

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Transmitted via email to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)**

July 12, 2023

**HONORABLE THERESE M. TERLAJE, Speaker**  
*I Mina'trentai Siette Na Liheslaturan Guåhan*  
37<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**Re: Bill No. 42-37 (COR) - AN ACT TO ADD NEW §§ 7117 AND 7117.1 TO CHAPTER 7 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE AVAILABILITY OF AUTOMATED EXTERNAL DEFIBRILLATORS AT ALL SCHOOL CAMPUSES OF THE GUAM DEPARTMENT OF EDUCATION BY JUNE 30, 2024**

*Håfa Adai* Madame Speaker,

Bill No. 42-37 (COR) establishes a requirement for the Guam Department of Education ("GDOE") to have Automated External Defibrillators ("AEDs") available in both public and charter school campuses during school hours, school sporting events and school activities.

Former Vice Speaker Larry Kasperbauer recognized the life-saving effects of AEDs when he introduced a bill allowing the use of AEDs in emergency situations back in March of 2000. Now, with the heightened awareness of sudden cardiac arrest among teenagers and young adults, access to AEDs for the purpose of early response to cardiac arrest could be the difference in saving a life. Evidence proves early defibrillation leads to improved outcomes, and with AEDs becoming more available to the general public due to their affordability and portability, we have little to no reason not to require AEDs on our public and charter school campuses.

School athletic programs have expanded to allow participation by children of a younger age and to offer a greater variety of sports. Our Administration fully supports this legislation, as it will protect our children who engage in athletics but also ensure the availability of life-saving equipment to all children within our public and charter schools. The reality is our children spend more time at school than at home, and while they are at school, we have a responsibility to ensure their safety, health and development. For these reasons, I sign Bill No. 42-37 (COR) into law as *Public Law 37-25*.

*Senseramente,*

Handwritten signature of Lourdes A. Leon Guerrero in black ink.

**LOURDES A. LEON GUERRERO**  
*Maga'hågan Guåhan*  
Governor of Guam

Enclosure: Bill No. 42-37 (COR) nka P.L. 37-25

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam  
Compiler of Laws

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***

**2023 (FIRST) Regular Session**

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

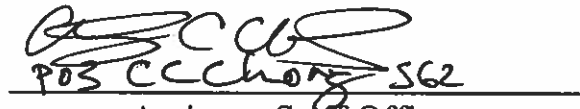
This is to certify that **Bill No. 42-37 (COR)**, “**AN ACT TO ADD NEW §§ 7117 AND 7117.1 TO CHAPTER 7 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE AVAILABILITY OF AUTOMATED EXTERNAL DEFIBRILLATORS AT ALL SCHOOL CAMPUSES OF THE GUAM DEPARTMENT OF EDUCATION BY JUNE 30, 2024,**” was on the 30<sup>th</sup> day of June 2023, duly and regularly passed.

  
**Therese M. Terlaje**  
**Speaker**

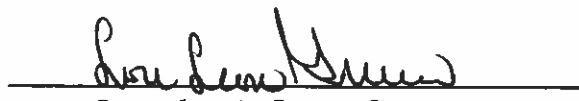
Attested:

  
**Amanda L. Shelton**  
**Legislative Secretary**

This Act was received by *I Maga'hågan Guåhan* this 30<sup>TH</sup> day of June, 2023, at 6:57 o'clock P.M.

  
**Assistant Staff Officer**  
***Maga'håga's Office***

APPROVED:

  
**Lourdes A. Leon Guerrero**  
***I Maga'hågan Guåhan***

Date: 7/12/2023

Public Law No. 37-25

RCVD AT CENTRAL FIL  
JUL 3 '23 AM 10:49  
2023-19472

Jessica Dydasco

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2023 (FIRST) Regular Session**

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**Bill No. 42-37 (COR)**

As amended by the Committee on  
Education, Public Safety, and the Arts; and  
further amended on the Floor.

Introduced by:

Chris Barnett  
Telo T. Taitague  
Joe S. San Agustin  
Amanda L. Shelton  
Christopher M. Dueñas  
Jesse A. Lujan  
Dwayne T.D. San Nicolas  
Thomas J. Fisher  
William A. Parkinson  
Roy A.B. Quinata  
Frank Blas, Jr.  
Therese M. Terlaje  
Joanne Brown  
Tina Rose Muña Barnes  
Sabina Flores Perez

**AN ACT TO ADD NEW §§ 7117 AND 7117.1 TO CHAPTER  
7 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE  
TO REQUIRING THE AVAILABILITY OF AUTOMATED  
EXTERNAL DEFIBRILLATORS AT ALL SCHOOL  
CAMPUSES OF THE GUAM DEPARTMENT OF  
EDUCATION BY JUNE 30, 2024.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the near death of twenty-four (24)-year-old Buffalo Bills safety Demar Hamlin  
4 of the National Football League (NFL) serves as a recent reminder of the higher risk

1 of sudden cardiac arrest among young people who participate in athletics. The saving  
 2 of Hamlin’s life is credited not just to the quick thinking of the Buffalo Bill’s training  
 3 staff but also to a device known as an *Automated External Defibrillator* or AED.  
 4 Thanks to the efforts of former Vice Speaker Larry Kasperbauer, AEDs have been  
 5 available for emergency use on Guam since March of 2000.

