

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

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

Speaker Antonio R. Unpingco Legislative Session Hall
Guam Congress Building
June 30, 2023

TOTAL

15

0

Aye

Nay

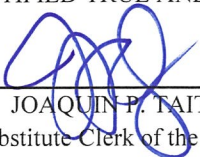
Not
Voting/
Abstained

Out
During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



JOAQUIN P. TAITAGUE
Substitute Clerk of the Legislature

I = Pass

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

Bill No. 82-37 (LS)

As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning; and further amended on the Floor.

*

Introduced by:

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
Telo T. Taitague
Thomas J. Fisher
Joanne Brown
Chris Barnett
Frank Blas, Jr.
Sabina Flores Perez
Amanda L. Shelton
Therese M. Terlaje

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:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
2 that, according to the current definition of a veteran in the qualifications for veteran
3 license plates, Republic of Korea (RoK) soldiers who served with the U.S. Forces
4 during the Vietnam War and have become U.S. citizens, and those who have
5 received the Distinguished Flying Cross are not included under the category, making
6 it so that those who have received these honorable and prestigious titles are unable
7 to qualify for veteran license plates. RoK veterans and those who are recipients of
8 the Distinguished Flying Cross have bravely fought on our behalf and are more than
9 deserving of all the benefits that can be provided to them, especially license plates
10 that denote their service to our country. The fact that these veterans are excluded
11 from this basic benefit is a transgression that needs to be remedied as soon as
12 possible. This matter, especially for RoK veterans, is of the utmost concern as,
13 according to the Guam Office of Veterans Affairs, the number of RoK veterans
14 remaining on the island is five (5). This issue needs to be addressed as soon as
15 possible in order to prevent the injustice of not honoring those who bravely fought
16 for us and our country.

17 *I Liheslaturan Guåhan* also finds that states like California, New York,
18 Pennsylvania, and Arkansas, as well as our Nation’s Congress, have taken steps to
19 address the exclusion of RoK veterans. Recently, the U.S. House of Representatives
20 passed a resolution to amend the Fiscal Year 2022 National Defense Authorization
21 Act (NDAA), which recognizes the contributions of Korean and Korean-American
22 veterans, and introduced H.R. 366, the Korean American VALOR Act, which, if
23 passed, would grant health care and medical benefits to these veterans. States like
24 California and Pennsylvania also provide veteran license plates to Korean veterans,
25 and states like Arkansas and New York have unique veteran license plates that
26 properly denote their status. *Guåhan* needs to follow the examples of these states

1 and our House of Representatives in regards to recognizing and honoring our Korean
2 veterans.

3 *I Liheslaturan Guåhan* further finds that documents, such as the National
4 Guard Bureau 22 (NGB22) Armed Forces Retirement Certificate and Armed Forces
5 Statement of Personnel Record are not included in the documents that can be used
6 to qualify as a veteran, making it inconvenient for some veterans to qualify for the
7 status.

8 With these reasons in mind, *I Liheslaturan Guåhan* intends to amend the
9 definition of a veteran in order to allow Republic of Korea soldiers who fought
10 alongside the U.S. during the Vietnam War and recipients of the Distinguished
11 Flying Cross to receive veteran license plates, as well as, to update the list of
12 documents that can be used to qualify as a veteran. With this legislation, these
13 veterans will finally be able to receive something they should have been entitled to
14 in the first place.

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

17 **“§ 7120.2. Veteran License Plates.**

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

20 (b) Definitions. The term as used in this Section is defined as
21 follows:

22 (1) Veteran, as it applies to this law, means a person who
23 served in the active duty military service in the U.S. Army, U.S. Air
24 Force, U.S. Navy, U.S. Marine Corps or U.S. Coast Guard; also the
25 Army or Air National Guard or active reserve component of the Army,
26 Air Force or Navy, and a Republic of Korea (RoK) soldier who fought
27 alongside the U.S. military during the Vietnam War and has acquired

1 U.S. citizenship, and who was discharged or released under conditions
2 other than dishonorable. Additionally, it means a person who served
3 during World War II in the Guam Combat Patrol, Wake Island
4 Defenders, Guam Militia or Civilian Scouts.

5 (c) Application.

