

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
13-32 (COR), P.L. 32-001	B.J.F. Cruz	AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.	1/11/2013 11:17am	1/11/13	Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations	02/12/2013, 10:00am	02/18/13 9:44 A.M.	Fiscal Note Requested - 2/13/13 Fiscal Note Received - 2/28/13, 4:49 p.m. Passed as substituted by the committee & as amended on the floor - 2/22/13 Transmitted to Governor - 3/6/13
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	PUBLIC LAW NO.	NOTES
	2/22/2013	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GUAM SOCIAL HOST ACT	2/22/13	4:00pm	3/4/13 12:00 AM	3/6/2013	32-001	Passed as substituted by the committee & as amended on the Floor. Signed into law without the signature of I Maga'lahaen Guahan

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

March 6, 2013

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

32-13-174
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 3/6/13
Time 3:50 PM
Received by [Signature]

RE: Bill No. 13-32 – Public Law No. 32-001

Dear Madame Speaker:

Transmitted herewith is Bill No. 13-32, "AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GUAM SOCIAL HOST ACT", which I signed into law on March 6, 2013, as Public Law 32-001.

Senseramente,


EDDIE BAZA CALVO

Attachment: Copy of Bill

2013 MAR - 6 PM 4: 56

0174

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

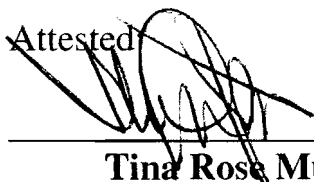
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 13-32 (COR)**, "AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GUAM SOCIAL HOST ACT", was on the 22nd day of February, 2013, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested



Tina Rosa Muña Barnes
Legislative Secretary

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



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: MARCH 06, 2013

Public Law No. 32-001



FILE COPY

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'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

RECEIVED
LEGISLATIVE SECRETARIAT
4:00 PM 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)

FILE COPY

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

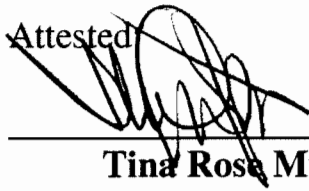
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 13-32 (COR)**, “AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GUAM SOCIAL HOST ACT”, was on the 22nd day of February, 2013, duly and regularly passed.



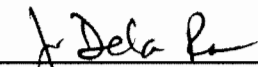
Judith T. Won Pat, Ed.D.
Speaker

Attested



Tina Rose Muña Barnes
Legislative Secretary

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



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

8 **§70.53. Intoxication of Persons Under the Age of Twenty-**
9 **One.**

10 (a) No person twenty-one (21) years or older shall knowingly give
11 or otherwise make available any alcoholic beverage to a person under the
12 age of twenty-one (21) years. A person violates this Section who gives or
13 otherwise makes available an alcoholic beverage to a person under the age
14 of twenty-one (21) with the knowledge that the person to whom the
15 alcoholic beverage is made available will violate this §70.53;

16 (b) A person violates this Section who owns, occupies, or controls
17 premises on which alcoholic beverages are consumed by any person under
18 twenty-one (21) years of age, and who knows of alcohol consumption by
19 persons under twenty-one (21) years of age on such premises, and who
20 reasonably could have prohibited or prevented such alcohol consumption;

21 (c) Any person who violates this Section;

22 (1) *shall* be punished by a fine of *not more than*
23 \$2,000 or by imprisonment for *not more than* one year or both;

24 (2) in addition to the sentence referenced in (1) the
25 court may require the violator to make restitution for any
26 damages to property or a person caused by a violation of this
27 §70.53, and may require participation in volunteer service to a
28 community service agency.

29 (d) The prohibitions of this Section apply *only* to a person who is
30 present and in control of the location at the time the consumption occurs.
31 The prohibitions of this Section *do not* apply to the owner of rental property,
32 or the agent of an owner of rental property, *unless* the consumption occurs in
33 the individual unit in which the owner or agent resides.

34 (e) This Section *shall not* apply to any religious practice,
35 observance, or ceremony.

36 (f) The violations of this Section and the resulting penalties
37 prescribed herein, *supra*, are in addition to other violations of public law
38 related to alcoholic beverages.”

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

Speaker Antonio R. Unipingco Legislative Session Hall

Bill No: 13-32 (COR)

Monday, February 18, 2013

9:00 P.M.

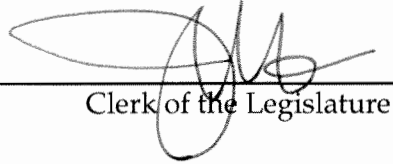
NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓	1			
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON					✓
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
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

14

1

CERTIFIED TRUE AND CORRECT:



 Clerk of the Legislature



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: 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

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Member

Speaker
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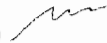
Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 28, 2013

Memorandum

To: **Reanne 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.

Bill Nos.: 10-32 (COR), 12-32 (COR), 13-32 (COR), 14-32 (COR), 20-32 (COR), and 23-32 (COR)

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 FEB 28 PM 4:49

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORRAY TENORIO
LIEUTENANT GOVERNORJOHN A. RIOS
DIRECTOR***FACSIMILE INFORMATION PAGE***PLEASE DELIVER TO: Senator Rory RespicioFACSIMILE NUMBER: 472-3547FROM: BBMRTotal Pages including this page: 15

If you do not receive legible copies of all the pages, please call back as soon as possible. Phone numbers (671) 475-9412/9450. Fax number (671) 472-2825

RE: Fiscal Note Waiver on the following Bill Nos.: 12-32(COR), 13-32(COR), 14-32(COR), 20-32(COR) and Fiscal Note Waivers on the following Bill Nos. 10-32(COR), and 23-32(COR).

