. Severability.** *If* any provision of this Law or its  
15 application to any person or circumstances is found to be invalid or contrary  
16 to law, such invalidity shall *not* affect other provisions or applications of this  
17 Law which can be given effect without the invalid provisions or application,  
18 and to this end the provisions of this Law are severable.



6

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 5/17/02

## VOTING SHEET

S Bill No. 153 (COR)

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

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

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.					✓
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.					✓
WON PAT, Judith T.	✓				

TOTAL 13 0 0 0 2

CERTIFIED TRUE AND CORRECT:

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

\* 3 Passes = No vote  
EA = Excused Absence

6  
5/17/02

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2001 (FIRST) Regular Session**

**Bill No. 153 (COR)**  
As substituted by the Author  
and amended.  
\*

Introduced by:

- V. C. Pangelinan
- A. L.G. Santos
- M. C. Charfauros
- J. F. Ada
- T. C. Ada
- F. B. Aguon, Jr.
- J. M.S. Brown
- E. B. Calvo
- F. P. Camacho
- Mark Forbes
- L. F. Kasperbauer
- L. A. Leon Guerrero
- K. S. Moylan
- A. R. Unpingco
- J. T. Won Pat

**AN ACT TO ADD ARTICLE 3 TO CHAPTER 2 OF  
TITLE 11 OF THE GUAM CODE ANNOTATED,  
RELATIVE TO THE SALE AND MEASUREMENT  
OF PETROLEUM PRODUCTS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 finds the purchase of petroleum products from vendors by consumers is an  
4 integral part of life in our Community. *I Liheslaturan Guåhan* further  
5 recognizes through irrefutable scientific evidence that the temperature of the

1 (e) Tank markers shall *not* be used as a means for  
2 determining the quantity of product delivered into or from a  
3 vehicle tank truck.

4 (f) The density and volume of petroleum products shall  
5 be determined, verified and delivered in accord with the  
6 appropriate Guam standard petroleum measurement table.”

7 **Section 4. Appropriation.** *I Liheslaturan Guåhan* hereby appropriates  
8 One Hundred Thousand Dollars (\$100,000.00) from the Territorial Highway  
9 Fund to the Department of Revenue and Taxation. Such funds shall be used  
10 to purchase equipment required to implement this Article. Such funds shall  
11 also be available for the training of personnel to ensure proper knowledge and  
12 techniques in handling such devices to measure and compensate for the  
13 petroleum products expansion due to surrounding temperature changes.

14 **Section 5. Severability.** If any provision of this Law or its  
15 application to any person or circumstances is found to be invalid or contrary  
16 to law, such invalidity shall not affect other provisions or applications of this  
17 Law which can be given effect without the invalid provisions or application,  
18 and to this end the provisions of this Law are severable.

2nd 3rd ~~4th~~  
5/9/02 5/9/0. - ~~1/1/0~~

I MINA 'BENTE SAIS NA LIHESLATURAN GUÅHAN  
TWENTY-SIXTH GUAM LEGISLATURE  
2001 (FIRST) REGULAR SESSION

Bill No. 153 (COR)  
As Substituted by the Author

Introduced by:

v.c. pangelinan  
A. Santos  
M. Charfauros

---

AN ACT TO ADD A NEW ARTICLE 3 TO  
CHAPTER 2 OF TITLE 11, GUAM CODE  
ANNOTATED, RELATIVE TO SALE AND  
MEASUREMENT OF PETROLEUM  
PRODUCTS.

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

2 **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds the  
3 purchase of petroleum products from vendors by consumers is an  
4 integral part of life in our community. *I Liheslaturan Guåhan* further  
5 recognizes through irrefutable scientific evidence that temperature of  
6 the surrounding environment affects the behavior of petroleum  
7 products, which results in a change in the volume that it occupies.  
8 *I Liheslaturan Guåhan* further finds that certain devices are available  
9 and used to measure and compensate for this expansion.

