

*I Mina'Trentai Dos Na Liheslaturan Guahan*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>87-32 (COR) - P.L. 32-052</b>	T. A. Morrison, M. F. Q. San Nicolas C. M. Duenas, B. J. F. Cruz, T. R. Muna Barnes	AN ACT TO AMEND §§3305 AND 3305.1 CHAPTER 3 OF 16GCA RELATIVE TO IMPLEMENTING A UNIVERSAL HELMET LAW.	4/10/2013 3:51PM	4/10/13	Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations	<del>4/19/13, 11:00am</del>  <del>5/28/13 4:00 p.m.</del> <b>(CANCELLED)</b> 6/13/13, 5:30pm		<b>Fiscal Note Requested 04/12/13</b> <b>Fiscal Notes received 4/30/13 1:21p.m.</b> <b>Committee Report received 6/20/13 2:55 p.m.</b>
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LAHEN GUAHAN	PUBLIC LAW NO.	NOTES
	6/26/2013	AN ACT TO AMEND §§3305 AND 3305.1, AND SUBSECTIONS (i), (k) AND (o) OF §3101; AND TO ADD NEW SUBSECTIONS (13) AND (14) TO §3101(f), AND A NEW §3101(p), ALL OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE PROVISIONS OF THE MOTORCYCLE OPERATORS LICENSE AND PERMIT, AND IMPLEMENTING A LIMITED HELMET LAW.	6/26/13	3:00pm	7/8/13	7/5/13	32-052	As substituted by the Committee on Aviation, Ground Transportation , Regulatory Concerns, and Future Generations; and amended on the Floor.



**EDDIE BAZA CALVO**  
Governor

**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor of Guam*

**JUL 08 2013**

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

32-13-572

Office of the Speaker  
Judith T. Won Pat, Ed.D.  
7/8/13  
4:29  
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No.87-32 (COR) "AN ACT TO AMEND §§3305 AND 3305.1, AND SUBSECTIONS (i), (k) AND (o) OF §3101; AND TO ADD NEW SUBSECTIONS (13) AND (14) TO §3101(f), AND A NEW §3101(p), ALL OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE PROVISIONS OF THE MOTORCYCLE OPERATORS LICENSE AND PERMIT, AND IMPLEMENTING A LIMITED HELMET LAW" which I signed into law on July 5, 2013 as Public Law 32-052.

*Senseramente,*

  
**EDDIE BAZA CALVO**  
*I Maga'lahaen Guåhan*  
Governor of Guam

2013 JUL - 8 PM 4: 59

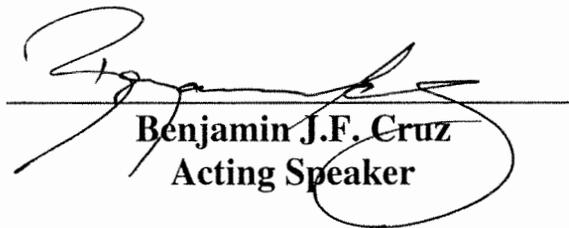
[Handwritten mark]

Attachment: copy of Bill

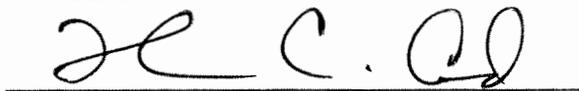
*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

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

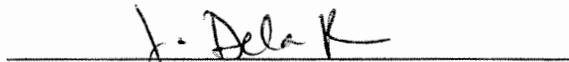
This is to certify that **Substitute Bill No. 87-32 (COR), "AN ACT TO AMEND §§3305 AND 3305.1, AND SUBSECTIONS (i), (k) AND (o) OF §3101; AND TO ADD NEW SUBSECTIONS (13) AND (14) TO §3101(f), AND A NEW §3101(p), ALL OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE PROVISIONS OF THE MOTORCYCLE OPERATORS LICENSE AND PERMIT, AND IMPLEMENTING A LIMITED HELMET LAW"**, was on the 24<sup>th</sup> day of June, 2013, duly and regularly passed.

  
Benjamin J.F. Cruz  
Acting Speaker

Attested:

  
Thomas C. Ada  
Acting Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guåhan* this 26<sup>th</sup> day of June,  
2013, at 3:00 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'lahen Guåhan*

Date: JUL 05 2013

Public Law No. 32-052

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

**Bill No. 87-32 (COR)**

As substituted by the Committee on  
Aviation, Ground Transportation, Regulatory  
Concerns, and Future Generations; and  
amended on the Floor.