COMMENTS: Fiscal Notes to be picked up via Central Files.

Thank You!

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932


EDDIE BAZA CALVO
GOVERNOR**JOHN A. RIOS**
DIRECTOR**RAY TENORIO**
LIEUTENANT GOVERNOR**FEB 28 2013**

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

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 12-32(COR), 13-32(COR), 14-32(COR), 20-32(COR) and Fiscal Note Waivers on the following Bill Nos. 10-32(COR), and 23-32(COR).

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



JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 40-32 (COR)
(for revenue generating provisions)

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

Comments:

According to an article dated Feb 2012, each violation entails a \$1,500 minimum fine. From Jan - April 2012, approximately 77 establishments were closed-down for violations. Bill 13-32 (COR) proposes a fine of not more than \$2,000 for violations. Based on the aforementioned data, a total of \$462K is expected annually or an increase of approximately 33%.

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 13-32 (COR)**

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

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
Total Department/Agency Appropriation(s) to date:	\$11,241,451

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$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
Total:	\$13,013,851	\$0	\$13,013,851

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
Total	\$0	\$0	\$0	\$0	\$0	\$0

- 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? // N/A // Yes / x / 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:

2/28/13
Analyst: Michael M. Aflague, B&M Analyst IV Date: 2/25/13 Director: John A. Rios, Director **FEB 28 2013**

Footnotes: See attachment for revenue generating provisions.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: 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

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Member

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Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 13, 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. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)

Hafa 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 FEB 14 AM 9:09 

Bill No. 1-32(LS) – J. T. Won Pat, Ed. D. / T.R. Muna Barnes

An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 2-32 (LS) – A. A. Yamashita

An act to repeal and reenact Section 1105 of Chapter1, Title2, Guam Code Annotated, relative to term limits for senators of the Guam Legislature.

Bill No. 3-32 (LS) – B.J.F. Cruz./ T.R. Muna-Barnes / V.A. Ada

AN ACT TO ADD A NEW CHAPTER 82 TO TITLE 12 OF THE GUAM CODE ANNOTATED; RELATIVE TO AUTHORIZING CERTAIN CONTRACTUAL ARRANGEMENTS FOR PUBLIC PRIVATE PARTNERSHIPS IN ORDER TO MOBILIZE PRIVATE RESOURCES FOR THE PURPOSE OF FINANCING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE AND DEVELOPMENT PROJECTS NORMALLY FINANCED AND UNDERTAKEN BY THE GOVERNMENT.

Bill No. 4-32 (LS) – T.A. Morrison / B.J.F. Cruz / V.A. Ada

AN ACT TO REPEAL AND RE-ENACT ARTICLE 2 OF CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING THE OFFICE OF TECHNOLOGY.

Bill No. 5-32 (LS) – T.A. Morrison

AN ACT TO ADD A NEW §40128 CHAPTER 40 OF 5GCA RELATIVE TO PLACING THE FORMER FQ SANCHEZ ELEMENTARY SCHOOL FACILITY UNDER THE JURISDICTION OF THE UMATAC MAYOR'S OFFICE.

Bill No. 6-32 (LS) – B.T. McCreddie, D.G. Rodriguez, Jr

AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT"

Bill No. 7-32 (COR) – J.T. Won Pat, Ed.D.

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

Bill No. 8-32 (COR) – R.J. Respicio

AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.

Bill No. 9-32 (COR) – V.C. Pangelinan

AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.

Bill No. 10-32 (COR) – B.J.F. Cruz

AN ACT TO ADD A NEW CHAPTER 39A TO TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO CREATING THE UNIFORM CHILD ABDUCTION PREVENTION ACT.

Bill No. 11-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW ARTICLE 9, TO CHAPTER 63, AND TO AMEND §5215 OF CHAPTER 5; AND TO AMEND § 63101, TO ADD A NEW (c) AND (d) TO § 63116, AND TO AMEND § 63129 OF CHAPTER 63 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO CREATING THE GUAM CORAL AND MARINE LIFE PROTECTION ACT.

Bill No. 12-32 (COR) - B.J.F. Cruz

AN ACT TO AMEND §90A101 AND §90A102 OF CHAPTER 90A OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PROHIBITION AND SALE OF CANDY CIGARETTES.

Bill No. 13-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

Bill NO. 14-32 (COR) – C.M. Duenas / V.A. Ada

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

Bill NO. 15-32 (COR) – T.R. Muna Barnes

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE FAMILY DWELLING (R-2)

Bill No. 16-32 (COR) – R.J. Respicio / C.M. Duenas

AN ACT TO REZONE LOT 2181-4NEW-R1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1, LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT PARCEL 4) IN THE MUNICIPALITY OF 2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TIYAN, BARRIGADA FROM AGRICULTURAL ZONE (A) TO LIGHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL.

Bill No. 17-32 (COR) – R.J. Respicio / T.C. Ada

AN ACT TO ALLOW FOR CONDITIONAL USE OF PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO FOR MEETINGS AND CULTURAL PURPOSES, SPECIFICALLY LOTS 15-3 AND 15-R3, BOTH OF TRACT 1413, WHICH ARE CURRENTLY ZONED "A" (AGRICULTURAL), CONTAINING AN AREA OF 4,208.7± SQUARE METERS, AND TIYAN, BARRIGADA BORDERS BY ALAGETA ROAD.