1 It is the intent of *I Liheslaturan Guåhan* to require sales of all  
2 petroleum products to be accomplished by the use of a meter or  
3 device that compensates for temperature, accounting for the thermo-  
4 expansion of petroleum products which provides for accountable  
5 sales of petroleum products to the consumers of Guam.

6 **Section 2. Short Title.** This article shall be known and may be cited  
7 as "Petroleum Sale, Accounting and Inspection."

8 **Section 3.** A new Article 3 is added to Chapter 2 of Title 11, Guam  
9 *Code Annotated*, to read as follows:

10 **" Article 3**

11 **Petroleum Sale, Accounting and Inspection**

12 **§2300. Definitions.**

13 **§2301. Measurement Standard.**

14 **§2302. Petroleum Product: Liquid.**

15 **§2303. Appropriation."**

16 **§2300. Definitions.** As used in this Article:

17 (a) *API* means the American Petroleum Institute.

18 (b) *API gravity* means the relationship expressed by degrees API  
19 equal one hundred and forty-one and five tenths divided by

1 (e) *Petroleum products* include automotive gasoline, diesel fuels,  
2 fuel oils, liquefied petroleum gas both liquid and vapor,  
3 residuals, distillates and fractions, kerosene, aviation fuels,  
4 turbine fuels, solvent, hydro-carbons or synthetics, crude oil,  
5 lubrication oil, or any other oil or distillates or blends of the  
6 above or any other product or byproduct normally considered  
7 petroleum product and synthetic natural gas or natural gas and  
8 manufactured gas or blends.

9 (f) *U.S. petroleum gallon* means that amount of petroleum product  
10 which occupies two hundred thirty-one (231) cubic inches  
11 exactly when its temperature is sixty (60) degrees Fahrenheit, or  
12 the expanded equivalent thereto calculated using the observed  
13 temperature or its expanded or contracted equivalent at any  
14 other temperature.

15 (g) *Observed temperature* means eighty-five (85°) degrees  
16 Fahrenheit.

17 **§2301. Measurement Standard.**

18 (a) Any petroleum product which is in a liquid state under  
19 conditions of seven hundred sixty (760) millimeters of Hg at

1           sixty (60) degrees Fahrenheit shall be measured in terms of the  
2           U.S. petroleum gallon; its multiple or decimal submultiples.

3           **(b)** Any petroleum product which is in a vapor state under  
4           condition of 258.575 or less of Hg at sixty (60) degrees  
5           Fahrenheit shall be measured in terms of cubic feet or in terms  
6           of U.S. petroleum gallons, their multiples or decimal  
7           submultiples.

8           **(c)** The standards as published by the American Society for  
9           Testing and Materials (ASTM) and the Society of Automotive  
10          Engineers (SAE), and the Guam standard petroleum  
11          measurement tables are hereby adopted for the measurement  
12          of petroleum products.

13        **§2302. Petroleum Product: Liquid.**

14          **(a)** All petroleum products in the liquid state under atmospheric  
15          conditions shall be kept, offered, exposed for sale or sold in  
16          terms of U.S. petroleum gallons or SI liters.

17          **(b)** All metered sales by the gallon or liter, except those using  
18          meters with a maximum rated capacity of twenty-five (25)  
19          gallons per minute or less, shall be accomplished by the use of

1 a meter and/or device that automatically compensates for  
2 temperature.

3 (c) Devices used for measuring sales of liquid petroleum products  
4 that have a rated capacity of two hundred gallons per minute  
5 or more shall be required to automatically compensate for  
6 temperature in accordance with this Article; provided that  
7 whenever a partial compartment or partial tank truck load of  
8 the amount originally measured in accordance with this  
9 subsection is delivered, it shall be delivered through a meter or  
10 device that compensates for temperature in accordance with  
11 this Article and the American Society for Testing and Materials  
12 (ASTM) standards.

13 (d) Whenever a partial compartment or partial tank truckload is  
14 delivered, it shall be delivered through a meter that  
15 compensates for temperature in accordance with this Article  
16 and the American Society for Testing and Materials (ASTM)  
17 standards.

