

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>70-32 (COR) P.L. 32-108</b>	V. Anthony Ada	AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF 5GCA RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES.	3/19/13  3:23 p.m.	03/19/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Park, Recreation, Historic Preservation, and Land	6/13/13, 2:30pm	8/12/13 2:04pm	<b>Fiscal Note Requested 3/28/13 Fiscal Note (Waiver) Received 04/19/13</b>
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LAHEN GUAHAN	PUBLIC LAW NO.	NOTES
	2/1/2014	AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES.	2/1/14	10:50 p.m.	2/13/14	2/10/2014	32-108	<b>As amended on the Floor.</b>

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

FEB 13 2014

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

32-14-1289  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 2/14/14  
Time 3:48 PM  
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 70-32 (COR) "AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES" which I signed into law on February 10, 2014 as **Public Law 32-108**.

*Senseramente,*

  
EDDIE BAZA CALVO

2014 FEB 14 PM 4:48

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

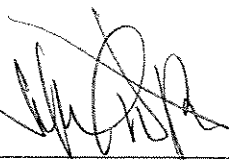
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 70-32 (COR)**, "AN ACT TO *ADD* A NEW ARTICLE 8 TO CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES," was on the 1<sup>st</sup> day of February, 2014, duly and regularly passed.



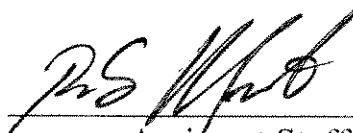
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1<sup>st</sup> day of FEB,  
2014, at  
10:50 o'clock P. M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



EDWARD I.B. CALVO  
*I Maga'lahaen Guåhan*

Date: FEB 10 2014

Public Law No. 32-108

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

**Bill No. 70-32 (COR)**

As amended on the Floor.

Introduced by:

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

**AN ACT TO *ADD* A NEW ARTICLE 8 TO CHAPTER 32  
OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE  
TO GIFT CARDS AND GIFT CERTIFICATES.**

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

**Section 1.** A new Article 8 is *added* to Chapter 32 of Title 5, Guam Code Annotated, to read as follows:

**“ARTICLE 8**

**GIFT CARDS AND GIFT CERTIFICATES**

**§32801. Applicability of Federal Law.** Title IV of the *Credit Card Accountability Responsibility and Disclosure Act of 2009*, as enacted by Public Law 111-24, and as further amended, is applicable to gift certificates and gift

1 cards sold by merchants doing business on Guam. Such federal law is in addition  
2 to the provisions of law enacted by this Article.

3 **§32802. Applicability of Federal Regulations.** §205 of Title 12 of the  
4 Code of Federal Regulations (12 CFR 205) is applicable to gift certificates and gift  
5 cards sold by merchants doing business on Guam.

6 **§32803. Definitions.**

7 (a) *Gift card/ gift certificate/ store gift card* are defined by 12 CFR  
8 205.

9 (b) *Paper gift card/ gift certificate/ store gift card* means any gift  
10 card/gift certificate/ store gift card, or similar instrument, that is issued in  
11 printed form *only*, and issued in exchange for monetary consideration when  
12 the certificate, card, or similar instrument is redeemable for merchandise,  
13 food, or services regardless of whether any cash may be paid to the owner of  
14 the certificate, card, or instrument as part of the redemption transaction.

15 (c) *Electronic gift card/ gift certificate/ store gift card* are defined  
16 by 12 CFR 205.

17 **§32803. Provisions Relating to Paper Gift Cards/ Gift Certificates/  
18 Store Gift Cards.** A paper gift card/ gift certificate/ store gift card *shall* be valid  
19 for a period of *not less than* five (5) years following the date of issue. Any paper  
20 gift card/ gift certificate/ store gift card without a date of issue or where the date of  
21 issue is *not* clearly marked *shall not* have an expiration date.

22 **§32804. Provisions Relating to Electronic Gift Cards/ Gift  
23 Certificates/ Store Gift Cards.** An electronic gift card/ gift certificate/ store gift  
24 card *shall not* have an expiration date if the buyer of the electronic gift card *does*  
25 *not* receive a printed sales receipt with both the issuance date and expiration date  
26 clearly marked on it *or*, the buyer or holder of the electronic gift card *does not* have

1 both the issuance date and the expiration date available through an internet site *or*  
2 through a toll-free information telephone line.