Introduced by:

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

**AN ACT TO *AMEND* §§3305 AND 3305.1, AND  
SUBSECTIONS (i), (k) AND (o) OF §3101; AND TO *ADD*  
NEW SUBSECTIONS (13) AND (14) TO §3101(f), AND A  
NEW §3101(p), ALL OF CHAPTER 3 OF TITLE 16,  
GUAM CODE ANNOTATED, RELATIVE TO  
AMENDING THE PROVISIONS OF THE  
MOTORCYCLE OPERATORS LICENSE AND PERMIT,  
AND IMPLEMENTING A LIMITED HELMET LAW.**

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

2 **Section 1.** §3305 of Chapter 3 of Title 16, Guam Code Annotated, is  
3 *amended* to read as follows:

1           **“§ 3305.     Mandatory Safety Helmets.**

2           Any driver under eighteen years of age and any passenger under eighteen  
3           years of age *shall* wear a safety helmet, of a type that meets or exceeds the  
4           safety standards established by the United States Department of  
5           Transportation, when riding on a motorcycle, scooter or moped, including a  
6           bicycle equipped with a motor. No passenger under the age of twelve shall  
7           be permitted as a passenger on a motorcycle, scooter or moped, or bicycle  
8           equipped with a motor. In addition, any driver who has not been licensed to  
9           operate a motorcycle for *at least* three years shall wear a safety helmet of a  
10          type that meets or exceeds the safety standards established by the United  
11          States Department of Transportation. Anyone who violates this Section *shall*  
12          be subject to a fine of not less than Fifty Dollars (\$50.00) and not more than  
13          Five Hundred Dollars (\$500.00).”

14          **Section 2.** §3305.1 of Chapter 3 of Title 16, Guam Code Annotated, is  
15          *amended* to read as follows:

16          **“§ 3305.1.   Sale of Safety Helmets.**

17          No person shall sell or offer for sale for use by an operator or passenger of a  
18          motorcycle, or bicycle equipped with a motor, a helmet which is not of a  
19          type meeting the requirements established by the United States Department  
20          of Transportation. Anyone who violates this Section *shall* be guilty of a  
21          petty misdemeanor. ”

22          **Section 3.** New Subsections (13) and (14) are hereby *added* to §3101(f) of  
23          Chapter 3 of Title 16 of the Guam Code Annotated to read:

24                 “(13) (defensive driving/driver safety) a valid Certificate of  
25                 Completion of a motorcycle safety/defensive driving education course by the  
26                 applicant from an instructor approved and licensed for this purpose by the  
27                 Department of Revenue and Taxation. This provision *shall* be effective for

1 licenses issued to first-time licensees after January 1, 2015. The standards  
2 for such motorcycle safety/defensive driving education course *shall* be  
3 determined by the Department of Revenue and Taxation and approved and  
4 promulgated by the Department Director.

5 (14) License Limitation on Engine Size. A licensee is prohibited  
6 from operating a motorcycle/motorbike on public roads with an engine  
7 larger than the engine in the motorcycle/motorbike for which he/she used to  
8 take the road exam. Licensees may qualify to operate larger  
9 motorcycles/motorbikes by passing a qualifying road exam. This provision  
10 *shall* be effective for licenses issued to first-time licensees after January 1,  
11 2015.”

12 **Section 4.** Subsection (i) of § 3101 of Chapter 3 of Title 16 of the Guam  
13 Code Annotated is *amended* to read:

14 “(i) An applicant is *not* entitled to an operator’s or chauffeur’s  
15 license or instruction permit:

16 (1) who is not of legal age to receive such license or permit.