18 (e) Tank markers shall not be used as a means for determining the  
19 quantity of product delivered into or from a vehicle tank truck.



1 (f) The density and volume of petroleum products shall be  
2 determined, verified, and delivered in accord with the  
3 appropriate Guam standard petroleum measurement table.

4 **§2303. Appropriation.** *I Liheslaturan Guåhan* hereby appropriates one  
5 hundred thousand (\$100,000) dollars from the Territorial Highway  
6 Fund to the Department of Revenue and Taxation. Such funds shall  
7 be used to purchase equipments required to implement this article.  
8 Such funds shall also be available for the training of personnel to  
9 ensure proper knowledge and techniques in handling such devices to  
10 measure and compensate for the petroleum products expansion due  
11 to surrounding temperature changes.

12 **Section 4. Severability.** If any provision of this Law or its application  
13 to any person or circumstances is found to be invalid or contrary to  
14 law, such invalidity shall not affect other provisions or applications  
15 of this Law which can be given effect without the invalid provisions  
16 or application, and to this end the provisions of this Law are  
17 severable.



**WAIVER OF FISCAL NOTE**

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 153 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 153.

A handwritten signature in black ink, appearing to read 'Mark Forbes', is written over a horizontal line. The signature is fluid and cursive, with a large loop at the beginning and a long tail extending to the right.

**MARK FORBES**

Chairman,

Committee on Rules, General Governmental Operations,  
Reorganization and Reform, and Federal, Foreign  
and General Affairs

guampdn.com Pacific Daily News, Wednesday, November 29, 2001

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 Elen Williams, Principal Broker  
 Thomas Zhang, Realtor

<b>Tumon Condo</b> w/Ocean View 2BD, 1BA Behind DFS <b>\$59,000</b> House behind M. Mall Bank Foreclosed 5 bd 2 ba <b>\$125,000</b> 0 down, low monthly pmt.	<b>Dededo</b> 1 Acre Land <b>\$60,000</b> Bank foreclosed property in a new development area
<b>Tumon Horizon Condo</b> 2bd. the excellent condition & lot of amenities you can see it for just: <b>\$65,000</b>	<b>Yigo Takano Subdivision</b> Newly Built Home 2BD, 2BA, Carpet, French Windows, Ceramic Tile, Unisex Design <b>\$119,000</b> 0 down \$792.31/m plus T&I

**Whitening Metal Worker**

w/2 yrs. exp., 9.92 hr. Interested applicants, pls. apply at Guam Metal Work & Welding Services in Yigo or contact 637-3620 and ask for Almarco C. Gatmaitan, Owner.

BEFORE THE PUBLIC UTILITIES COMMISSION OF GUAM  
 GUAM MEMORIAL HOSPITAL AUTHORITY  
 RATE HEARING  
 DOCKET 99-06  
 NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Guam Public Utilities Commission will conduct a public hearing, commencing at 6:00 p.m. on November 30, 2001 at Room 202, GOC Building, 414 West Soledad Avenue, Hagåtña, to receive and consider testimony, argument and public comment on the following:

- 22 interim fees for new, unclassified service, which GMAHA has instituted and which require Commission approval under 10 GCA 801055b)
- Proposed increased fees for laboratory, radiology, respiratory and rehabilitative services and for GMAHA professional fees that are below 2001 Medicare rates.
- Proposed increased rates for certain pharmaceutical supplies.
- A proposal protocol to annually update GMAHA physician's fees based on Physician Fee Reference Handbook, using the 50th percentile, adjusted by geographic weighting for Hawaii
- A methodology, including a possible surcharge to provide revenues to enable GMAHA to pay its bills to other autonomous government agencies. The commission's regulatory consultant (Georgetown) reports that all GMAHA fees, other than professional fees, must be increased by 5.5% +/- to produce the \$3.5 million in additional annual revenues necessary to fund the proposed surcharge. Georgetown's report dated August 22, 2001 reviews the details of the rate increases, which will be considered at this hearing, and is available for public inspection of the Commission's office.