3       **§32805. Telephone Cards Exempted.** This Article *shall not* apply to  
4 prepaid telephone or mobile commercial radio service as provided for by the  
5 *Credit Card Accountability Responsibility and Disclosure Act of 2009, as*  
6 *amended.*

7       **§32806. Severability.** *If* any provision of this Act or its application to  
8 any person or circumstance is found to be invalid or contrary to law, such  
9 invalidity *shall not* affect other provisions or application of this Act which can be  
10 given effect without the invalid provisions or application, and to this end the  
11 provisions of this Act are severable.

12       **§32807. Effective Date.** This Act *shall* be effective upon enactment.”



FILE COPY

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***

THIRTY-SECOND GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

February 1, 2014

The Honorable Edward J.B. Calvo

*I Maga'lahaen Guåhan*

*Ufisinan I Maga'lahi*

*Hagåtña, Guam 96910*

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 61-32(COR), 70-32(COR), 71-32(COR), 130-32(COR), 146-32(COR), 169-32(COR), 179-32(COR), 180-32(COR), 190-32(COR), 192-32(COR), 197-32(COR), 201-32(COR), 202-32(COR), 204-32(COR), 206-32(COR), 214-32(COR), 221-32(COR), 225-32(COR), 226-32(COR), 231-32(COR), 232-32(COR), 235-32(COR), 236-32(COR), 237-32(COR), 242-32(COR), 245-32(COR), 247-32(COR), 248-32(COR) and 268-32(LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on February 1, 2014.

Sincerely,

TINA ROSE MUÑA BARNES  
Legislative Secretary

*FEB 1, 2014*  
*10:50 p.m.*  
*R.S. Muña*

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2014 (SECOND) Regular Session**

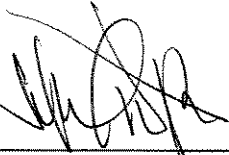
**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN***

This is to certify that **Bill No. 70-32 (COR)**, "AN ACT TO *ADD* A NEW ARTICLE 8 TO CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES," was on the 1<sup>st</sup> day of February, 2014, duly and regularly passed.



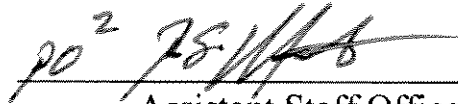
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1<sup>st</sup> day of FEB,  
 2014, at  
10:50 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

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

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_





1 cards sold by merchants doing business on Guam. Such federal law is in addition  
2 to the provisions of law enacted by this Article.

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5 *Credit Card Accountability Responsibility and Disclosure Act of 2009, as*  
6 *amended.*

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8 any person or circumstance is found to be invalid or contrary to law, such  
9 invalidity *shall not* affect other provisions or application of this Act which can be  
10 given effect without the invalid provisions or application, and to this end the  
11 provisions of this Act are severable.

12       **§32807. Effective Date.** This Act *shall* be effective upon enactment.”

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2014 (SECOND) Regular Session

### Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall

February 1, 2014

Bill No. 70-32 (COR)

As amended on the Floor

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

15

Yea

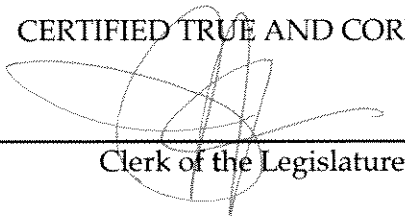
Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass



# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

**AUG 07 2013**

**The Honorable Judith T. Won Pat, Ed.D.**

Speaker

I Mina'trentai Dos Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**

Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 70-32 (COR)**


Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 70-32 (COR) as introduced, "An Act to Add A New Article 8 To Chapter 32 of 5GCA Relative to Gift Cards and Gift Certificates" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

<u>3</u>	TO PASS
<u>0</u>	TO NOT PASS
<u>4</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