17 An applicant for a new operator’s license or instruction permit must

18 (A) have a valid Certificate of Completion of a drivers  
19 education course and in the case of a motorcycle operator’s  
20 application, a valid Certificate of Completion of a motorcycle  
21 safety/defensive driving education course; and”

22 **Section 5.** Subsection (k) of § 3101 of Chapter 3 of Title 16 of the Guam  
23 Code Annotated is hereby *amended* to read:

24 “(k) Every license and permit *shall* state whether it is an operator’s  
25 or chauffeur’s license or instruction permit and *shall* bear thereon the  
26 distinguishing number assigned to the application, the dates of issue and  
27 expiration, the name, date of birth, residence address, height, weight, color

1 of eyes, a photograph of the licensee (except that the instruction permit *shall*  
2 *not* bear a photograph of the licensee), the maximum engine size of a  
3 motorcycle that the motorcycle operator is authorized to operate, and a space  
4 upon which the licensee *shall* write his usual signature. No license shall be  
5 valid until it has been signed by the licensee. In the case of a chauffeur's  
6 license, the license *shall* also state whether it is a general or restricted  
7 license, and if restricted, the type of vehicle or combination of vehicles the  
8 licensee is permitted to operate. Each license and permit *shall* also contain a  
9 space for common restrictive requirements, such as corrective lenses,  
10 hearing aid, hand control or pedal extension, left foot accelerator, no night  
11 driving, or other."

12 **Section 6.** Subsection (o) of § 3101 of Chapter 3 of Title 16 of the Guam  
13 Code Annotated is *amended* to read:

14 "(o) After passing an examination as required under Subsection (g)  
15 to include an actual demonstration of ability to exercise ordinary and  
16 reasonable control in the operation of a motorcycle and satisfying the  
17 Certificate of Completion requirements of Subsection (i), or upon qualifying  
18 under Subsection (d) of this Section an applicant may have his operator's, or  
19 chauffeur's or motorcycle permit endorsed by the Director of Revenue and  
20 Taxation, or his designee, authorizing the applicant to operate a motorcycle  
21 on the highways of Guam. The Director of Revenue and Taxation may, in  
22 his discretion, accept evidence of a military motorcycle permit in lieu of this  
23 examination and endorsement. No person shall operate a motorcycle on the  
24 highway without first complying with this Section, *except* that a person  
25 having in his immediate possession a valid motorcycle operator's license  
26 issued by any other territory or state of the United States, or by a foreign  
27 country, may operate a motorcycle upon the highways for a period *not*

1        *exceeding* thirty days from the date such person arrived in Guam. The  
2        requirement that the person pass an examination and receive an endorsement  
3        for operation of a motorcycle *shall not* be applicable to the operation of a  
4        motorcycle or when a sidecar is attached to the motorcycle. Any person who  
5        operates a motorcycle in violation of this Title *shall* be guilty of a petty  
6        misdemeanor.”

7        **Section 7.** A new Subsection (p) is *added* to § 3101 of Title 16, Guam Code  
8        Annotated, to read as follows:

9                “(p) Motorcycle road/skills tests *shall* be administered by the  
10        Division of Motor Vehicles of the Department of Revenue and Taxation, or,  
11        by up to five examining entities, which have been approved by the  
12        Department of Revenue and Taxation through established rules and  
13        regulations, to certify the competence of prospective licenses to operate a  
14        vehicle on Guam’s roads and highways. Examining entities/examiners that  
15        are qualified, approved and authorized to conduct road exams pursuant to  
16        §31A05(a) of this Chapter are further authorized to conduct motorcycle  
17        road/skills tests; provided, that (1) the examiner conducting the test has had  
18        a valid motorcycle license for a period of *not less than* five years; and (2) the  
19        road course used for the examination has been approved by the Director of  
20        the Department of Revenue and Taxation. Organizations engaged in the sale  
21        of motorcycles, scooters or mopeds, including a bicycle equipped with a  
22        motor, shall be ineligible to be designated as an examining entity for the  
23        purposes of this Section.”

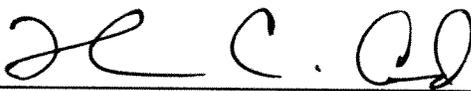
**I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

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

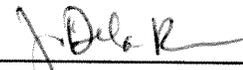
This is to certify that **Substitute Bill No. 87-32 (COR)**, "AN ACT TO AMEND §§3305 AND 3305.1, AND SUBSECTIONS (i), (k) AND (o) OF §3101; AND TO ADD NEW SUBSECTIONS (13) AND (14) TO §3101(f), AND A NEW §3101(p), ALL OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE PROVISIONS OF THE MOTORCYCLE OPERATORS LICENSE AND PERMIT, AND IMPLEMENTING A LIMITED HELMET LAW", was on the 24<sup>th</sup> day of June, 2013, duly and regularly passed.