MESSAGE CONFIRMATION

FEB-13-2013 05:22 PM WED

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 3
START TIME : FEB-13-2013 05:21PM WED
ELAPSED TIME : 01' 00"
MODE : STD ECM
RESULTS : [O.K]



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guahan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislator.com
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February 13, 2013

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Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

*Received by: Cynalyn Estagnier
2/14/13
Confirmed via phone 107 for 9:03am 2/14/13*




Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



February 18, 2013

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos na Liheslaturan Guåhan
155 Hesler Place
Hagatna, Guam 96910

VIA: The Honorable Rory J. Respicio 
Chairman
Committee on Rules, Federal, Foreign & Micronesia Affairs,
Human & Natural Resources, and Election Reform


2013 FEB 18 AM 9:44

RE: Committee Report on Bill No. 13-32 (COR)

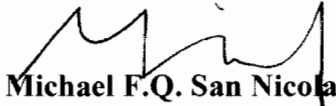
Dear Speaker Won Pat,

Håfa adai! Transmitted herewith is the committee report on Bill No. 13-32 (COR) – “AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.”

Committee votes are as follows:

- 7  TO DO PASS
- _____ TO NOT PASS
- _____ TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Respectfully,


Michael F.Q. San Nicolas



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE REPORT

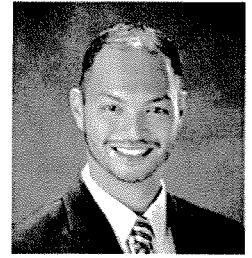
BILL NO. 13-32 (COR)

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



February 18, 2013

MEMORANDUM

TO: All Members
Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations

RE: **Committee Report on Bill No. 13-32 (COR)**

Håfa adai! Transmitted herewith for your consideration is the Committee Report on Bill No. 13-32 (COR) – “AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.”

This report includes the following:

- Committee Voting Sheet
- Report Digest
- Copy of Bill No. 13-32 (COR)
- Public Hearing Sign-in Sheet
- Copy of COR Referral of Bill No. 13-32 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Respectfully,

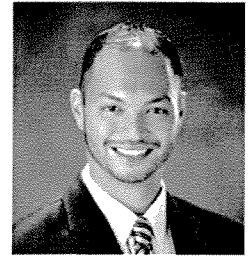


Michael F.Q. San Nicolas



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE VOTING SHEET

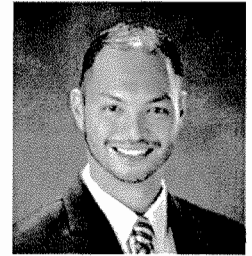
Bill No. 13-32 (COR) – “AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.”

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Michael F.Q. San Nicolas Chairman	 2/18/13	✓				
Senator Thomas C. Ada Vice Chairman	 2/18/13	✓				
Speaker Judith T. Won Pat, Ed.D. Member	 2/18/13	✓				
Vice Speaker Benjamin J.F. Cruz Member	 2/18/13					
Senator Tina Rose Muña Barnes Member						
Senator Vicente C. Pangelinan Member						
Senator Rory J. Respicio Member	 2-18-13					
Senator V. Anthony Ada Member		✓				
Senator Aline A. Yamashita, Ph.D. Member	 2/18/13					



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 13-32 (COR) was introduced on January 11, 2013 by Vice Speaker Benjamin J. Cruz, and was subsequently referred by the Committee on Rules to the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations on January 11, 2013.

The Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations convened a public hearing on Bill No. 13-32 (COR) on February 12, 2013 at 10:10 a.m. in *I Liheslatura's* Public Hearing Room. The hearing was adjourned at 10:55 a.m.

Public Notice Requirements

Public Hearing notices were disseminated via electronic mail to all senators and all main media broadcasting outlets on February 5, 2013 (5-Day Notice), and again on February 8, 2013 (48-Hour Notice).

Senators Present

Senator Michael F.Q. San Nicolas, Chairman
Senator Tom Ada, Vice Chairman
Speaker Judith T. Won Pat, Committee Member
Vice Speaker Benjamin J. Cruz, Committee Member
Senator Aline A. Yamashita, Committee Member
Senator Vicente C. Pangelinan, Committee Member
Senator Rory J. Respicio, Committee Member
Senator V. Anthony Ada, Committee Member
Senator Frank B. Aguon, Jr.

Public Testimony

None

II. TESTIMONY & DISCUSSION

Chairman Michael San Nicolas: Next on the agenda, we have Bill 13-32. We'll go ahead and begin testimony on that and I will yield to the author, Vice Speaker B.J. Cruz.