  
Vicente (ben) Cabrera Pangelinan  
Chairman

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

2013 AUG 12 PM 2:04

**COMMITTEE REPORT  
ON**

**Bill No. 70-32 (COR)**

**Sponsored by Senator Tony Ada**

**“An Act to Add A New Article 8 To  
Chapter 32 of 5GCA Relative to Gift  
Cards and Gift Certificates”**



# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

**AUG 07 2013**

## **MEMORANDUM**

### **To: All Members**

Committee on Appropriations, Public Debt, Legal Affairs, Retirement,  
Public Parks, Recreation, Historic Preservation and Land

**From:** Senator Vicente (ben) Cabrera Pangelinan  
Chairman

### **Subject: Committee Report on Bill No. 70-32 (COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 70-32 (COR) as introduced, "An Act to Add A New Article 8 To Chapter 32 of 5GCA Relative to Gift Cards and Gift Certificates" sponsored by Senator Tony Ada.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 70-32 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note Request
7. Copy of COR referral
8. Notices of Public Hearing
9. 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.

Si Yu'os Ma'åse',

**Vicente (ben) Cabrera Pangelinan**  
Chairman

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens


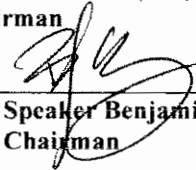
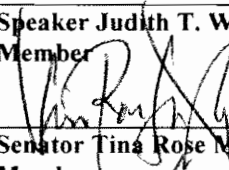
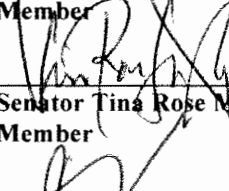
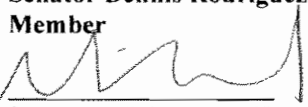

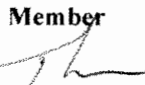

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

*I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN*

**Committee Voting Sheet**

**Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public  
Parks, Recreation, Historic Preservation and Land**

Bill No. 70-32 (COR) as introduced, "An Act to Add A New Article 8  
To Chapter 32 of 5GCA Relative to Gift Cards and Gift Certificates"

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Vice Speaker Benjamin J. F. Cruz Vice Chairman	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Speaker Judith T. Won Pat, Ed.D Member	_____	_____	_____	_____	_____
 Senator Tina Rose Muña-Barnes Member	<input checked="" type="checkbox"/>	_____	_____	_____	_____
 Senator Dennis Rodriguez, Jr. Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Senator Michael San Nicolas Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Senator Michael Limtiaco Member	<input checked="" type="checkbox"/>	_____	_____	_____	_____
 Senator Tommy Morrison Member	_____	_____	_____	_____	_____





# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

## Committee Report

Bill No. 70-32 (COR): "An Act to Add A New Article 8 To Chapter 32 of 5GCA Relative to Gift Cards and Gift Certificates."

### I. OVERVIEW

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on June 13, 2013 at 2:30pm in *I Liheslatura's* public hearing room.

#### Public Notice Requirements

Notices were published in the newspaper of general circulation as required by the Open Government Law and disseminated via hand-delivery and e-mail to all senators and broadcasting outlets on June 7, 2013 (5-Day Notice), and again on June 11, 2013 (48 Hour Notice).

#### (a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman  
Speaker Judith T. Won Pat, Member  
Senator Mike Limtiaco, Member  
Senator Tommy Morrison, Member  
Senator Rory Respicio  
Senator Tom Ada  
Senator Tony Ada  
Senator Chris Dueñas

#### (b) Appearing before the Committee

Mr. Manny Duenas, President, Guam Fisherman Co-op Association

#### (c) Written Testimonies Submitted

None

## II. COMMITTEE PROCEEDINGS

**Chairman Vicente (ben) C. Pangelinan:** The next item on the agenda is Bill No. 70-32, introduced by Senator Anthony Ada, an act to add a new article 8 to chapter 32 of 5GCA relative to gift cards and gift certificates. We don't have anyone signed up for written or oral

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

testimony but we will conduct this public hearing and hold it for the record and we will also give an opportunity for the sponsor to issue a statement on the bill.