6 (1) Any person who is a veteran, verified by the Department
7 of Defense 214 form (DD214), National Guard Bureau 22 (NGB22),
8 Armed Forces Retirement Certificate, Armed Forces Statement of
9 Personnel Record, or who otherwise is qualified under Subsection
10 (b)(1) of this Section and certified by the government of Guam Veterans
11 Affairs, and is the registered owner or lessee of a passenger vehicle
12 registered with the Department of Revenue and Taxation, or who makes
13 application for an original registration or renewal registration of any
14 such vehicle, may apply to the Motor Vehicle Division of the
15 Department of Revenue and Taxation for a veteran license plate(s),
16 which shall be affixed to the passenger vehicle for which registration is
17 sought in lieu of regular license plates.

18 (2) The Motor Vehicle Division shall transmit a copy of all
19 DD214 forms or other proof of Veteran status submitted pursuant to
20 this Section to the Office of Veterans Affairs for the purpose of
21 updating the Guam Veterans Registry no later than thirty (30) days after
22 the date of acceptance by the Motor Vehicle Division.

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

26 (B) The Office of Veterans Affairs shall have the
27 authority to adopt regulations to implement and administer the

1 provisions of this Section and ensure the confidentiality of
2 Veteran information.

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

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

9 (2) On the next line, in the middle, will be the license plate
10 number (in blue lettering) in alpha numeric format designating branch
11 of service and numerical sequence, such as A001 (Army), AF050 (Air
12 Force), N022 (Navy), MC033 (Marine Corps), CG006 (Coast Guard),
13 NG310 (Army or Air National Guard), R711 (Army, Air or Naval
14 Reserves), GCP001 (Guam Combat Patrol), WD007 (Wake Island
15 Defender), GM019 (Guam Militia), CS042 (Civilian Scout), DFC001
16 (Distinguished Flying Cross), or RoK001 (Republic of Korea veterans).
17 For a qualified person with a disability, as defined under Title 16, Guam
18 Code Annotated, § 7120.1, the veteran license plate shall display the
19 International Symbol of Accessibility in the same size as the letters and
20 numbers on the plate.

21 (3) Below the license number, will be a line reserved for decal
22 entries denoting recipients of medals of valor, combat duty or disabled
23 person's symbols. Such entries shall include: 'DISTINGUISHED
24 SERVICE CROSS,' 'SILVER STAR,' 'BRONZE STAR,'
25 'DISTINGUISHED FLYING CROSS,' 'PURPLE HEART' OR
26 'COMBAT WOUNDED,' or other equivalent awards.

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

3 (f) Issuance. A veteran license plate(s) shall be issued only to the
4 registered owner or lessee of the vehicle on which they are to be displayed.
5 Registration for a veteran license plate shall be limited to four (4) vehicles per
6 veteran.”

7 **Section 3.** § 7120.5 of Chapter 7, Title 16, Guam Code Annotated, is hereby
8 *amended* to read as follows:

9 **“§ 7120.5. Special Recognition Veterans License Plate.**

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

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

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

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

23 (1) A recipient of a military award described in Subsection (a)
24 of this Section must provide verification of the award received by
25 providing a Department of Defense 214 Form (DD214), National
26 Guard Bureau 22 (NGB22), Armed Forces Retirement Certification,

1 and certification from the Government of Guam Veterans Affairs
2 Office.

3 (2) A resident of Guam who is the registered owner of a
4 passenger vehicle currently registered with the Department of Revenue
5 and Taxation, but desires to exchange the current license plate on the
6 vehicle for a special recognition veterans license plate, or who makes
7 application for an original registration or renewal registration of any
8 such vehicle, may apply for a special recognition veterans license
9 plate(s), which shall be affixed to the passenger vehicle for which
10 registration is sought in lieu of regular license plates.

11 (3) Numerical Sequence of License Plates. Forty-five (45)
12 days after enactment, all eligible persons interested in obtaining a
13 special recognition veterans license plate shall register with the Guam
14 Veterans Affairs Office and provide a copy of their DD Form 214,
15 National Guard Bureau 22 (NGB22), Armed Forces Retirement
16 Certification, or Armed Forces Statement of Personnel Record. The
17 registration list shall be used to determine the numerical sequence of
18 the license plate to be issued, based on the date the award was made to
19 the recipient by the U.S. Department of Defense or equivalent federal
20 agency. Thereafter, the numerical sequence of license plates shall be
21 made according to the date of application.

