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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

February 22, 2013

The Honorable Edward J.B. Calvo
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

OFFICE OF THE GOVERNOR
CENTRAL FILES
RECEIVED BY
TIME 4:00 DATE 2/22/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Nos. 8-32(COR), 9-32(COR), 13-32(COR), 14-32(COR), 22-32(COR), 24-32(COR), 33-32(COR) and 40-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on February 22, 2013.

Sincerely,

Tina Rose Muña Barnes
Senator and Legislative Secretary

Enclosures (8)

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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

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

This is to certify that **Bill No. 14-32 (COR), "AN ACT TO *AMEND* SUBSECTION (c) OF §5123, RELATIVE TO THE MAINTENANCE OF GOVERNMENT VEHICLES; TO *ADD* A NEW SUBSECTION (e) TO §5123, RELATIVE TO MANDATING THE PURCHASE OR LEASE OF VEHICLES BY THE GOVERNMENT OF GUAM THAT MEET OR EXCEED A MINIMUM AVERAGE COMBINED CITY AND HIGHWAY MILES PER GALLON (MPG) OF TWENTY-FIVE MILES PER GALLON (25 MPG); AND TO *ADD* A NEW SUBSECTION (f) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW CERTAIN SPECIALIZED VEHICLES TO BE EXCLUDED FROM THE MILES PER GALLON STANDARD",** was on the 22nd day of February, 2013, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 22nd day of Feb., 2013, at 4:00 o'clock P .M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 14-32 (COR)
As amended on the Floor.

Introduced by: Chris M. Dueñas
V. Anthony Ada
T. C. Ada
T. R. M. Barnes
Frank B. Aguon, Jr.
B. J.F. Cruz
M. T. Limtiaco
Brant T. McCreadie
Tommy Morrison
Vicente (ben) C. Pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
M. F.Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SUBSECTION (c) OF §5123, RELATIVE TO THE MAINTENANCE OF GOVERNMENT VEHICLES; TO *ADD* A NEW SUBSECTION (e) TO §5123, RELATIVE TO MANDATING THE PURCHASE OR LEASE OF VEHICLES BY THE GOVERNMENT OF GUAM THAT MEET OR EXCEED A MINIMUM AVERAGE COMBINED CITY AND HIGHWAY MILES PER GALLON (MPG) OF TWENTY-FIVE MILES PER GALLON (25 MPG); AND TO *ADD* A NEW SUBSECTION (f) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW CERTAIN SPECIALIZED VEHICLES TO BE EXCLUDED FROM THE MILES PER GALLON STANDARD.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Statement. It is the intent of *I Liheslaturan Guåhan* to mandate that the procurement of vehicles by the government of Guam includes a requirement of meeting or exceeding a minimum average combined city and highway miles per gallon standard of twenty-five miles per gallon (25 mpg), as determined by the United States Department of Energy's (USDOE) rating of vehicle fuel economy as contained on its website at www.fueleconomy.gov. It is also recognized by *I Liheslaturan Guåhan* that there are vehicles required to perform various governmental functions that are to be excluded from the mandate established by this Act.

Section 2. A new Subsection (e) is *added* to **§**5123 of Chapter 5, Title 5, Guam Code Annotated to read:

"(e) **Minimum Combined Miles Per Gallon Standard.** All vehicles to be purchased or leased for use by the government of Guam *shall* meet or exceed a minimum average combined city and highway miles per gallon of twenty-five miles per gallon (25 mpg), as determined by the United States Department of Energy's (USDOE) rating of vehicle fuel economy as contained on its website at www.fueleconomy.gov. This standard *shall* be reviewed every 3 years."

Section 3. A new Subsection (f) is *added* to §5123 of Chapter 5, Title 5, Guam Code Annotated, to read:

"(f) **Excluded Vehicles.** The Chief Procurement Officer *shall* prepare and maintain a listing of those vehicles that are excluded from the minimum average combined city and highway miles per gallon standard. The types of vehicles that are to be excluded include, but are *not* limited to: law enforcement vehicles; vehicles whose primary function is to carry cargo;

specialized utility vehicles; construction vehicles; and any other vehicle whose primary function is other than the transportation of five (5) passengers or fewer. For the purposes of this Section, the Procurement Officers of the Judiciary of Guam, the Guam Legislature, and any government of Guam entity *not* subject to the Chief Procurement Officer's procurement review, *shall* prepare and maintain a listing of those vehicles that are excluded from the minimum average combined city and highway miles per gallon standard as defined herein."

Section 4. Subsection (c) of §5123 of Chapter 5, Title 5, Guam Code Annotated, is *amended* to read:

"(c) The Chief Procurement Officer *shall* include preventative maintenance services for a period of *no less than* 3 years when procuring the vehicle fleet. He shall also determine, by requesting for proposals, whether it would be less costly to contract for fleet maintenance with private businesses; and if less costly, using either separate contracts for purchase and maintenance or a combined contract for purchase and maintenance from one source, he shall so contract for the maintenance of the fleet for a minimum of 3 years from the date of purchase of the vehicle. In any maintenance contract, there *shall* be inserted provisions requiring that the maintenance be performed within a certain period of time or liquidated damages assessed against the contractor."