  
**Benjamin J.F. Cruz**  
**Acting Speaker**

Attested:

  
**Thomas C. Ada**  
**Acting Legislative Secretary**

-----  
This Act was received by *I Maga'lahen Guåhan* this 26<sup>th</sup> day of June, 2013, at 3:00 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. 87-32 (COR)**

As substituted by the Committee on  
Aviation, Ground Transportation, Regulatory  
Concerns, and Future Generations; and  
amended on the Floor.

Introduced by:

Tommy Morrison  
Michael F. Q. San Nicolas  
Chris M. Dueñas  
B. J.F. Cruz  
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3       years of age *shall* wear a safety helmet, of a type that meets or exceeds the  
4       safety standards established by the United States Department of  
5       Transportation, when riding on a motorcycle, scooter or moped, including a  
6       bicycle equipped with a motor. No passenger under the age of twelve shall  
7       be permitted as a passenger on a motorcycle, scooter or moped, or bicycle  
8       equipped with a motor. In addition, any driver who has not been licensed to  
9       operate a motorcycle for *at least* three years shall wear a safety helmet of a  
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25             Completion of a motorcycle safety/defensive driving education course by the  
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27             Department of Revenue and Taxation. This provision *shall* be effective for

1 licenses issued to first-time licensees after January 1, 2015. The standards  
2 for such motorcycle safety/defensive driving education course *shall* be  
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4 promulgated by the Department Director.

5 (14) License Limitation on Engine Size. A licensee is prohibited  
6 from operating a motorcycle/motorbike on public roads with an engine  
7 larger than the engine in the motorcycle/motorbike for which he/she used to  
8 take the road exam. Licensees may qualify to operate larger  
9 motorcycles/motorbikes by passing a qualifying road exam. This provision  
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26 distinguishing number assigned to the application, the dates of issue and  
27 expiration, the name, date of birth, residence address, height, weight, color

1 of eyes, a photograph of the licensee (except that the instruction permit *shall*  
2 *not* bear a photograph of the licensee), the maximum engine size of a  
3 motorcycle that the motorcycle operator is authorized to operate, and a space  
4 upon which the licensee *shall* write his usual signature. No license shall be  
5 valid until it has been signed by the licensee. In the case of a chauffeur's  
6 license, the license *shall* also state whether it is a general or restricted  
7 license, and if restricted, the type of vehicle or combination of vehicles the  
8 licensee is permitted to operate. Each license and permit *shall* also contain a  
9 space for common restrictive requirements, such as corrective lenses,  
10 hearing aid, hand control or pedal extension, left foot accelerator, no night  
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18 under Subsection (d) of this Section an applicant may have his operator's, or  
19 chauffeur's or motorcycle permit endorsed by the Director of Revenue and  
20 Taxation, or his designee, authorizing the applicant to operate a motorcycle  
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22 his discretion, accept evidence of a military motorcycle permit in lieu of this  
23 examination and endorsement. No person shall operate a motorcycle on the  
24 highway without first complying with this Section, *except* that a person  
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7        **Section 7.** A new Subsection (p) is *added* to § 3101 of Title 16, Guam Code  
8        Annotated, to read as follows:

9                “(p) Motorcycle road/skills tests *shall* be administered by the  
10        Division of Motor Vehicles of the Department of Revenue and Taxation, or,  
11        by up to five examining entities, which have been approved by the  
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13        regulations, to certify the competence of prospective licenses to operate a  
14        vehicle on Guam’s roads and highways. Examining entities/examiners that  
15        are qualified, approved and authorized to conduct road exams pursuant to  
16        §31A05(a) of this Chapter are further authorized to conduct motorcycle  
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18        a valid motorcycle license for a period of *not less than* five years; and (2) the  
19        road course used for the examination has been approved by the Director of  
20        the Department of Revenue and Taxation. Organizations engaged in the sale  
21        of motorcycles, scooters or mopeds, including a bicycle equipped with a  
22        motor, shall be ineligible to be designated as an examining entity for the  
23        purposes of this Section.”