6 *I Liheslaturan Guåhan* further finds that organizations such as the *Louis J.*  
 7 *Acompora Memorial Foundation* and *Project ADAM* (“Automated Defibrillation in  
 8 Adam’s Memory,” named in memory of Adam Lemel) have raised awareness of the  
 9 risk of sudden cardiac arrest among teenagers and young adults.

10 On March 25, 2000, Louis J. Acompora died from a condition known as  
 11 commotio cordis, which resulted from a blow to his chest while playing lacrosse  
 12 during his first high school game. Louis was only fourteen (14) years old. Adam  
 13 Lemel died doing what he loved best – playing basketball. The seventeen (17)-year-  
 14 old Whitefish Bay High School in Wisconsin student died of cardiac arrest on  
 15 January 22, 1999.

16 *I Liheslaturan Guåhan* further finds that as of September 2021, out of fifty  
 17 (50) states, only seventeen (17) have requirements for the installation of AEDs on  
 18 school campuses. The requirements vary for different school grades, public or  
 19 private schools, and for different school events.

20 *I Liheslaturan Guåhan* further finds that AEDs typically range in price from  
 21 One Thousand One Hundred Dollars (\$1,100) to Two Thousand Five Hundred  
 22 Dollars (\$2,500) which is about one-tenth (1/10<sup>th</sup>) of the price of the devices from  
 23 the time the Guam’s AED law was enacted in March 2000.

24 Therefore, it is the intent of *I Liheslaturan Guåhan* that AEDs be deployed  
 25 and made available at all public-school campuses for possible use during school  
 26 hours, school sporting events and school activities.

1           **Section 2.** A new § 7117 is *added* to Chapter 7 of Title 17, Guam Code

2 Annotated, to read as follows:

3           “§ 7117.    **Access to Automated External Defibrillators (AEDs) at All**  
4 **Public Schools.**

5           (a) Each public school campus, including charter school campuses, shall  
6 have on its premises at least one (1) automated external defibrillator (AED) as  
7 defined in Chapter 96, Title 10, Guam Code Annotated. The AED shall be available  
8 during school hours, school sporting events and school activities. The Guam  
9 Education Board shall, by policy, create the provisions for deployment and use of  
10 AEDs, to include, but not be limited to, the following:

11                   (1) the locations and quantities of AEDs on the campuses and  
12 facilities;

13                   (2) the training on the use of AEDs and requirements for staff,  
14 coaches and volunteers;

15                   (3) monitoring and testing of AEDs to ensure the devices will  
16 function correctly when needed; and

17                   (4) security and protection of the AEDs from theft, criminal mischief  
18 (vandalism), and damage or destruction from acts of nature.

19           (b) Access to AEDs, as required by Subsection (a), *supra*, must be  
20 completed by June 30, 2024.

21           (c) The Guam Department of Education shall annually request from *I*  
22 *Liheslaturan Guåhan* additional funding or amendments to the law herein as may be  
23 necessary to comply with this Section.”

24           **Section 3.** A new § 7117.1 is *added* to Chapter 7, Title 17, Guam Code  
25 Annotated, to read as follows:

26           “§ 7117.1.   **AED Use and Tort Immunity.**

1           (a) Any person or entity who in good faith and without compensation  
2 renders emergency care or treatment by the use of an automated external defibrillator  
3 is immune from civil liability for any personal injury as a result of the care or  
4 treatment, or as a result of any act or failure to act in providing or arranging further  
5 medical treatment, if the person acts as an ordinary, reasonably prudent person  
6 would have acted under the same or similar circumstances.

7           (b) The immunity from civil liability for any personal injury under  
8 Subsection (a) of this Section includes: (1) the physician or medical authority who  
9 is involved with AED site placement; (2) the person or entity who provides the CPR  
10 and AED training; and (3) the person or entity responsible for the site where the  
11 AED is located.

12           (c) The immunity from civil liability under Subsection (a) of this Section  
13 does not apply if the personal injury results from the gross negligence, or willful or  
14 wanton misconduct of the person rendering the emergency care.”

15           **Section 4. Request for Appropriation.** The Guam Department of  
16 Education shall submit a request for appropriation to *I Liheslaturan Guåhan* to fund  
17 Section 2 of this Act.

18           **Section 5. Effective Date.** This Act shall be effective upon enactment.