**(a) Bill Sponsor Summary**

**Senator Tony Ada:** Thank you Mr. Chairman. Mr. Chairman, two federal statutes; *The Credit Card Accountability Responsibility and Disclosure (CARD) Act of 2009* (Public Law 111-24) and the *Eco-Gift Card Act* (Public Law 111-209) created new requirements for electronic gift cards. Under these laws electronic gift cards must have minimum expiration date of five years and generally prohibits companies from charging dormancy fees for not using the card for long periods of time.

Bill 70-32 does two main things, (1) it recognizes that the federal law applies to Guam and (2) makes the same policies of the federal law apply to paper gift certificates. This bill will create a minimum five year expiration date for paper gift certificates and the bill will provide for certain exemptions such as promotional gift certificates that were not bought with cash and phone cards.

The reasoning behind Bill 70-32, the sellers of gift certificates give their money up front yet many of them put a 3-month expiration date on them or even sooner and after 3-months the buyer is left with a useless piece of paper. That's just not right. Bill 70-32 seeks to rectify this inequity. I think there are just a couple of companies that are on island, if you do go buy paper gift certificates, you'll notice the expiration date sometimes just says open or none for the date. With the paper gift certificates we just want to make sure that all those that buy gift certificates, the redeemer has time to use it and that the money is just not left out there and they are left with a worthless piece of paper. Thank you Mr. Chair.

**PANEL COMMENTS AND QUESTIONS**

**Chairman Vicente (ben) C. Pangelinan:** Thank you very much Senator Ada. Just curious, what if the gift certificate cost \$100 and the guy waits four years to redeem it and the service is now being assessed at \$200. Does he get to redeem it at \$200 or redeem the \$100 and pay the additional \$100?

**Senator Tony Ada:** That's the way it would be. The gift certificate is valued at what it was purchased for. If it were purchased for \$100 and four years later that service is now increased to \$200 then they would have to pay the difference because that gift certificate would now hold the value of \$100.

**Chairman Vicente (ben) C. Pangelinan:** Ok. Great. Thank you.

**Senator Tony Ada:** Thank you Mr. Chair.

**(b) Testimony**

**1. Mr. Manny Duenas - President, Fisherman's Cooperative Association**

**Mr. Duenas:** My name is Manny Duenas, President of the Fishermen's Cooperative Association and here to make comments on Bill 70. Senator Ada, I appreciate the bill but as an operator of a small business, 5 years is a long time. I support the bill, but I think for paper consideration, 1 year is sufficient. The other concern I have is we have a lot of gift certificates as a donation. So, putting us in a financial bind to hold that thing for 5 years is kind of difficult. I have not read the legislation completely. I am just saying on the surface what I have read. I was not prepared to testify, so I am just raising the points.

### **PANEL COMMENTS AND QUESTIONS**

**Senator Tony Ada:** To answer Mr. Duenas' question; for promotional or gift certificates that you gave in donation, that is exempted from the bill.

**Chairman Vicente (ben) C. Pangelinan:** This concludes the testimony on Bill No. 70-32. There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at [office@senbenp.com](mailto:office@senbenp.com) or through our website at [www.senbenp.com](http://www.senbenp.com).

This hearing is hereby adjourned

### **III. FINDINGS & RECOMMENDATIONS**

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 70-32 (COR) with the recommendation To Report Out Only.

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

Bill No. 70-32 (COR)

Introduced by:

V. Anthony Ada

**AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF  
5GCA RELATIVE TO GIFT CARDS AND GIFT  
CERTIFICATES.**

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

Section 1. A new Article 8 is added to Chapter 32 of 5GCA to read as follows:

**Article 8**

**Gift Cards and Gift Certificates**

**§32801. Applicability of Federal Law.** TITLE IV of the *Credit Card Accountability Responsibility And Disclosure Act Of 2009* as enacted by Public Law 111-24 and as further amended, is applicable to Gift Certificates and Gift Cards sold by merchants doing business on Guam. Such federal law is in addition to provisions of law enacted by this Article.

**§32802. Applicability of Federal Regulations.** §205 of Title 12 of the Code of Federal Regulations (12 CFR 205) is applicable to Gift Certificates and Gift Cards sold by merchants doing business on Guam.