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2013 (FIRST) Regular Session

### Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall

**SBill No: 87-32 (COR)**

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓	II			
Senator Rory J. RESPICIO		✓			
Senator Dennis G. RODRIGUEZ, Jr.		✓			
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

13

2

Yea

Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:

I = Pass

Clerk of the Legislature

June 21, 2013



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 30, 2013

### Memorandum

**To:** Rennae Meno  
*Clerk of the Legislature*

**From:** Senator Rory J. Respicio   
*Majority Leader & Rules Chair*

**Subject:** Fiscal Notes

*Hafa Adai!*

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

#### FISCAL NOTES:

Bill Nos.: 62-32 (COR), 63-32(COR), 83-32(COR), 85-32(COR), 87-32(COR), and 97-32(LS)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

2013 APR 30 PM 1:21 

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR

APR 29 2013

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 62-32(COR), 63-32(COR), 83-32(COR), 85-32(COR), 87-32(COR), and 97-32(LS).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 87-32 (COR)**

**AN ACT TO AMEND §§3305 AND 3305.1 CHAPTER 3 OF 16GCA RELATIVE TO IMPLEMENTING A UNIVERSAL HELMET LAW.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue & Taxation	Dept./Agency Head: John P. Camacho
Department's General Fund (GF) appropriation(s) to date:	9,164,180
Department's Other Fund (Specify) appropriation(s) to date: Tax Collection Enhancement Fund (\$686,717) / Better Public Service Fund (\$1,390,554)	2,077,271
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$11,241,451</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2013 Adopted Revenues	\$561,985,725	\$0	\$561,985,725
FY 2013 Appro. (P.L. 31-233)	(\$548,971,874)	\$0	(\$548,971,874)
Sub-total:	\$13,013,851	\$0	\$13,013,851
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$13,013,851</b>	<b>\$0</b>	<b>\$13,013,851</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / x / Yes      // No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? / x / N/A      // Yes      // No  
If no, what is the additional amount required? \$ \_\_\_\_\_ / x / N/A
- Does the Bill establish a new program/agency? // Yes      / x / No  
If yes, will the program duplicate existing programs/agencies? / x / N/A      // Yes      // No  
Is there a federal mandate to establish the program/agency? // Yes      / x / No
- Will the enactment of this Bill require new physical facilities? // Yes      / x / No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / x / Yes      // No  
/ x / Requested agency comments not received as of the due date      // Other:

Analyst: <u>Michael M. Aflague, B&amp;M Analyst IV</u>	Date: <u>4/25/13</u>	Director: <u>John A. Rios, Director</u>	Date: <u>4/25/13</u>
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Footnotes: see attachment.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note Bill No. 87-32 (COR)**  
**(for revenue generating provisions)**

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Special Fund	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total	\$0	\$0	\$0	\$0	\$0

**Comments:**

Bill 87-32 amends Section 3305 of Ch. 3 of 16GCA requiring drivers and passengers, regardless of age, to wear a helmet. The number of violators below the age of 18 relative to the imposed fine of \$50 - \$500 is the anticipated increase in revenues. The Bureau has requested data from the Department of Revenue and Taxation; however, information has not been received as of these comments.



# COMMITTEE ON RULES

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Aline Yamashita  
Member

April 12, 2013

VIA FACSIMILE  
(671) 472-2825

John A. Rios  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Note – Bill Nos. 79-32(COR), 81-32(COR), 82-32(COR), 83-32(COR), 84-32(COR), 85-32(COR), 86-32(COR), and 87-32(COR)

*Håfa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bill. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio  
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

