

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
82-37 (LS)	Dwayne T. D. San Nicolas Tina Rose Muña Barnes Christopher M. Dueñas William A. Parkinson Jesse A. Lujan Joe S. San Agustin Roy A. B. Quinata	AN ACT TO AMEND §7120.2, §7120.5, §7160(e), AND §7161(f) OF CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING REPUBLIC OF KOREA VETERANS AND DISTINGUISHED FLYING CROSS RECIPIENTS TO QUALIFY FOR GUAM VETERAN LICENSE PLATES; AND TO ALLOW MORE DOCUMENTS TO BE USED FOR VETERAN QUALIFICATIONS.	3/24/23 3:02 p.m.						

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

Bill No.82-37 (LS)

Introduced by:

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**AN ACT TO AMEND §7120.2, §7120.5, §7160(e), AND §7161(f)
OF CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED,
RELATIVE TO ALLOWING REPUBLIC OF KOREA
VETERANS AND DISTINGUISHED FLYING CROSS
RECIPIENTS TO QUALIFY FOR GUAM VETERAN
LICENSE PLATES; AND TO ALLOW MORE DOCUMENTS
TO BE USED FOR VETERAN QUALIFICATIONS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that, according to the current definition of a veteran in the qualifications for veteran
4 license plates, Republic of Korea (RoK) soldiers who served with the U.S Forces
5 during Vietnam War and have become U.S citizens and those who have received the
6 Distinguished Flying Cross are not included under the category, making it so that
7 those who have received these honorable and prestigious titles are unable to qualify
8 for veteran license plates. RoK veterans and those who are recipients of the
9 Distinguished Flying Cross have bravely fought for our behalf and are more than

10 deserving of all the benefits that can be provided to them, especially license plates
11 that denote their service to our country. The fact that these veterans are excluded
12 from this basic benefit is a transgression that needs to be remedied as soon as
13 possible. This matter, especially for RoK veterans, is of the utmost concern as,
14 according to the Guam Office of Veterans Affairs, the number of RoK veterans
15 remaining in the island is five. This issue needs to be addressed as soon as possible
16 in order to prevent the injustice of not honoring those who bravely fought for us and
17 our country.

18 *I Liheslaturan Guåhan* also finds that states like California, New York,
19 Pennsylvania, and Arkansas, as well as our Nation’s Congress, have taken steps to
20 address the exclusion of RoK veterans. Recently, the U.S House of Representatives
21 passed a resolution to amend the Fiscal Year 2022 National Defense Authorization
22 Act (NDAA), which recognizes the contributions of Korean and Korean-American
23 veterans, and introduced H.R. 234, Korean American VALOR Act, which, if passed,
24 would grant healthcare and medical benefits to these veterans. States like California
25 and Pennsylvania also provide veteran license plates to Korean veterans, and states
26 like Arkansas and New York have unique veteran license plates that properly denote
27 their status. *Guåhan* needs to follow the examples of these states and our House of
28 Representatives in regards to recognizing and honoring our Korean veterans.

29 *I Liheslaturan Guåhan* further finds that documents such as the National
30 Guard Bureau 21 (NGB21), Armed Forces Retirement Certificate, and Armed
31 Forces Statement of Personnel Record are not included in the documents that can be
32 used to qualify as a veteran, making it inconvenient for some veterans to qualify for
33 the status.

34 With these reasons in mind, *I Liheslaturan Guåhan* intends to amend the
35 definition of a veteran in order to allow Republic of Korea soldiers who fought
36 alongside the U.S during Vietnam War and recipients of the Distinguished Flying

1 Cross to receive veteran license plates, as well as update the list of documents that
2 can be used to qualify as a veteran. With this legislation, these veterans will finally
3 be able to receive something they should have been entitled to in the first place.

4 **Section 2.** § 7120.2 of Chapter 7, Title 16, Guam Code Annotated is hereby
5 amended to read as follows:

6 **“§ 7120.2. Veteran License Plates.**

7 (a) The purpose of this Section is to provide a veteran license plate(s)
8 for veterans who reside on Guam.