**§32803. Definitions.**

2013 MAY 19 PM 3:23

M

1 *"Gift Card/ Gift Certificate/ Store Gift Card"* are defined by 12 CFR 205.

2 *"Paper Gift Card/ Gift Certificate/ Store Gift Card"* means any Gift Card/Gift  
3 Certificate/ Store Gift Card or similar instrument that is issued in printed form only  
4 and issued in exchange for monetary consideration when the certificate, card, or  
5 similar instrument is redeemable for merchandise, food, or services regardless of  
6 whether any cash may be paid to the owner of the certificate, card, or instrument as  
7 part of the redemption transaction.

8  
9 *"Electronic Gift Card/ Gift Certificate/ Store Gift Card"* are defined by 12 CFR  
10 205.

11  
12 **§32803. Provisions relating to Paper Gift Cards/ Gift Certificates/ Store Gift**  
13 **Cards.** A *Paper Gift Card/ Gift Certificate/ Store Gift Card* shall be valid for a  
14 period of not less than five (5) years following the date of issue. Any *Paper Gift*  
15 *Card/ Gift Certificate/ Store Gift Card* without a date of issue or where the date of  
16 issue is not clearly marked shall not have an expiration date.

17  
18 **§32804. Provisions relating to Electronic Gift Cards/ Gift Certificates/ Store**  
19 **Gift Cards.** An *electronic Gift Card/ Gift Certificate/ Store Gift Card* shall not  
20 have an expiration date if the buyer of the electronic gift card does not receive a  
21 printed sales receipt with both the issuance date and expiration date clearly marked  
22 on it OR, the buyer or holder of the electronic gift card does not have both the  
23 issuance date and the expiration date available through an Internet site OR through  
24 a toll-free information telephone line.

1   **§32805. Telephone Cards exempted.** This Article shall not apply to prepaid  
2   telephone or mobile commercial radio service as provided for by the *Credit Card*  
3   *Accountability Responsibility And Disclosure Act Of 2009 as amended.*

4  
5   **§32806. Severability.** If any provision of this Act or its application to any person  
6   or circumstance is found to be invalid or contrary to law, such invalidity *shall* not  
7   affect other provisions or application of this Act which can be given effect without  
8   the invalid provisions or application, and to this end the provisions of this Act are  
9   severable.

10  
11   **§32807. Effective Date.** The effective date of this Act shall be the effective date  
12   of *Credit Card Accountability Responsibility And Disclosure Act Of 2009 as*  
13   *amended.*



**Mina'trentai Dos na Liheslaturan Guahan**  
***32nd GUAM LEGISLATURE***  
**Senator Vicente “ben” Cabrera Pangelinan**

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

**Thursday June 13, 2013**  
**Bill No. 70**  
**SIGN UP SHEET**

[illegible]

324 W. Soledad Ave. Hagatna, Guam 96910  
Ph. 473-4236 Fax. 473-4238  
Email: [senbenp@guam.net](mailto:senbenp@guam.net)

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**JOHN A. RIOS**  
DIRECTOR

**APR 17 2013**

The Bureau requests that Bill No. 70-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The Bill proposes to add a new Article 8 to to Chapter 32 of 5GCA relative to gift certificates.

The intent of the Bill is administrative in nature, as submitted for Legislative consideration.

  
JOHN A. RIOS  
Director





## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

March 19, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM

Senator  
Vicente (Ben) C. Pangelinan  
Member

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

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

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

From: **Vice Speaker Benjamin J.F. Cruz**  
*Acting Chairperson, Committee on Rules*

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Referral of Bill No. 70-32(COR)**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 70-32(COR)**.

Senator  
Frank Blas Aguon, Jr.  
Member

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*.