Interested persons may participate in the hearing pursuant to Public Law 23-30-1, by application to the Commission at Suite 207, GOC Building, Hagåtña. The Commission will welcome public comments at the conclusion of the hearing. Public comments will be entertained in the order registered with Commission staff at Suite 202, GOC Building commencing at 5:30 p.m. on the evening of the hearing.

The Commission will also invite public comments on the above GMAHA rate matters at additional consolidated public hearings, which have been scheduled, for the public's convenience, at the following locations and times:

5:00 p.m. December 5, 2001 - Agat Mayor's Office (Route 2, Agat)  
 7:30 p.m. December 5, 2001 - Mangilao Mayor's Office (Route 10)

Public comment at the above hearings will be welcomed in the order registered with Commission staff prior to the hearings. Further information about the hearings may be obtained from Manassa Leon Guerrero at 472-1907. Those with disabilities, who need special accommodation to attend the hearings, should contact Ms. Leon Guerrero at the number listed above.

**Notice of Public Hearing**

Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs  
 Senator Mack Forbes, Chairman

**10 A.M. Thursday, November 29, 2001**

The following Bills will be on the Agenda:

- \*Bill 35: Act relative to the Antonio B. Won Pat International Airport Authority.
- \*Bill 153: Relative to sale and measurement of petroleum products.
- \* Bill 197: Act to require Department of Public Works to create Solidwaste Collection Districts and to enter into contracts with Commercial Haulers for collection and disposal of residential solid waste.
- \*Bill 219: Relative to making registration with Selective Service an eligibility requirement for obtaining motor vehicle driver's license, govGuam employment and financial assistance for post secondary education.

Hearing will take place in the Public Hearing Room, I Liheslaturan Guahan, Hagatna, Guam  
 The Public is Invited to Participate  
 Individuals requiring special accommodations, auxiliary aids or services are asked to contact the Office of Senator Forbes at 472-3512

**FOR SALE USED WAREHOUSE RACKING**  
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 DEPARTMENT OF EDUCATION  
 P.O. Box 25  
 Hagatna, Guam 96932  
 Tel: 475-0436 / Fax: 472-5001

**INVITATION FOR BID RE-ISSUE**

BID No. **FBE-006-2002**

FOR: FOOD SERVICE MANAGEMENT (Cafeteria) THREE (3) PUBLIC HIGH SCHOOLS

OPENING DATE: **DECEMBER 17, 2001 TIME: 10:00 AM.**

**MANDATORY PRE-BID CONFERENCE WILL BE HELD AT DOB CENTRAL OFFICE, TAYATAYANIA CONFERENCE ROOM LOCATED IN HAGATNA, GUAM ON MONDAY, DECEMBER 10, 2001 AT 10:00 AM.**

INTERESTED BIDDER(S) MAY PICK-UP BID FORMS / SPECIFICATIONS AT THE OFFICE OF SUPPLY MANAGEMENT, 2<sup>ND</sup> FLOOR B-202, MANUEL F.L. GUERRERO BUILDING, HAGATNA, GUAM.

/S/ JUAN MICHAEL PANGELINAN  
 ADMINISTRATOR, SUPPLY MANAGEMENT

For: SUPERINTENDENT OF EDUCATION  
 Rosie R. Tainatongo

*This Ad paid 100% Department of Education FY2002 Operation Budget.*

Pacific Daily News **green pages** BUSINESS SERVICES

**AUTO SERVICE**

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 Specializing in AC/Brakes/Tune-Ups  
 Retro-fit your old A/C to ozone safe R-134, \$250 for most vehicles & includes fittings, vacuum, leak detection, oil & freon change.  
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 Call for appointments

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 Aturidat Espetat Mimuriat Guahan

850 GOV. CARLOS CAMACHO ROAD  
 OKA, TAMUNING, GUAM 96911  
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 FAX: (671) 649-0145

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Submission Date/Time/Opening Time:  
 019-2002 December 13, 2001, Submission @ 10:00 a.m. and Opening @ 10:15 a.m.  
 020-2002 December 13, 2001, Submission @ 11:00 a.m. and Opening @ 11:15 a.m.