9 (b) Definitions. Term used in this Section is defined as follows:

10 (1) Veteran, as it applies to this Law, means a person who served
11 in the active duty military service in the U.S. Army, U.S. Air Force,
12 U.S. Navy, U.S. Marine Corps or U.S. Coast Guard; also the Army or
13 Air National Guard or active reserve component of the Army, Air Force
14 or Navy, Republic of Korea (RoK) soldiers who fought alongside the
15 U.S military during Vietnam War and have acquired U.S citizenship,
16 and who was discharged or released under conditions other than
17 dishonorable. Additionally, it means a person who served during World
18 War II in the Guam Combat Patrol, Wake Island Defenders, Guam
19 Militia or Civilian Scouts.

20 (c) Application.

21 (1) Any person who is a veteran, verified by the Department of
22 Defense 214 form (DD214), National Guard Bureau 21 (NGB21),
23 Armed Forces Retirement Certificate, Armed Forces Statement of
24 Personnel Record, or who otherwise is qualified under Subsection (b)
25 (1) of this Section and ~~certified~~ certified by the government of Guam
26 Veterans Affairs Office, and is the registered owner or lessee of a
27 passenger vehicle registered with the Department of Revenue and

1 Taxation, or who makes application for an original registration or
2 renewal registration of any such vehicle, may apply to the Motor
3 Vehicle Division of the Department of Revenue and Taxation for a
4 veteran license plate(s), which shall be affixed to the passenger vehicle
5 for which registration is sought in lieu of regular license plates.

6 (2) The Motor Vehicle Division shall, ~~with documented consent~~
7 ~~of the party of interest,~~ transmit a copy of all DD214 forms or other
8 proof of Veteran status submitted pursuant to this Section to the Office
9 of Veterans Affairs for the purpose of updating the Guam Veterans
10 Registry no later than thirty (30) days after the date of acceptance by
11 the Motor Vehicle Division.

12 (A) Transmission of forms may be made by electronic
13 means over a secured network as prescribed by the Office of
14 Technology and the Office of Veterans Affairs.

15 (B) The Office of Veterans Affairs shall have the authority
16 to adopt regulations to implement and administer the provisions
17 of this Section and ensure the confidentiality of Veteran
18 information.

19 (d) Color and Design. A veteran license plate shall be the same standard
20 size and shape as a regular passenger vehicle with the additional features as
21 follows:

22 (1) Below the line 'GUAM USA,' will be the word 'VETERAN'
23 (in black lettering) bordered on the left by the United States Flag and
24 on the right by the Guam Flag;

25 (2) On the next line, in the middle, will be the license plate
26 number (in blue lettering) in alpha numeric format designating branch
27 of service and numerical sequence, such as A001 (Army), AF050 (Air

1 Force), N022 (Navy), MC033 (Marine Corps), CG006 (Coast Guard),
2 NG310 (Army or Air National Guard), R711 (Army, Air or Naval
3 Reserves), GCP001 (Guam Combat Patrol), WD007 (Wake Island
4 Defender), GM019 (Guam Militia),—~~or~~ CS042 (Civilian Scout),
5 Distinguished Flying Cross, or Republic of Korea (RoK). For a
6 qualified person with a disability, as defined under Title 16 Guam Code
7 Annotated § 7120.1, the veteran license plate shall display the
8 International Symbol of Accessibility in the same size as the letters and
9 numbers on the plate.

10 (3) Below the license number, will be a line reserved for decal
11 entries denoting recipients of medals of valor, combat duty or disabled
12 person’s symbols. Such entries shall include: ‘DISTINGUISHED
13 SERVICE CROSS,’ ‘SILVER STAR,’ ‘BRONZE STAR,’
14 ‘DISTINGUISHED FLYING CROSS,’ ‘PURPLE HEART’ OR
15 ‘COMBAT WOUNDED,’ or other equivalent awards.

16 (e) Fee. The fee for the issuance of a veteran license plate shall not
17 exceed the fee charged for a similar license plate for the same class of vehicle.