Senator  
Michael F.Q. San Nicolas  
Member

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

*Si Yu'os Ma'åse!*

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Attachment

Senator  
Aline Yamashita  
Member

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
70-32 (COR)	VAA	AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF 5GCA RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES.	3/19/13 3:23 p.m.	3/19/2013	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Park, Recreation, Historic Preservation, and Land			



## Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org>  
To: PHrg Notice <phnotice@guamlegislature.org>

Thu, Jun 6, 2013 at 12:10 PM

Please note correction:

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:30pm on Friday, Thursday, June 13, 2013** at the Guam Legislature's Public Hearing Room

On Thu, Jun 6, 2013 at 12:04 PM, Lisa Dames <cipo@guamlegislature.org> wrote:

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:30pm on Friday, June 13, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

### ***Para Komfitmasion:***

**(Confirmation Hearing)**

**Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission**

### ***Priniponi Siha:***

**(Bills)**

**Bill No. 63-32 (COR) – Introduced by Speaker Judith Won Pat - An Act to amend §22425(q) of Article 4, Chapter 22, Division 2, Title 5 Guam Code Annotated relative to designating additional revenue derived from the valuation of real property, due to commence during calendar years 2013 and 2014 towards the replacement or renovation of Simon Sanchez High School and other education facilities requiring new construction or rehabilitation; and for other education related purposes.**

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**Bill No. 138-32 (COR) – Introduced by Senator Vicente Pangelinan – An Act to Amend Section 1515(i)(2)(G), Article 5, Chapter 1, Title 5 Guam Code Annotated Relative to the Repair and Improvements to the Guam Fishermen's Cooperative.**

To view the bills on the attached agenda, move your curser over the bill.

Thanks,

--

Lisa Dames  
Chief of Staff  
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN  
Senator Vicente (ben) Cabrera Pangelinan  
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public  
Parks, Recreation, Historic Preservation, and Land.  
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--

Lisa Dames  
Chief of Staff  
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# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

June 7, 2013

## Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – FIRST NOTICE

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at 2:30m on **Thursday, June 13, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

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**Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission**

### ***Priniponi Siha:*** **(Bills)**

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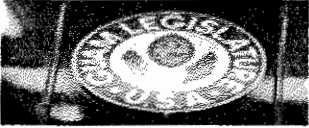
Website: <http://senbenp.com>

**Memo to All Senators**  
**June 7, 2013**  
**Page 2**

**Guam Code Annotated Relative to the Repair and Improvements to the Guam Fishermen's Cooperative.**

*Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinin Senadot ben pangelinan gi 473-* Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guåhan gi [www.guamlegislature.com](http://www.guamlegislature.com) Yanggen para un na'hâlom testigu-mu, chule' para i ifisinin-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [office@senbenp.com](mailto:office@senbenp.com) Este na nutisiu inapâsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com) Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at [office @senbenp.com](mailto:office@senbenp.com)



Lisa Dames <cipo@guamlegislature.org>

## Public Hearing First Notice

**Lisa Dames** <cipo@guamlegislature.org>

Thu, Jun 6, 2013 at 12:00 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, louella@mvguam.com, frank@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:30pm** on **Friday, June 13, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

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#### **(Confirmation Hearing)**

**Mr. Lawrence S. Rivera, Member for the Guam Land Use Commissio**

### ***Priniponi Siha:***

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**Bill No. 138-32 (COR) – Introduced by Senator Vicente Pangelinan – An Act to Amend Section**



# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

June 11, 2013

## Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – SECOND NOTICE

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at 2:30m on **Thursday, June 13, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

### ***Para-Komfirmasion:*** **(Confirmation Hearing)**

**~~Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission~~**

### ***Priniponi Siha:*** **(Bills)**

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324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>



**Memo to All Senators**  
**June 11, 2013**  
**Page 2**

**Guam Code Annotated Relative to the Repair and Improvements to the Guam Fishermen's Cooperative.**

***Yanggen un nisisita espesiât na setbisio put fabot âgang i Ifisinin Senadot ben pangelinan gi 473-*** Yanggen un nisisita espesiât na setbisio, put fabot âgang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guâhan gi [www.guamlegislature.com](http://www.guamlegislature.com) Yanggen para un na'hâlom testigu-mu, chule' para i ifisinin-mâmi gi 324 West Soledad Avenue gi iya Hagâtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [office@senbenp.com](mailto:office@senbenp.com) Este na nutisiu inapâsi nu i fendon gubetnamento.