Place: Cafeteria Conference Room

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DAVINA M. LUJAN, M.D.  
 Hospital Administrator

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# MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,  
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gehilu  
Kabisiyon Mayurát*

26 APR 2002

Speaker Antonio R. Unpingco  
I Mina' Bente Sais Na Liheslaturan Guáhan  
155 Hesler Street  
Hagátña, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 153 was referred, wishes to report its findings and recommendations TO DO PASS BILL NO. 153, as substituted: "An act to add a new Article 3 to Chapter 2 of Title 11, Guam Code Annotated, relative to sale and measurement of petroleum products."

The voting record is as follows:

TO PASS	<u>8</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>
TO REPORT OUT	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.

  
MARK FORBES

Attachments



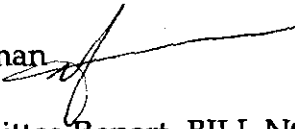
# MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,  
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gehilu  
Kabisiyon Mayurát*

## MEMORANDUM

**TO:** Committee Members

**FROM:** Chairman 

**SUBJECT:** Committee Report- BILL NO. 153, as substituted: "An act to add a new Article 3 to Chapter 2 of Title 11, Guam Code Annotated, relative to sale and measurement of petroleum products."

Transmitted herewith for your information and action is the report on Bill No. 153, as substituted, from the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 153, as substituted
4. Fiscal Note/Fiscal Note Waiver

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

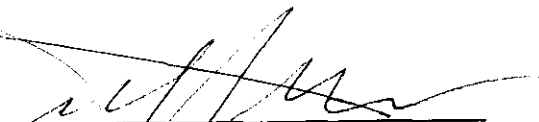
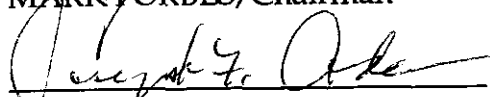
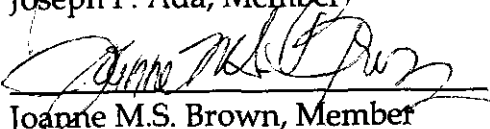
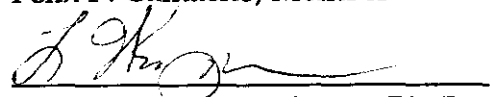
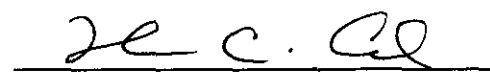

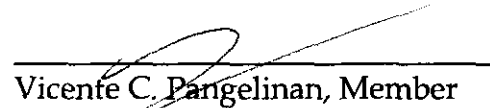
**MARK FORBES**

Attachments

**Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal,  
Foreign and General Affairs**  
**I Mina' Bente Sais Na Liheslaturan Guåhan**

**Voting Record**

BILL NO. 153, as substituted: "An act to add a new Article 3 to Chapter 2 of Title 11, Guam Code Annotated, relative to sale and measurement of petroleum products."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>	<u>TO REPORT OUT</u>
 MARK FORBES, Chairman	✓				
 Joseph F. Ada, Member	✓				
 Joanne M.S. Brown, Member	✓				
_____ Eddie B. Calvo, Member					
_____ Felix P. Camacho, Member					
 Lawrence F. Kasperbauer, Ph. D., Member	✗				
_____ Kaleo S. Moylan, Member					
_____ Antonio R. Unpingco, Ex-Officio Member					
 Thomas C. Ada, Member	✓				
 Lou A. Leon Guerrero, Member	✓				
 Vicente C. Pangelinan, Member	✓				

**I MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**

**COMMITTEE ON RULES, GENERAL GOVERNMENTAL  
OPERATIONS, REORGANIZATION AND REFORM, AND  
FEDERAL, FOREIGN AND GENERAL AFFAIRS**

**SENATOR MARK FORBES, CHAIRMAN**

**COMMITTEE REPORT  
ON  
BILL NO. 153, as substituted**

**“An act to add a new Article 3 to Chapter 2 of Title 11, Guam  
Code Annotated, relative to sale and measurement of petroleum  
products.”**



## **I. OVERVIEW**

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs held a public hearing on November 29, 2001 at 10:00 a.m. in the Public Hearing Room, I Liheslaturan Guahan. Public Notice was advertised on the Pacific Daily News on Wednesday, November 28, 2001.