18 (f) Issuance. A veteran license plate(s) shall be issued only to the
19 registered owner or lessee of the vehicle on which they are to be displayed.
20 Registration for a veteran license plate shall be limited to two (2) vehicles per
21 veteran.”

22 **Section 4.** § 7120.5 of Chapter 7, Title 16, Guam Code Annotated is hereby
23 amended to read as follows:

24 **“§ 7120.5. Special Recognition Veterans License Plate.**

25 (a) The purpose of this Section is to provide a special recognition
26 veterans license plate for active duty members and veterans of the United
27 States Armed Forces who are recipients of a military award for:

1 (1) acts of valor and have been awarded a Medal of Honor,
2 Distinguished Service Cross, Distinguished Flying Cross, Navy Cross,
3 Air Force Cross, Silver Star or the Bronze Star w/ “V” device; or

4 (2) wounds received in combat action, and have been awarded
5 the Purple Heart medal. Persons eligible for the special recognition
6 veterans license plate must reside on Guam and own a motor vehicle
7 registered to be operated on Guam’s streets and highways.

8 (b) Application. Applications for special recognition veterans license
9 plates shall be submitted to the Motor Vehicle Division of the Department of
10 Revenue and Taxation, subject to the following:

11 (1) A recipient of a military award described in Subsection (a) of
12 this Section must provide verification of the award received by
13 providing a Department of Defense 214 Form (DD214), National
14 Guard Bureau 21 (NGB21), Armed Forces Retirement Certification,
15 and certification from the Government of Guam Veterans Affairs
16 Office.

17 (2) A resident of Guam who is the registered owner of a
18 passenger vehicle currently registered with the Department of Revenue
19 and Taxation, but desires to exchange the current license plate on the
20 vehicle for a special recognition veterans license plate, or who makes
21 application for an original registration or renewal registration of any
22 such vehicle, may apply for a special recognition veterans license
23 plate(s), which shall be affixed to the passenger vehicle for which
24 registration is sought in lieu of regular license plates.

25 (3) Numerical Sequence of License Plates. Forty-five (45) days
26 after enactment, all eligible persons interested in obtaining a special
27 recognition veterans license plate shall register with the Guam Veterans

1 Affairs Office and provide a copy of their DD Form 214, National
2 Guard Bureau 21 (NGB21), Armed Forces Retirement Certification, or
3 Armed Forces Statement of Personnel Record. The registration list shall
4 be used to determine the numerical sequence of the license plate to be
5 issued, based on the date the award was made to the recipient by the
6 U.S. Department of Defense or equivalent federal agency. Thereafter,
7 the numerical sequence of license plates shall be made according to the
8 date of application.

9 (c) Color and Design. A special recognition veterans license plate shall
10 be the same standard size and shape as a regular passenger vehicle license
11 plate. The type and style of the special recognition veterans license plate shall
12 be determined by the Director of the Department of Revenue and Taxation
13 and the Administrator of the Guam Veterans Affairs Office, in consultation
14 with the Guam Veterans Commission.

15 (d) Fee. The fee for the issuance of a special recognition veterans
16 license plate shall not exceed the fee charged for a regular license plate for the
17 same class of vehicle.

18 (e) Issuance. A special recognition veterans license plate shall be
19 issued only to the eligible registered owner of the vehicle on which they are
20 to be displayed. Registration for a special recognition veterans license plate
21 shall be limited to two (2) vehicles per recipient. However, the numerical
22 sequence of the license plates for the second vehicle shall come from the batch
23 that is available after the initial registration period described in Subsection
24 (b)(3) of this Section. The fee for additional plates shall be the same as for a
25 personalized license plate.

26 (f) Surviving Spouse. The surviving spouse will be able to continue
27 the use of the special recognition veterans license plates after the veteran

1 spouse's death, provided he/she does not remarry and remains as the surviving
2 spouse of the eligible recipient, by submitting applicable verifying documents
3 to the Department of Revenue and Taxation, a copy of the spouse veteran's
4 death certificate, a certification from the Guam Office of Veterans Affairs,
5 and paying the applicable registration fees."