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## Public Hearing - Second Notice

Lisa Dames <cipo@guamlegislature.org>  
To: PHrg Notice <phnotice@guamlegislature.org>

Tue, Jun 11, 2013 at 8:58 AM

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:30pm on Thursday, June 13, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

### ***~~Para Komfitmasion:~~***

#### ***~~(Confirmation Hearing)~~***

***~~Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission~~***

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Thanks,

—

Lisa Dames  
Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public  
Parks, Recreation, Historic Preservation, and Land.

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## 2 attachments



**Agenda June 13-2.doc**

49K



**PH Notice 061313-2.pdf**

122K



Lisa Dames <cipo@guamlegislature.org>

## Public Hearing - Second Notice

Lisa Dames <cipo@guamlegislature.org>

Tue, Jun 11, 2013 at 8:43 AM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, louella@mvguam.com, frank@mvguam.com, rgibson@k57.com, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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***Priniponi Siha:***

***(Bills)***

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Thanks,

—  
Lisa Dames  
Chief of Staff  
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN  
Senator Vicente (ben) Cabrera Pangelinan  
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public  
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 **Agenda June 13.pdf**  
200K

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of April 23, 2013**

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement,  
Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO**

**(PUBLIC HEARING)**

gi Huebes, gi diha 13 gi Huño, 2013

Thursday, June 13, 2013

Kuattón Inekungok Pupbleko gi i Liheslaturan Guåhan

(Guam Legislature Public Hearing Room)

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(2:30 PM)

**TAREHA**

**(AGENDA)**

**Para Konfirmasion:**  
(Confirmation Hearing)

Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission  
Priniponi Siha:

(Bills)

**Bill No. 63-32 (COR)** – Introduced by Speaker Judith Won Pat – An Act to amend 522425(a) of Article 4, Chapter 22, Division 2, Title 5 Guam Code Annotated relative to designating additional revenue derived from the valuation of real property, due to commence during calendar years 2013 and 2014 towards the replacement or renovation of Simon Sanchez High School and other education facilities requiring new construction or rehabilitation; and for other education related purposes.

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32nd GUAM LEGISLATURE  
Senator Vicente (ben) Cabrera Pangelinan  
Committee on Appropriations, Public Debt, Legal Affairs,  
Retirement, Public Parks, Recreation, Historic  
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*gi Huebes, gi diha 13 gi Huño, 2013*  
Thursday, June 13, 2013

**Kuátton Inekungok Pupleko gi I Liheslaturan Guåhan**  
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**TAREHA  
(AGENDA)**

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(Confirmation Hearing)

Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission

**Priniponi Siha:**  
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32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement,  
Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO  
(PUBLIC HEARING)**

gi Huebes, gi diha 13 gi Huño, 2013

Thursday, June 13, 2013

**Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan  
(Guam Legislature Public Hearing Room)**

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(Confirmation Hearing)**

**Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission**

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**INEKUNGOK PUPBLEKO  
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**gi Huebes, gi diha 13 gi Huño, 2013  
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**Kuáttion Inekungok Pubbleko gi i Liheslaturan Guåhan  
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**TAREHA  
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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public  
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***gi Huebes, gi diha 13 gi Huño, 2013***

**Thursday, June 13, 2013**

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**(Guam Legislature Public Hearing Room)**

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(AGENDA)**

***Pura Komfitmasyon:***  
**(Confirmation Hearing)**

**~~Mr. Lawrence S. Rivera, Member for the Guam Land Use Commission~~**

***Priniponi Siha:***  
**(Bills)**

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I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

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Rory J. Respicio

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MAJORITY LEADER

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VICE CHAIRPERSON

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MINORITY LEADER

Senator

Aline Yamashita

Member

April 19, 2013

### Memorandum

To:

**Rennae Meno**

*Clerk of the Legislature*

From:

**Senator Rory J. Respicio**

*Chairperson, Committee on Rules*

Subject:

**Fiscal Notes**

*Hafa Adai!*

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

#### FISCAL NOTES:

Bill Nos.: 02-32 (LS), 28-32 (COR), 52-32 (LS), 64-32 (COR), 75-32 (LS), and 77-32 (COR)

#### WAIVERS:

Bill Nos.: 70-32 (COR), and 72-32 (LS)

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

*Si Yu'os ma'åse'!*

2013 APR 19 AM 10:38

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OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**JOHN A. RIOS**  
DIRECTOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**APR 17 2013**

The Bureau requests that Bill No. 70-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The Bill proposes to add a new Article 8 to to Chapter 32 of 5GCA relative to gift certificates.