Senators present were:

Senator Mark Forbes, Chairman  
Senator Joanne M.S. Brown, Member  
Senator Vicente Pangelinan, Member  
Senator Lou Leon Guerrero, Member  
Senator Judith Won Pat

## **II. SUMMARY OF TESTIMONY**

Individuals appearing before the Committee to present oral and written testimony on the bill are as follows:

Andrew Hartford, president and general manager, Shell Guam Inc. (oral & written)  
George V. Cruz, acting director, Department of Revenue and Taxation (written)

Andrew Hartford, president and general manager, Shell Guam Inc., read from his written testimony (attached) on Bill No. 153. Mr. Hartford is in opposition to the bill because he said it has the potential to levy considerable costs and complexity on the oil industry and on the community, with no considerable benefit. He said that the bill would increase the cost structures in the business, which will be passed on to the consumer. He said the result would be a reduction in the quantity of fuel sold onn Guam.

John P. Camacho, of the Department of Revenue and Taxation , read from written testimony (attached) on behalf of George V. Cruz, acting director of the Department, before the Committee on Bill No. 153. Mr. Cruz said that the Department is in favor of the bill. He said that the Department has discontinued monitoring liquid fuel because of changes in the liquid fuel tax laws and shortages on resources and manpower. He said the bill would allow the Department to continue its role in monitoring liquid fuel.

## **III. FINDINGS AND RECOMMENDATION**

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs finds that Bill No. 153, as substituted, would allow for the accurate monitoring of liquid fuel on Guam.

Accordingly, the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 153 was referred does hereby submit its findings and recommendations to I Mina' Bente Sais Na Liheslaturan Guahan **TO DO**

**PASS BILL NO. 153, as substituted, "An act to add a new Article 3 to Chapter 2 of Title 11, Guam Code Annotated, relative to sale and measurement of petroleum products."**



Dipáttamenton Kontribusion yan Adu'ána

DEPARTMENT OF

# REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guáhan

CARL T.C. GUTIERREZ, Governor Maga'láhi  
MADELEINE Z. BORDALLO, Lt. Governor Tifiente Gubetnadora

JOSEPH T. DUENAS, Director Direktor  
GEORGE V. CRUZ, Deputy Director  
Sigundo Direktor

November 29, 2001

Senator Vicente C. Pangelinan  
Twenty-Sixth Guam Legislature  
173 Aspinall Avenue  
Suite 108A Ada Plaza Center  
Agana, Guam 96910

**Re: Bill No. 153**

Dear Senator Pangelinan:

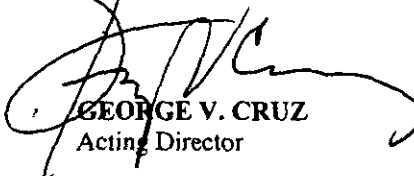
The Department of Revenue and Taxation is in favor of Bill No. 153. Several years ago, the Department has been monitoring liquid fuel imported, sold in Guam as well as liquid fuel exported. Because of some changes in the liquid fuel tax laws and shortages on resources and manpower, the Department discontinued its role in monitoring liquid fuel.

If Bill No. 153 becomes law, this would allow the Department to continue its role in monitoring liquid fuel in Guam.

On May 08, 1998, Public Law 24-205 made some major modifications and additions to the liquid fuel tax laws. Part of the law added section 26407 to Title 11 GCA. Section 26407 created a Liquid Fuel Monitoring Unit within Examination Branch of the Department of Revenue and Taxation. Such Unit shall consist of one Revenue Agent II, one Tax Auditor II, and three Tax Technicians II. Title 11 GCA. The Department has not filled these positions since the enactment of law. Therefore, in light of Bill 153, we strongly request that these positions under section 26407 be funded.

