I Mina'trentai Siette Na Liheslaturan Guåhan
THE THIRTY-SEVENTH GUAM LEGISLATURE
Bill HISTORY
1/25/2023 10:10 AM

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
15-37 (COR)	William A. Parkinson Roy Anthony Benavente Quinata Dwayne T. D San Nicolas	AN ACT TO *AMEND* SECTIONS §§3123 AND §§3230 OF CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED; RELATIVE TO REPEALING THE REQUIREMENT FOR NON-MANAGER AND NON-SUPERVISOR EMPLOYEES TO ATTAIN AN ALCOHOL EMPLOYEE LICENSE.	1/25/23 10:00 a.m.						

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

Bill No. 15-37 (COR)

Introduced by:

William A. Parkinson
Roy A. B. Quinata
Dwayne T. D San Nicolas

AN ACT TO *AMEND* SECTIONS §§3123 AND §§3230 OF CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED; RELATIVE TO REPEALING THE REQUIREMENT FOR NON-MANAGER AND NON-SUPERVISOR EMPLOYEES TO ATTAIN AN ALCOHOL EMPLOYEE LICENSE

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

2　**SECTION 1. Legislative Findings and Intent.**

3　*I Liheslatura* finds that Public Law 32-51 was enacted in 2014, requiring all

4　waiters, waitresses, convenience store clerks, supermarket cashiers, and all others

5　who may sell or serve alcohol to attend an approved alcohol beverage service class

6　and acquire a license in order to work. This leads to thousands of employees or

7　potential hires having to take this class and pay for licensure in order to provide for

8　their families.

9　While the bill had the best of intentions and the potential to truly be effective

10　for a safer Guam, the empirical data has shown that it has not worked in reducing

11　the DUI related accidents, fatalities or injuries. In fact, all those categories,

12　according to statistics from the Guam Police Department, DUI related accidents,

13　fatalities and injuries have drastically increased. In 2016, a couple years after the

14　enactment of Public Law 32-51, there were 55 crash incidents involving DUI. By

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2018, the number was 137. In 2016, there were 16 DUIs with Personal Injuries. By 2019, there were 25.   In 2016, there were 0 DUI related fatalities. In 2019, there were 3.

While the empirical evidence shows no positive effect on DUI accidents, fatalities and injuries, the regulation and mandate by the government to take this class in order to work remains for thousands of employees. *I Liheslatura* finds that in order to reduce barriers to work for thousands of people, only managers and supervisors shall be required by the government to attend the responsible alcohol beverage server class. Employers may still require their employees to attend responsible alcohol beverage service classes, but it will not be mandated by the government.

SECTION 2. §§3123 of Article 1 of Chapter 3, Title 11, Guam Code Annotated are *amended* to read:

"§ 3123. Alcohol Employee. Alcohol employee means a person employed by any on-sale or off-sale licensee ~~who sells or serves alcoholic beverages, or~~ who supervises others who sell or serve alcoholic beverages. This includes, but is not limited to, ~~bartenders, waitresses, waiters, hostesses, hosts, cashiers, checkout clerks,~~ supervisors, and managers of licensees who are holders of Class 4, 5, 6, 7, 9, 10, 11, and 12 ABC Licenses.

SECTION 3. §§3230 (a) of Article 2 of Chapter 3, Title 11, Guam Code Annotated, is *amended* to read:

"§ 3230. Alcohol Employee License.

(a) An Alcohol Employee License shall be required for all persons ~~who sell or serve,~~ supervise or manage those who sell or serve alcoholic beverages for holders of Class 4, 5, 6, 7, 9, 10, 11, and 12 ABC Licenses.

SECTION 4. Date of Enactment. This Act shall become effective upon enactment.

SECTION 5. Severability. If any provision of this Act or its application to

1   any person or circumstance is found to be invalid or contrary to law, such invalidity

2   shall not affect other provisions or applications of this Act that can be given effect

3   without the invalid provision or application, and to this end the provisions of this

4   Act are severable.