The intent of the Bill is administrative in nature, as submitted for Legislative consideration.

  
JOHN A. RIOS  
Director



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Member

March 19, 2013

### MEMORANDUM

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

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

From: **Vice Speaker Benjamin J.F. Cruz**  
*Acting Chairperson, Committee on Rules*

Subject: **Referral of Bill No. 70-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 70-32(COR)**.

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

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

*Si Yu'os Ma'åse!*

Attachment



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

Bill No. 70-32 (COR)

Introduced by:

V. Anthony Ada 

AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF  
5GCA RELATIVE TO GIFT CARDS AND GIFT  
CERTIFICATES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Article 8 is added to Chapter 32 of 5GCA to read as follows:

Article 8

Gift Cards and Gift Certificates

**§32801. Applicability of Federal Law.** TITLE IV of the *Credit Card Accountability Responsibility And Disclosure Act Of 2009* as enacted by Public Law 111-24 and as further amended, is applicable to Gift Certificates and Gift Cards sold by merchants doing business on Guam. Such federal law is in addition to provisions of law enacted by this Article.

**§32802. Applicability of Federal Regulations.** §205 of Title 12 of the Code of Federal Regulations (12 CFR 205) is applicable to Gift Certificates and Gift Cards sold by merchants doing business on Guam.

**§32803. Definitions.**

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1 *"Gift Card/ Gift Certificate/ Store Gift Card"* are defined by 12 CFR 205.

2 *"Paper Gift Card/ Gift Certificate/ Store Gift Card"* means any Gift Card/Gift  
3 Certificate/ Store Gift Card or similar instrument that is issued in printed form only  
4 and issued in exchange for monetary consideration when the certificate, card, or  
5 similar instrument is redeemable for merchandise, food, or services regardless of  
6 whether any cash may be paid to the owner of the certificate, card, or instrument as  
7 part of the redemption transaction.

8  
9 *"Electronic Gift Card/ Gift Certificate/ Store Gift Card"* are defined by 12 CFR  
10 205.

11  
12 **§32803. Provisions relating to Paper Gift Cards/ Gift Certificates/ Store Gift**  
13 **Cards.** A *Paper Gift Card/ Gift Certificate/ Store Gift Card* shall be valid for a  
14 period of not less than five (5) years following the date of issue. Any *Paper Gift*  
15 *Card/ Gift Certificate/ Store Gift Card* without a date of issue or where the date of  
16 issue is not clearly marked shall not have an expiration date.

17  
18 **§32804. Provisions relating to Electronic Gift Cards/ Gift Certificates/ Store**  
19 **Gift Cards.** An *electronic Gift Card/ Gift Certificate/ Store Gift Card* shall not  
20 have an expiration date if the buyer of the electronic gift card does not receive a  
21 printed sales receipt with both the issuance date and expiration date clearly marked  
22 on it OR, the buyer or holder of the electronic gift card does not have both the  
23 issuance date and the expiration date available through an Internet site OR through  
24 a toll-free information telephone line.

1   **§32805. Telephone Cards exempted.** This Article shall not apply to prepaid  
2   telephone or mobile commercial radio service as provided for by the *Credit Card*  
3   *Accountability Responsibility And Disclosure Act Of 2009 as amended.*

4  
5   **§32806. Severability.** If any provision of this Act or its application to any person  
6   or circumstance is found to be invalid or contrary to law, such invalidity *shall* not  
7   affect other provisions or application of this Act which can be given effect without  
8   the invalid provisions or application, and to this end the provisions of this Act are  
9   severable.

10  
11   **§32807. Effective Date.** The effective date of this Act shall be the effective date  
12   of *Credit Card Accountability Responsibility And Disclosure Act Of 2009 as*  
13   *amended.*