22 (c) Color and Design. A special recognition veterans license plate
23 shall be the same standard size and shape as a regular passenger vehicle
24 license plate. The type and style of the special recognition veterans license
25 plate shall be determined by the Director of the Department of Revenue and
26 Taxation and the Administrator of the Guam Veterans Affairs Office, in
27 consultation with the Guam Veterans Commission.

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

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

12 (f) Surviving Spouse. The surviving spouse will be able to continue
13 the use of the special recognition veterans license plates after the veteran
14 spouse's death, provided he/she does not remarry and remains as the surviving
15 spouse of the eligible recipient, by submitting applicable verifying documents
16 to the Department of Revenue and Taxation, a copy of the spouse veteran's
17 death certificate, a certification from the Guam Office of Veterans Affairs,
18 and paying the applicable registration fees."

19 **Section 4.** § 7160(e) of Chapter 7, Title 16, Guam Code Annotated, is
20 hereby *amended* to read as follows:

21 “(e) (1) The annual license and registration fee in § 7160(a) shall
22 be waived upon the initial issuance and the subsequent renewal of the vehicle
23 license and registration for:

24 (A) any Veteran determined by the U.S. Department of
25 Veterans Affairs (USDVA) to be one hundred percent (100%)
26 disabled or individually unemployable due to military service

1 connected injuries, with certification from the Guam Office of
2 Veterans Affairs;

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

8 (i) eligible persons in Subsections (A) or (B)
9 shall verify their status with a military identification card,
10 to include the DD Form 214, DD Form 1173, DD Form
11 2765, National Guard Bureau 22 (NGB22), Armed Forces
12 Retirement Certificate, Armed Forces Statement of
13 Personnel Record, or other accepted forms used to verify
14 eligibility status and certified by the government of Guam
15 Office of Veterans Affairs (OVA);

16 (ii) the eligibility period for persons in
17 Subsection (B) shall be consistent with §§ 4B103, 4B104,
18 or 4B105 of Article 1B of Chapter 4, Title 4, Guam Code
19 Annotated, and the eligibility period for Gold Star parents
20 shall be the same as the eligibility period for a surviving
21 spouse; and

22 (C) the recipients of at least one of the following
23 military awards: the Medal of Honor, the Distinguished Service
24 Cross (U.S. Army), the Navy Cross (U.S. Navy and Marine
25 Corps), the Coast Guard Cross (U.S. Coast Guard), the
26 Distinguished Flying Cross (U.S. Air Force), the Silver Star, the
27 Bronze Star with “V” Device, or the Purple Heart Medal.

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

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

12 **Section 5.** § 7161(f) of Chapter 7, Title 16, Guam Code Annotated, is
13 hereby *amended* to read as follows:

14 “(f) The Street Light Fund Fee in this Section shall be waived upon
15 initial issuance and subsequent renewal of vehicle license and registration for
16 any Veteran determined by the U.S. Department of Veterans Affairs
17 (USDVA) and with certification from the Guam Office of Veterans Affairs to
18 be one hundred percent (100%) disabled or individually unemployable due to
19 military service connected injuries.

20 (1) The fee shall be waived for one (1) non-commercial
21 passenger vehicle, which includes sedans, coupes, pick-up trucks,
22 motorcycles and station wagons manufactured primarily for the
23 purpose of carrying passengers, and including those passenger cars
24 pulling other light trailers, registered to the Veteran, or legal guardian
25 applying for benefits under this Section.

26 (2) A document issued by the USDVA or a U.S. military ID
27 card and a certification by the Guam Office of Veterans Affairs, which

1 certifies the disability rating, must be furnished to the Department of
2 Revenue and Taxation in order to waive the annual Street Light Fund
3 Fee.”

4 **Section 6. Severability.** If any provision of this Act or its application to any
5 person or circumstance is found to be invalid or inorganic, such invalidity shall not
6 affect other provisions or applications of this Act that can be given effect without
7 the invalid provision or application, and to this end the provisions of this Act are
8 severable.

9 **Section 7. Effective Date.** This Act shall be effective upon enactment.