2013 APR 12 PM 4:16  
HAWA

<b>Bill Nos.</b>	<b>Sponsor</b>	<b>Title</b>
<b>79-32 (COR)</b>	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND S106911(k) OF CHAPTER 106, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE TRANSFER OF DORMANT AND UNCLAIMED BANK ACCOUNT FUNDS FROM THE TREASURER OF GUAM TO THE GUAM HOUSING CORPORATIONS'S HOUSING TRUST FUND.
<b>80-32 (COR)</b>	WITHDRAWN	
<b>81-32 (COR)</b>	Vicente (ben) Pangelinan	AN ACT TO PROVIDE HEALTH INSURANCE TO GOVERNMENT OF GUAM EMPLOYEES AND RETIREES FOR FISCAL YEAR 2014
<b>82-32 (COR)</b>	Frank B. Aguon, Jr.	AN ACT TO REPEAL CHAPTER 25 OF TITLE 8 GUAM CODE ANNOTATED
<b>83-32 (COR)</b>	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND §77403, §77404, §77405 AND §77407 OF CHAPTER 77, ARTICLE 4, DIVISION 2, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION, DEVELOPMENT, UPGRADING, REPAIR OR MAINTENANCE OF PUBLIC SCHOOL SPORTS FACILITIES.
<b>84-32 (COR)</b>	Vicente (ben) Pangelinan Tina Rose Muña Barnes	AN ACT TO ADD A NEW SUBSECTION (f) to SECTION 2, PART III, CHAPTER II OF PUBLIC LAW 31-233, RELATIVE TO THE APPROPRIATION TO THE GUAM COMMUNITY COLLEGE APPRENTICESHIP PROGRAM
<b>85-32 (COR)</b>	Vicente (ben) Pangelinan	AN ACT TO PROHIBIT THE USE OF GOVERNMENT FUNDS FOR THE APPEAL OF CIVIL CASE 1:11-CV-00008, REA MIALIZA O. PAESTE ET AL V. GOVERNMENT OF GUAM AND EDDIE BAZA CALVO, BENITA MANGLONA, AND JOHN CAMACHO, IN THEIR OFFICIAL CAPACITIES AND TO ADD A NEW SUBSECTION (i) TO SECTION 30109, CHAPTER 30 OF TITLE 5 GUAM CODE ANNOTATED.
<b>86-32 (COR)</b>	T.C. Ada	AN ACT TO ADD §10238 TO ARTICLE 2, CHAPTER 10 OF TITLE 12 GUAM CODE ANNOTATED TO AUTHORIZETHE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM (PORT) TO WAIVE SOVEREIGN IMMUNITY TO SATISFY A PREREQUISITE FOR APPROVAL OF A \$10,000,000 COMMERCIAL LOAN
<b>87-32 (COR)</b>	T. A. Morrison, M. F. Q. San Nicolas, C. M. Duenas, B. J. F. Cruz, T. R. Muna Barnes	AN ACT TO AMEND §§3305 AND 3305.1 CHAPTER 3 OF 16GCA RELATIVE TO IMPLEMENTING A UNIVERSAL HELMET LAW.



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April 12, 2013

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Bureau of Budget & Management Research  
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*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson, Committee on Rules*

Attachments

Cc: Clerk of the Legislature

2013 APR 12 AM 10:14

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<b>80-32 (COR)</b>	Vicente (ben) Pangelinan	AN ACT TO ADD A NEW SUBSECTION (f) to SECTION 2, PART III, CHAPTER II OF PUBLIC LAW 31-233, RELATIVE TO THE APPROPRIATION TO THE GUAM COMMUNITY COLLEGE APPRENTICESHIP PROGRAM
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Member

April 10, 2013

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Majority Leader & Rules Chair*

**Subject: Referral of Bill No. 87-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my re referral of Bill No. **87-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

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

Bill No. 87-32(COR)

Introduced by:

T. A. Morrison  
M. F. Q. San Nicolas  
C. M. Duenas  
B. J. F. Cruz  
T. R. Muna Barnes

2013 APR 10 PM 3:51

AN ACT TO AMEND §§3305 AND 3305.1 CHAPTER 3 OF  
16GCA RELATIVE TO IMPLEMENTING A UNIVERSAL  
HELMET LAW.

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

2 **Section 1.** Section 3305 of Chapter 3 of 16GCA is *amended* to read as follows:

3 "**§3305. Mandatory Safety Helmets.**

4 Any driver ~~under eighteen (18) years of age~~ and any passenger ~~under eighteen (18)~~  
5 ~~years of age~~ shall wear a safety helmet, of a type approved by the Department of  
6 Revenue and Taxation or the United States Department of Transportation, when  
7 riding on a motorcycle, including a bicycle equipped with a motor. Anyone who  
8 violates this section shall be subject to a fine of not less than Fifty Dollars (\$50.00)  
9 and not more than Five Hundred Dollars (\$500.00)."

10

11 **Section 2.** Section 3305.1 of Chapter 3 of 16GCA is *amended* to read as follows:

12 "**§3305.1. Sale of Safety Helmets.**

13 No person shall sell or offer for sale for use by an operator or passenger of a  
14 motorcycle, or bicycle equipped with a motor, a helmet which is not of a type  
15 meeting the requirements established by the Department of Revenue & Taxation or

1 the United States Department of Transportation. Anyone who violates this Section  
2 shall be guilty of a petty misdemeanor. "