Vice Speaker Benjamin J. Cruz: Thank you very much, Mister Chairman and I would also like to thank you for your expeditious hearing of this bill. Bill 13-32 is referred to, nationwide, as the social host legislation. As of 2003, there were 31 states that already passed that legislation; I imagine that there would have been more. This idea was not one that I thought up myself. I have to give due credit to the people that suggested the legislation to me. In this hall, about three years ago, the Legislature hosted a group of high school students for Close Up and the young people were given an opportunity to discuss legislation that they thought the Guam Legislature should introduce. To my surprise, the number one bill that they recommended was adults who provide alcohol to minors should be held responsible, both

criminally and civilly, for any injuries that ensue as a result of the adult providing the alcohol. It was very timely that they brought this up because the previous year, on August 23, 2011, six kids left a party in Talofoto. They were driving down Route 4 and their car slid off the road and slammed into a telephone pole. One young boy was killed in the car. One young woman was maimed so badly that, about five months later when I was in the Philippines for a medical checkup, her mother was still there with her in the hospital. The young boy that was driving the car was incarcerated and is now facing 15-30 years in prison. The adult that provided the alcohol to these minors is merrily going along his life but we've ruined six families – one with a death; one with a child that's going to be in jail until they're older than you and almost as old as I. It really is irresponsible and I think that it's imperative that adults understand that there is a responsibility on their part to make sure that alcohol is not provided to minors. Bill 13-32 makes it very clear. We provide a new definition for 'furnish' which, very clearly says, 'furnish' means "to knowingly or intentionally supply, give or provide to or allow a person under 21 years of age." Then, we add a new Section 3436, "any person who sells, furnishes or provides alcoholic beverages to a person under the age of 21; owns, occupies or controls premises on which alcoholic are consumed by any person under the age of 21, and who knows of alcohol consumption by persons under 21 on such premises, and who reasonably could have prohibited or prevented such alcohol consumption shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both." That adult shall also be liable for all injuries or damages caused by the intoxicated person under the age of 21. We did provide that the intoxicated person under the age of 21, who causes the injury, shall not have a right of action under this part. I think it really is high time, Mister Chairman, that we as a community join the rest of the nation in passing a social host legislation. The young people that brought this to our attention were very sincere in their desire, if not their demand, that we as a community address this situation and hold adults, who cavalierly provide alcohol to minors, be held liable both civilly and criminally for all the injuries that ensue. As an example, that young man is still in jail and will be facing at least a 15 year jail sentence. A family has lost a child, one family has a maimed daughter and four other children will live with the memory of being in the car and witnessing their friend killed and/or maimed. So, I really hope that we will get this bill passed forthwith.

Chairman San Nicolas: Thank you, Vice Speaker Cruz. Are there any members of the community who wish to testify with regards to Bill 13-32? Are there any Senators who wish to comment on Bill 13-32? If no additional commentary, I will go ahead and conclude the hearing on Bill 13-32.

III. RECOMMENDATIONS


The Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations hereby reports out Bill No. 13-32(COR), with the recommendation TO DO PASS.

I MINA' TRENTAI DOS NA LIHESLATURAN GUÁHAN
2013 (First) Regular Session

2013 JUN 11 11:11:17

Bill No. 15-32(COR)

Introduced by:

B.J.F. Cruz 

**AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD
A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF
TITLE 11 GUAM CODE ANNOTATED RELATIVE TO
INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.**

BE IT ENACTED BY THE PEOPLE OF GUAM

Section 1. A new § 3123 is hereby *added* to Article 1 of Chapter 3 of Title 11 Guam Code Annotated to read:

“§ 3123. Furnish.

Furnish means to knowingly or intentionally supply, give, or provide to or allow a person under twenty-one (21) years of age.”

Section 2. A new § 3436 is hereby *added* to Article 4 of Chapter 3 of Title 11 Guam Code Annotated to read:

“§ 3436. Intoxication of Persons Under Age Twenty-One.

Any person twenty-one years or older who:

(1) Sells, furnishes, or provides alcoholic beverages to a person under the age of twenty-one (21) years; or

(2) Owns, occupies, or controls premises on which alcoholic beverages are consumed by any person under twenty-one (21) years of age, and who knows of

1 alcohol consumption by persons under twenty-one (21) years of age on such
2 premises, and who reasonably could have prohibited or prevented such alcohol
3 consumption;

4 (a) shall be punished by a fine of not more than \$2,000 or by
5 imprisonment for not more than one year or both.

6 (b) shall be liable for all injuries or damages caused by the intoxicated
7 person under twenty-one (21) years of age.

8 (c) An intoxicated person under the age of twenty-one (21) years who
9 causes an injury or damage shall have no right of action under this part.

10 (d) This section shall not apply to sales licensed under § 3419.”

11 **Section 3.** A new § 3437 is hereby *added* to Article 4 of Chapter 3 of Title
12 11 Guam Code Annotated to read:

13 **“§ 3437. Subrogation claims denied.**

14 There shall be no recovery for any subrogation claim pursuant to any
15 subrogation clause of an uninsured, underinsured, collision, or other first-party
16 coverage as a result of payments made to persons who have claims that arise in
17 whole or in part under § 3436.”