6 **Section 5.** § 7160(e) of Chapter 7, Title 16, Guam Code Annotated is hereby
7 amended to read as follows:

8 "(e) (1) The annual license and registration fee in § 7160(a) shall be waived
9 upon the initial issuance and the subsequent renewal of the vehicle license and
10 registration for:

11 (A) any Veteran determined by the U.S. Department of Veterans
12 Affairs (USDVA) to be 100% Disabled or Individually Unemployable due to
13 military service connected injuries, with certification from the Guam Office
14 of Veterans Affairs; and

15 (B) the spouse, legal guardian, or surviving spouse, as defined in §
16 67101 of Chapter 67, Title 10, Guam Code Annotated, and as authorized by §
17 4B101 of Article 1B of Chapter 4, Title 4, Guam Code Annotated, and to Gold
18 Star parents who are eligible pursuant to § 7120.3(b) of this Chapter.

19 (i) Eligible persons in Subsections (A) or (B) shall verify their
20 status with a military identification card, to include the DD Form 2
21 214, DD Form 1173, DD Form 2765, National Guard Bureau 21
22 (NGB21), Armed Forces Retirement Certificate, Armed Forces
23 Statement of Personnel Record, or other accepted forms used to verify
24 eligibility status and ~~certified~~ certified by the government of Guam
25 Office of Veterans Affairs (OVA).

26 (ii) The eligibility period for persons in Subsection (B) shall be
27 consistent with §§ 4B103, 4B104, or 4B105 of Article 1B of Chapter 4,

1 Title 4, Guam Code Annotated, and the eligibility period for Gold Star
2 parents shall be the same as the eligibility period for a surviving spouse.

3 (C) The recipients of at least one of the following military awards: the
4 Medal of Honor, the Distinguished Service Cross (U.S. Army), the Navy
5 Cross (U.S. Navy and Marine Corps), the Coast Guard Cross (U.S. Coast
6 Guard), the Distinguished Flying Cross (U.S. Air Force), the Silver Star, the
7 Bronze Star with “V” Device, or the Purple Heart Medal.

8 (2) The fee shall be waived for one (1) noncommercial passenger vehicle,
9 which includes sedans, coupes, pick-up trucks, motorcycles, and station wagons
10 manufactured primarily for the purpose of carrying passengers, and including those
11 passenger cars pulling other light trailers, registered to the Veteran, or eligible
12 persons applying for benefits under this Section.

13 (3) A document issued by the USDVA or a U.S. military ID card, with
14 certification from the Guam Office of Veterans Affairs, which certifies the disability
15 rating, must be furnished to the Department of Revenue and Taxation in order to
16 waive the annual Motor Vehicle License and Registration Assessment.”

17 **Section 6.** § 7161(f) of Chapter 7, Title 16, Guam Code Annotated is hereby
18 amended to read as follows:

19 “(f) The Street Light Fund Fee in this Section shall be waived upon initial
20 issuance and subsequent renewal of vehicle license and registration for any Veteran
21 determined by the U.S. Department of Veterans Affairs (USDVA) and with
22 certification from the Guam Office of Veterans Affairs to be 100% Disabled or
23 Individually Unemployable due to military service connected injuries.

24 (1) The fee shall be waived for one (1) non-commercial passenger
25 vehicle, which includes sedans, coupes, pick-up trucks, motorcycles and
26 station wagons manufactured primarily for the purpose of carrying
27 passengers, and including those passenger cars pulling other light trailers,

1 registered to the Veteran, or legal guardian applying for benefits under this
2 Section.

3 (2) A document issued by the USDVA or a U.S. military ID card and a
4 certification by the Guam Office of Veterans Affairs, which certifies the
5 disability rating, must be furnished to the Department of Revenue and
6 Taxation in order to waive the annual Street Light Fund Fee.”

7 **Section 6. Severability.** *If* any of the provisions of this Act or the application
8 thereof to any person or circumstance is held invalid, such invalidity *shall not* affect
9 any other provision or application of this Act which can be given effect without the
10 invalid provision or application, and to this end the provisions of this Act are
11 severable.

12 **Section 7. Effective Date.** This Act *shall* become effective upon enactment.