Should you have any questions, please contact my office.

Sincerely,

  
GEORGE V. CRUZ  
Acting Director



## **Public Hearing for Bill 153**

### **Submission by Shell Guam Inc**

**Nov 29, 2001**

encl.: Shell Guam Submission for the Proposed Bill 153

---

Honorable Chairman, Honorable Committee members, Ladies and Gentlemen:

Thank you for the opportunity to present this submission on behalf of Shell Guam at this public hearing on Bill 153.

Shell's position on this is quite simple. We oppose this Bill on principle because it has the potential to levy considerable costs and complexity on the oil industry and on the community, with no foreseeable benefit.

#### **BILL 153 ADDS CONSIDERABLE COSTS**

As written, the legislation requires that all fuel sales equipment be modified to accurately meter quantities corrected to standard temperature. We have not quantified this cost, as the State of Hawaii has already addressed this issue with a simpler implementation. We note that the legislation appropriates \$100,000 to procure the necessary equipment for the Department of Revenue and Taxation to be able to ensure calibration of all equipment to an agreed notional ambient temperature for fuel with a typical density. This is critical for any move by the Government of Guam to impose the proposed changes. Without this agreed notional ambient temperature, the costs to modify all sales equipment would be prohibitive. I respectfully note that this appears to be the intention of Bill 153, as there is a reference to "Observed temperature" at 85°F, although I am unclear as to how this is applied.



I MINA 'BENTE SAIS NA LIHESLATURAN GUÅHAN  
TWENTY-SIXTH GUAM LEGISLATURE  
2001 (FIRST) REGULAR SESSION

Bill No. 153 (COR)

Introduced by:

v.c. pangelinan

A. Santos

M. Charfauros

AN ACT TO ADD A NEW ARTICLE 3 TO  
CHAPTER 2 OF TITLE 11, GUAM CODE  
ANNOTATED, RELATIVE TO SALE AND  
MEASUREMENT OF PETROLEUM  
PRODUCTS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds the  
3 purchase of petroleum products from vendors by consumers is an  
4 integral part of life in our community. *I Liheslaturan Guåhan* further  
5 recognizes through irrefutable scientific evidence that temperature of  
6 the surrounding environment affects the behavior of petroleum  
7 products, which results in a change in the volume that it occupies.  
8 *I Liheslaturan Guåhan* further finds that certain devices are available  
9 and used to measure and compensate for this expansion.

1 It is the intent of *I Liheslaturan Guåhan* to require sales of all  
2 petroleum products to be accomplished by the use of a meter or  
3 device that compensates for temperature, accounting for the thermo-  
4 expansion of petroleum products which provides for accountable  
5 sales of petroleum products to the consumers of Guam.

6 **Section 2. Short Title.** This article shall be known and may be cited  
7 as “Petroleum Sale, Accounting and Inspection.”

8 **Section 3.** A new Article 3 is added to Chapter 2 of Title 11, Guam  
9 Code Annotated, to read as follows:

10 **“ Article 3**

11 **Petroleum Accounting and Inspection**

12 **§2300. Definitions.**

13 **§2301. Measurement Standard.**

14 **§2302. Petroleum Product: Liquid.**

15 **§2303. Appropriation.”**

16 **§2300. Definitions.** As used in this Article:

17 (a) *API* means the American Petroleum Institute.

18 (b) *Cubic foot* means the amount of liquefied petroleum product,  
19 vapor or natural gas vapor, or synthetic natural gas vapor, or

1 any blend of the above, which will occupy seventeen thousand  
2 twenty-eight (1728) cubic inches when its temperature is sixty  
3 (60) degrees Fahrenheit at a pressure of seven hundred sixty  
4 (760) mm of Hg (mercury). The density of the Hg shall be  
5 13.5951 grams per cubic centimeter per second, per second.