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: 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

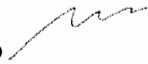
Senator
Aline Yamashita
Member

January 11, 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 Nos. 12 & 13-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. **12 & 13-32(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 'Trental Dos Na Liheslauran Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
13-32 (COR)	B.J.F. Cruz	AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.	1/11/2013 11:17am	1/11/13		Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations			



Search | Profile | Forward | Settings | Help | Sign out

First notice - 2.12.13 public hearing and roundtable meeting

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Tue, Feb 5, 2013 at 3:50 PM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: aperez@gpagwa.com, bmkelman@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, edavis@k57.com, editor@mvguam.com, gerry@mvguam.com, gmmsinc@guam.net, info@chinesetimesguam.com, jason@kuam.com, john@kuam.com, kcn.kelly@gmail.com, koreannews@guam.net, kprg@guam.net, life@guampdn.com, mabuhaynews@yahoo.com, mindy@kuam.com, mwatanabe@guampdn.com, news@k57.com, parroyo@k57.com, radioprod@kuam.com, rgibson@k57.com, sabrina@kuam.com, slimtiaco@guampdn.com, sports@mvguam.com, tcoffman@k57.com, dcrisost@guam.gannett.com, publisher@glimpsesofguam.com, weavert@pstripes.osd.mil, news@guampdn.com, jtyquiengco@spbgum.com, kevin@spbgum.com, hill.bruce@abc.net.au, pacificjournalist@gmail.com, parroyo@spbgum.com, editor@saipantribune.com, clynt@spbgum.com, mcpherson.kathryn@abc.net.au, cimiculka@guampdn.com, arcordoba@guampdn.com, communications@guam.gov, natalie.quinata@guam.gov, troy.torres@guam.gov, phnotice@guamlegislature.org, alerta.jermaine@gmail.com, baza.matthew@gmail.com, delisakloppenbug@gmail.com, geraldine@mvguam.com, joy@mvguam.com, louella@mvguam.com, david@mvguam.com, jpmanuel@gmail.com, josh@spbgum.com, speaker@judiwonpat.com, senadotbjcruz@aol.com, senator@tinamunabarnes.com, roryforguam@gmail.com, senatordrodriguez@gmail.com, senbenp@guam.net, office@senatorada.org, aline4families@gmail.com, tony@tonyada.com, duenasenator@gmail.com, brantforguam@gmail.com, aguon4guam@gmail.com, mike@mikelimtiaco.com, tommy@senatormorrison.com, mayormcdonald@hotmail.com, agatmayoroffice@hotmail.com, dinga1@live.com, asanmainamayoroffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, ocp.mayor@gmail.com, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, mayordorisfloreslujan@gmail.com, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayoremestc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, guammayor@gmail.com, rudyiriarte@gmail.com, talofofomayor@gmail.com, mayorlcrivera.tatuha@gmail.com, vicemayorksantos.tatuha@gmail.com, umatacmo@gmail.com, konex.r@gmail.com, arleen81@gmail.com, kenjoeada@yahoo.com, msavares@teleguam.net, anghet@hotmail.com, kenq@kuam.com, raymond.gibson@guam.gov, daleealvarez@gmail.com, responsibleguam@gmail.com, christopherchenay@gmail.com, floterlaje@gmail.com, derickbazahills@gmail.com, regineb.lee@gmail.com, chuck.ada@guamairport.net, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, george.santos@dol.guam.gov, carl.dominguez@dpw.guam.gov, jay.rojas@dpw.guam.gov, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, peter.calvo@geo.guam.gov, eric.palacios@epa.guam.gov, felixberto.dungca@grta.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portofguam.com, monte.mafnas@dlim.guam.gov, david.camacho@galc.guam.gov, mjduenas@ghura.org, fcamacho@ghura.org, martin.benavente@ghc.guam.gov, alfredo.antolin@dol.guam.gov, joseph.cameron@hrra.guam.gov, cgogue@pbsguam.org, Adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, leo.casil@dphss.guam.gov, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, tony.lamorena@csc.guam.gov, Benita.manglona@doa.guam.gov, Anthony.blaz@doa.guam.gov, jpcamacho@revtax.gov.gu, mmbenito@revtax.gov.gu, benny.m.paulino@ng.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jflores@gpagwa.com, ray.vega@dmhsa.guam.gov, ed.cruz@bit.guam.gov

**Please note that this is being sent as a correction to a previous email.*










Håfa adai all,

Please be advised that the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations will be conducting a public hearing on Tuesday, February 12, 2013, 10:00 a.m. The Committee will convene a roundtable meeting later that same day at 5:00 p.m. The hearing and the roundtable will both take place in *I Liheslaturan Guåhan's* Public Hearing Room. See attachments for more information. Thank you for your time and attention on this matter.

Regards,

Jermaine Alerta

9 attachments

-  **2.12.13 ph.pdf**
157K
-  **agenda_ph 2.12.13.pdf**
148K
-  **Bill No. 24-32 (COR).pdf**
64K
-  **Bill No. 36-32 (COR).pdf**
248K
-  **Bill No. 13-32 (COR).pdf**
92K
-  **Bill No. 33-32 (COR).pdf**
42K
-  **Bill No. 34-32 (COR).pdf**
181K
-  **2.12.13 roundtable.pdf**
143K
-  **agenda_roundtable 2.12.13.pdf**
135K



Senator Michael F.Q. San Nicolas

Chairman – Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



FIRST NOTICE OF PUBLIC HEARING

FOR IMMEDIATE RELEASE

February 5, 2013

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations will be conducting a public hearing on Tuesday, February 12, 2013, 10:00 a.m. at *I Liheslaturan Guåhan's* Public Hearing Room. Verbal and/or written testimony is being accepted for the following:

Bill No. 24-32 (COR), introduced by Frank B. Aguon, Jr.: AN ACT TO AMEND § 7120.3 OF CHAPTER 7, TITLE 16, OF THE GUAM CODE ANNOTATED RELATIVE TO WAIVER OF FEES FOR IMMEDIATE KIN OF FALLEN HEROES.