6 (c) *Guam standard petroleum measurement tables* means the following  
7 tables, as listed in the manual of petroleum measurement  
8 standards D1250, as published by the ASTM in the first edition,  
9 August 1980: (1) Table 5B-Generalized products correction of  
10 observed API gravity to API gravity at sixty degrees. (2) Table  
11 6B-Generalized products correction for volume to sixty (60°)  
12 degrees Fahrenheit against API gravity at sixty degrees.

13 (d) *Petroleum products* include automotive gasoline, diesel fuels,  
14 fuel oils, liquefied petroleum gas both liquid and vapor,  
15 residuals, distillates and fractions, kerosene, aviation fuels,  
16 turbine fuels, solvent, hydro-carbons or synthetics, crude oil,  
17 lubrication oil, or any other oil or distillates or blends of the  
18 above or any other product or byproduct normally considered



1 petroleum product and synthetic natural gas or natural gas and  
2 manufactured gas or blends.

3 (e) *U.S. petroleum gallon* means that amount of petroleum product  
4 which occupies two hundred thirty-one (231) cubic inches  
5 exactly when its temperature is sixty (60) degrees Fahrenheit, or  
6 the expanded equivalent thereto calculated using the observed  
7 temperature or its expanded or contracted equivalent at any  
8 other temperature.

9 (f) *Observed temperature* means eighty-five (85°) degrees  
10 Fahrenheit.

11 **§2301. Measurement Standard.**

12 (a) Any petroleum product which is in a liquid state under  
13 conditions of seven hundred sixty (760) millimeters of Hg at  
14 sixty (60) degrees Fahrenheit shall be measured in terms of the  
15 U.S. petroleum gallon; its multiple or decimal submultiples.

16 (b) Any petroleum product which is in a vapor state under  
17 condition of 258.575 or less of Hg at sixty (60) degrees  
18 Fahrenheit shall be measured in terms of cubic feet or in terms

1 of U.S. petroleum gallons, their multiples or decimal  
2 submultiples.

3 (c) The standards as published by the American Society for  
4 Testing and Materials (ASTM) and the Society of Automotive  
5 Engineers (SAE) are hereby adopted for the measurement of  
6 petroleum products.

7 **§2302. Petroleum Product: Liquid.**

8 (a) All petroleum products in the liquid state under atmospheric  
9 conditions shall be kept, offered, exposed for sale or sold in  
10 terms of U.S. petroleum gallons or SI liters.

11 (b) All metered sales by the gallon or liter, except those using  
12 meters with a maximum rated capacity of twenty-five (25)  
13 gallons per minute or less, shall be accomplished by the use of  
14 a meter and/or device that automatically compensates for  
15 temperature.

16 (c) Devices used for measuring sales of liquid petroleum products  
17 that have a rated capacity of two hundred gallons per minute  
18 or more shall be required to automatically compensate for  
19 temperature in accordance with this Article; provided that

1 whenever a partial compartment or partial tank truck load of  
2 the amount originally measured in accordance with this  
3 subsection is delivered, it shall be delivered through a meter or  
4 device that compensates for temperature in accordance with  
5 this Article and the American Society for Testing and Materials  
6 (ASTM).

7 (d) Whenever a partial compartment or partial tank truckload is  
8 delivered, it shall be delivered through a meter that  
9 compensates for temperature in accordance with this Article  
10 and the American Society for Testing and Materials (ASTM).

11 (e) Tank markers shall not be used as a means for determining the  
12 quantity of product delivered into or from a vehicle tank truck.

13 (f) The density and volume of petroleum products shall be  
14 determined, verified, and delivered in accord with the  
15 appropriate Guam standard petroleum measurement table.

16 **§2303. Appropriation.** *I Liheslaturan Guåhan* hereby appropriates one  
17 hundred thousand (\$100,000) dollars from the Territorial Highway  
18 Fund to the Department of Revenue and Taxation. Such funds shall  
19 be used to purchase equipments required to implement this article.