Bill No. 36-32 (COR), introduced by Michael F.Q. San Nicolas and V. Anthony Ada: AN ACT TO ADD A NEW (E) AND (F) TO §30111 OF CHAPTER 30, TITLE 2, GUAM CODE ANNOTATED AND A NEW §24307.1, §24307.2, §24307.3, §24307.4, §24307.5, §24307.6, §24307.7 TO CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REAL ESTATE APPRAISERS TO SUBMIT VALUATIONS TO THE DEPARTMENT OF REVENUE AND TAXATION AND TO AUTHORIZE THE DEPARTMENT OF REVENUE AND TAXATION TO ADJUST PROPERTY TAX ASSESSMENTS THEREWITH.

Bill No. 13-32 (COR), introduced by Benjamin J.F. Cruz: AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

Bill No. 33-32 (COR), introduced by V. Anthony Ada and Rory J. Respicio: AN ACT TO AMEND §7105 OF CHAPTER 7 OF 16GCA RELATIVE TO REQUIRING PROOF OF USE TAX PAYMENT AS A CONDITION OF REGISTRATION FOR VEHICLES ACQUIRED OFF-ISLAND.

Bill No. 34-32 (COR), introduced by V. Anthony Ada and Rory J. Respicio: AN [ACT TO] ADD A NEW §§ 7178 & 7179 TO 16GCA RELATIVE TO VEHICLE REGISTRATIONS.

Copies of the legislation may be obtained at www.guamlegislature.org. If written testimonies are to be presented at the hearing, copies should be delivered prior to the public hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact Flo Terlaje at 472-6453.

###



Second notice - 2.12.13 public hearing and roundtable

Second notice - 2.12.13 public hearing and roundtable

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Fri, Feb 8, 2013 at 9:59 AM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: aperez@gpagwa.com, bmkelman@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, edavis@k57.com, editor@mvguam.com, gerry@mvguam.com, gmmsinc@guam.net, info@chinesetimesguam.com, jason@kuam.com, john@kuam.com, kcn.kelly@gmail.com, koreannews@guam.net, kprg@guam.net, life@guampdn.com, mabuhaynews@yahoo.com, mindy@kuam.com, mwatanabe@guampdn.com, news@k57.com, parroyo@k57.com, radioprod@kuam.com, rgibson@k57.com, sabrina@kuam.com, slimtiaco@guampdn.com, sports@mvguam.com, tcoffman@k57.com, dcrisost@guam.gannett.com, publisher@glimpsesofguam.com, weavert@pstripes.osd.mil, news@guampdn.com, jtyquiengco@spbgum.com, kevin@spbgum.com, hill.bruce@abc.net.au, pacificjournalist@gmail.com, parroyo@spbgum.com, editor@saipantribune.com, clynt@spbgum.com, mcpherson.kathryn@abc.net.au, cimiculka@guampdn.com, arcordoba@guampdn.com, communications@guam.gov, natalie.quinata@guam.gov, troy.torres@guam.gov, phnotice@guamlegislature.org, alerta.jemaine@gmail.com, baza.matthew@gmail.com, delisakloppenburg@gmail.com, geraldine@mvguam.com, joy@mvguam.com, louella@mvguam.com, david@mvguam.com, jpmanuel@gmail.com, josh@spbgum.com, speaker@judiwonpat.com, senadotbjacruz@aol.com, senator@tinamunabames.com, roryforguam@gmail.com, senatordrodriguez@gmail.com, senbenp@guam.net, office@senatorada.org, aline4families@gmail.com, tony@tonyada.com, duenasenator@gmail.com, brantforguam@gmail.com, aguon4guam@gmail.com, mike@mikelimtiaco.com, tommy@senatormorrison.com, mayormcdonald@hotmail.com, agatmayorsoffice@hotmail.com, dinga1@live.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, ocp.mayor@gmail.com, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, mayordorisfloreslujan@gmail.com, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayoremestc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, guammayor@gmail.com, rudyiriarte@gmail.com, talofofomayor@gmail.com, mayorlcrivera.tatuha@gmail.com, vicemayorksantos.tatuha@gmail.com, umatacmo@gmail.com, konex.r@gmail.com, arleen81@gmail.com, kenjoeada@yahoo.com, msavares@teleguam.net, anghet@hotmail.com, kenq@kuam.com, raymond.gibson@guam.gov, dalealvarez@gmail.com, responsibleguam@gmail.com, christopherchenay@gmail.com, floterlaje@gmail.com, derickbazahills@gmail.com, regineb.lee@gmail.com, chuck.ada@guamairport.net, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, george.santos@dol.guam.gov, carl.dominguez@dpw.guam.gov, jay.rojas@dpw.guam.gov, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, peter.calvo@geo.guam.gov, eric.palacios@epa.guam.gov, felixberto.dungca@grta.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portofguam.com, monte.mafnas@dlim.guam.gov, david.camacho@galc.guam.gov, mjduenas@ghura.org, fcamacho@ghura.org, martin.benavente@ghc.guam.gov, alfredo.antolin@dol.guam.gov, joseph.cameron@hrra.guam.gov, cgogue@pbsguam.org, Adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, leo.casil@dphss.guam.gov, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, tony.lamorena@csc.guam.gov, Benita.manglona@doa.guam.gov, Anthony.blaz@doa.guam.gov, jpcamacho@revtax.gov.gu, mmbenito@revtax.gov.gu, benny.m.paulino@ng.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jflores@gpagwa.com, ray.vega@dmhsa.guam.gov, ed.cruz@bit.guam.gov

Håfa adai,










Please be advised that the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations will be conducting a public hearing on Tuesday, February 12, 2013, 10:00 a.m. The Committee will convene a roundtable meeting later that same day at 5:00 p.m. The hearing and the roundtable will both take

place in *I Liheslaturan Guâhan's* Public Hearing Room. See attachments for more information. Thank you for your time and attention on this matter.

Regards,

Jermaine Alerta

9 attachments

-  **2.12.13 ph.pdf**
157K
-  **agenda_ph 2.12.13.pdf**
148K
-  **Bill No. 24-32 (COR).pdf**
64K
-  **Bill No. 36-32 (COR).pdf**
248K
-  **Bill No. 13-32 (COR).pdf**
92K
-  **Bill No. 33-32 (COR).pdf**
42K
-  **Bill No. 34-32 (COR).pdf**
181K
-  **2.12.13 roundtable.pdf**
143K
-  **agenda_roundtable 2.12.13.pdf**
135K



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



SECOND NOTICE OF PUBLIC HEARING

FOR IMMEDIATE RELEASE

February 8, 2013

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations will be conducting a public hearing on Tuesday, February 12, 2013, 10:00 a.m. at *I Liheslaturan Guåhan's* Public Hearing Room. Verbal and/or written testimony is being accepted for the following:

Bill No. 24-32 (COR), introduced by Frank B. Aguon, Jr.: AN ACT TO AMEND § 7120.3 OF CHAPTER 7, TITLE 16, OF THE GUAM CODE ANNOTATED RELATIVE TO WAIVER OF FEES FOR IMMEDIATE KIN OF FALLEN HEROES.

Bill No. 36-32 (COR), introduced by Michael F.Q. San Nicolas and V. Anthony Ada: AN ACT TO ADD A NEW (E) AND (F) TO §30111 OF CHAPTER 30, TITLE 2, GUAM CODE ANNOTATED AND A NEW §24307.1, §24307.2, §24307.3, §24307.4, §24307.5, §24307.6, §24307.7 TO CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REAL ESTATE APPRAISERS TO SUBMIT VALUATIONS TO THE DEPARTMENT OF REVENUE AND TAXATION AND TO AUTHORIZE THE DEPARTMENT OF REVENUE AND TAXATION TO ADJUST PROPERTY TAX ASSESSMENTS THEREWITH.

Bill No. 13-32 (COR), introduced by Benjamin J.F. Cruz: AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

Bill No. 33-32 (COR), introduced by V. Anthony Ada and Rory J. Respicio: AN ACT TO AMEND §7105 OF CHAPTER 7 OF 16GCA RELATIVE TO REQUIRING PROOF OF USE TAX PAYMENT AS A CONDITION OF REGISTRATION FOR VEHICLES ACQUIRED OFF-ISLAND.

Bill No. 34-32 (COR), introduced by V. Anthony Ada and Rory J. Respicio: AN [ACT TO] ADD A NEW §§ 7178 & 7179 TO 16GCA RELATIVE TO VEHICLE REGISTRATIONS.

Copies of the legislation may be obtained at www.guamlegislature.org. If written testimonies are to be presented at the hearing, copies should be delivered prior to the public hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact Flo Terlaje at 472-6453.

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Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



PUBLIC HEARING

Tuesday, February 12, 2013

10:00 a.m.

Public Hearing Room

I Liheslaturan Guåhan

AGENDA

I. Call to Order

II. Opening Remarks/Announcements

III. Items for Public Consideration

Bill No. 24-32 (COR), introduced by Frank B. Aguon, Jr.: AN ACT TO AMEND § 7120.3 OF CHAPTER 7, TITLE 16, OF THE GUAM CODE ANNOTATED RELATIVE TO WAIVER OF FEES FOR IMMEDIATE KIN OF FALLEN HEROES.

Bill No. 36-32 (COR), introduced by Michael F.Q. San Nicolas and V. Anthony Ada: AN ACT TO ADD A NEW (E) AND (F) TO §30111 OF CHAPTER 30, TITLE 2, GUAM CODE ANNOTATED AND A NEW §24307.1, §24307.2, §24307.3, §24307.4, §24307.5, §24307.6, §24307.7 TO CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REAL ESTATE APPRAISERS TO SUBMIT VALUATIONS TO THE DEPARTMENT OF REVENUE AND TAXATION AND TO AUTHORIZE THE DEPARTMENT OF REVENUE AND TAXATION TO ADJUST PROPERTY TAX ASSESSMENTS THEREWITH. *hearing of Bill No. 36-32 (COR) postponed until further notice*

Bill No. 13-32 (COR), introduced by Benjamin J.F. Cruz: AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

Bill No. 33-32 (COR), introduced by V. Anthony Ada and Rory J. Respicio: AN ACT TO AMEND §7105 OF CHAPTER 7 OF 16GCA RELATIVE TO REQUIRING PROOF OF USE TAX PAYMENT AS A CONDITION OF REGISTRATION FOR VEHICLES ACQUIRED OFF-ISLAND.

Bill No. 34-32 (COR), introduced by V. Anthony Ada and Rory J. Respicio: AN [ACT TO] ADD A NEW §§ 7178 & 7179 TO 16GCA RELATIVE TO VEHICLE REGISTRATIONS.

IV. Closing Remarks

V. Adjournment



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: 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

February 21, 2012

MEMORANDUM

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

From: **Senator Rory J. Respicio** 

Subject: **Supplement to Committee Report
Substitute Bill No. 13-32 (COR)**


Hafa Adai!

Transmitted herewith is a memo from Senator Michael F.Q. San Nicolas, Chairperson, Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations, forwarding Substitute Bill No. 13-32 (COR).

Please include this memo and the attachment as a "Supplement" to the Committee Report on Substitute Bill No. 13-32 (COR).

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

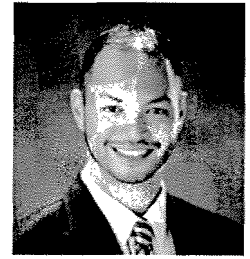
Si Yu'os ma'åse'!


2013 FEB 21 AM 9:33



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



February 21, 2013

Senator Rory J. Respicio
Chairman
Committee on Rules, Federal, Foreign & Micronesian Affairs,
Human & Natural Resources, and Election Reform
I Mina'Trentai Dos na Liheslaturan Guåhan

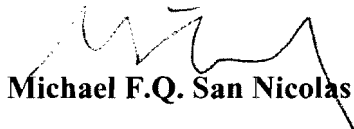
RE: Substitute Bill No. 13-32 (COR)

Dear Senator Respicio,

Håfa adai! Attached is Bill No. 13-32 (COR), as substituted by the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations, which I am submitting for consideration by the body, as an addendum to the Committee Report on Bill 13-32 (COR).

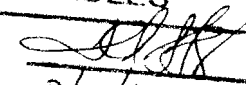
If you have any questions, please do not hesitate to contact my office.

Respectfully,


Michael F.Q. San Nicolas

Attachment

2013 FEB 21 AM 9:33

COMMITTEE ON RULES	
Name	
Date/Time:	2/21/13 9:15a

1 knowledge that the person to whom the alcoholic beverage is made available will
2 violate this subsection; or

3 (2) Who owns, occupies, or controls premises on which alcoholic beverages
4 are consumed by any person under twenty-one (21) years of age, and who knows
5 of alcohol consumption by persons under twenty-one (21) years of age on such
6 premises, and who reasonably could have prohibited or prevented such alcohol
7 consumption;

8 (a) shall be punished by a fine of not more than \$2,000 or by
9 imprisonment for not more than one year or both;

10 (b) In addition to the sentence referenced in (a) the court may require
11 the violator to make restitution for any damages to property or a person
12 caused by a violation of §70.53, and may require participation in volunteer
13 service to a community service agency;

14 (c) The prohibitions of this subsection apply only to a person who is
15 present and in control of the location at the time the consumption occurs.
16 The prohibitions of this subsection do not apply to the owner of rental
17 property, or the agent of an owner of rental property, unless the consumption
18 occurs in the individual unit in which the owner or agent resides;

19 (d) The penalties of this section shall not apply to persons licensed or
20 appointed to manufacture, transport or sell alcohol under Public Law acting
21 in a lawful manner;

22 (e) This section shall not apply to any religious practice, observance,
23 or ceremony;

24 (f) The violations of this Article and the resulting penalties prescribed
25 herein this Article, supra, are in addition to other violations of Public Law
26 related to alcoholic beverages.”



COMMITTEE ON RULES

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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 11, 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 Nos. 12 & 13-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. **12 & 13-32(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

2013 JAN 11 AM 11:17

WPC

Bill No. 15-32(COR)

Introduced by:

B.J.F. Cruz 

**AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD
A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF
TITLE 11 GUAM CODE ANNOTATED RELATIVE TO
INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.**

BE IT ENACTED BY THE PEOPLE OF GUAM

Section 1. A new § 3123 is hereby *added* to Article 1 of Chapter 3 of Title 11 Guam Code Annotated to read:

“§ 3123. Furnish.

Furnish means to knowingly or intentionally supply, give, or provide to or allow a person under twenty-one (21) years of age.”

Section 2. A new § 3436 is hereby *added* to Article 4 of Chapter 3 of Title 11 Guam Code Annotated to read:

“§ 3436. Intoxication of Persons Under Age Twenty-One.

Any person twenty-one years or older who:

(1) Sells, furnishes, or provides alcoholic beverages to a person under the age of twenty-one (21) years; or

(2) Owns, occupies, or controls premises on which alcoholic beverages are consumed by any person under twenty-one (21) years of age, and who knows of

1 alcohol consumption by persons under twenty-one (21) years of age on such
2 premises, and who reasonably could have prohibited or prevented such alcohol
3 consumption;

4 (a) shall be punished by a fine of not more than \$2,000 or by
5 imprisonment for not more than one year or both.

6 (b) shall be liable for all injuries or damages caused by the intoxicated
7 person under twenty-one (21) years of age.

8 (c) An intoxicated person under the age of twenty-one (21) years who
9 causes an injury or damage shall have no right of action under this part.

10 (d) This section shall not apply to sales licensed under § 3419.”

11 **Section 3.** A new § 3437 is hereby *added* to Article 4 of Chapter 3 of Title
12 11 Guam Code Annotated to read:

13 **“§ 3437. Subrogation claims denied.**

14 There shall be no recovery for any subrogation claim pursuant to any
15 subrogation clause of an uninsured, underinsured, collision, or other first-party
16 coverage as a result of payments made to persons who have claims that arise in
17 whole or in part under § 3436.”
