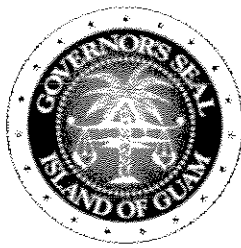


I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
384-32 (COR), P.L. 32-200	B. J.F. Cruz	AN ACT TO ADDA NEW\$26609 TOARTICLE 6, CHAPTER 26 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS.	7/18/14 4:02 p.m.	07/18/14	Committee on General Governmental Operations and Cultural Affairs	8/04/14 6 p.m.	9/26/14 9:45 a.m. Supplemental 09/30/14 10:27 a.m.	Request for Fiscal Note 7/25/14
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LAHEN GUAHAN	PUBLIC LAW NO.	NOTES
	10/3/2014	AN ACT TO ADD A NEW § 26609 TO ARTICLE 6, CHAPTER 26 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS.	10/6/14	6:32 p.m.	10/17/2014	10/13/2014	32-200	As amended on the Floor.



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

OCT 16 2014

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

32-14-2148
Office of the Speaker
Judith T. Won Pat, Ed.D.

Date: 10-17-14

Time: 4:10pm

Received By: [Signature]

2014 OCT 17 PM 4:55
FIVE

Dear Madame Speaker:

Transmitted herewith is Bill No. 384-32 (COR) "AN ACT ADD A NEW § 26609 TO ARTICLE 6, CHAPTER 26 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS," which I signed into law on October 13, 2014 as Public Law 32-200.


Senseramente,



EDDIE BAZA CALVO


2148


P.O. Box 2950 • Hagatna, Guam 96932

Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • calendar.guam.gov

 Eddie Baza Calvo

 @eddiebazacalvo

 @governorcalvo

 governorofguam

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

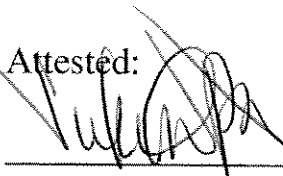
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 384-32 (COR)**, "AN ACT TO ADD A NEW § 26609 TO ARTICLE 6, CHAPTER 26 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS," was on the 3rd day of October, 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 6 day of Oct,
2014, at 6:32 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

OCT 13 2014

Date: _____

Public Law No. 32-200

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

Bill No. 384-32 (COR)

As amended on the Floor.

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
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 § 26609 TO ARTICLE 6,
CHAPTER 26 OF TITLE 11, GUAM CODE
ANNOTATED, RELATIVE TO THE REGULATION AND
TAXATION OF TOBACCO PRODUCTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 26609 is hereby *added* to Article 6, Chapter 26 of Title 11, Guam Code Annotated, to read:

“§ 26609. Tobacco Products Regulated and Taxed.

No business engaged in the manufacture, production, distribution, or importation of tobacco products, or any employee or agent of the same, shall sell such products to retailers or consumers through any multi-pack discounts (e.g., “Buy two, get one free”). No business engaged in the

1 manufacture, production, distribution, or importation of tobacco products, or
2 any employee or agent of the same, shall sell, or otherwise provide or
3 distribute to retailers or consumers, any tobacco products without charge or
4 for less than the listed or non-discounted price, in exchange for the purchase
5 of any other tobacco product. For the purposes of this Section, *listed* or *non-*
6 *discounted price shall* mean the higher of the prices listed for a tobacco
7 product on its package, or the price listed on any related shelving, posting,
8 advertising, or display at the place where the tobacco product is sold or
9 offered for sale plus all applicable taxes if such taxes are *not* included in the
10 stated price, and before the application of any discounts.

11 Nothing in this Act shall be construed as a prohibition on individual
12 sales of tobacco products at a discounted rate; *provided*, however, that it is
13 *not* attached to a sale of another tobacco product at a reduced price, or even
14 as a give-away.”



I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN

THIRTY-SECOND GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

October 6, 2014

The Honorable Edward J.B. Calvo

I Maga'lalen Guåhan

Ufisinan I Maga'lahi

Hagåtña, Guam 96910

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 42-32 (COR), 136-32 (COR), 213-32 (COR), 284-32 (COR), 287-32 (COR), 292-32 (COR), 294-32 (COR), 295-32 (COR), 299-32 (COR), 300-32 (COR), 303-32 (COR), 324-32 (COR), 325-32 (COR), 327-32 (COR), 337-32 (COR), 347-32 (COR), 348-32 (COR), 349-32 (COR), 352-32 (LS), 354-32 (LS), 362-32 (COR), 384-32 (COR), 388-32 (LS) and 393-32 (COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on October 3, 2014.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosures (24)

FILE COPY

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. 384-32 (COR)**, “AN ACT TO **ADD A NEW § 26609 TO ARTICLE 6, CHAPTER 26 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS,**” was on the 3rd day of October, 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 6 day of Oct,
2014, at 6:32 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 384-32 (COR)

As amended on the Floor.

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreddie
Tommy Morrison
T. R. Muña Barnes
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 § 26609 TO ARTICLE 6,
CHAPTER 26 OF TITLE 11, GUAM CODE
ANNOTATED, RELATIVE TO THE REGULATION AND
TAXATION OF TOBACCO PRODUCTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 26609 is hereby *added* to Article 6, Chapter 26 of Title 11, Guam Code Annotated, to read:

“§ 26609. Tobacco Products Regulated and Taxed.

No business engaged in the manufacture, production, distribution, or importation of tobacco products, or any employee or agent of the same, shall sell such products to retailers or consumers through any multi-pack discounts (e.g., “Buy two, get one free”). No business engaged in the

1 manufacture, production, distribution, or importation of tobacco products, or
2 any employee or agent of the same, shall sell, or otherwise provide or
3 distribute to retailers or consumers, any tobacco products without charge or
4 for less than the listed or non-discounted price, in exchange for the purchase
5 of any other tobacco product. For the purposes of this Section, *listed* or *non-*
6 *discounted price shall* mean the higher of the prices listed for a tobacco
7 product on its package, or the price listed on any related shelving, posting,
8 advertising, or display at the place where the tobacco product is sold or
9 offered for sale plus all applicable taxes if such taxes are *not* included in the
10 stated price, and before the application of any discounts.

11 Nothing in this Act shall be construed as a prohibition on individual
12 sales of tobacco products at a discounted rate; *provided*, however, that it is
13 *not* attached to a sale of another tobacco product at a reduced price, or even
14 as a give-away.”



I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN

THIRTY-SECOND GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

October 6, 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. 42-32 (COR), 136-32 (COR), 213-32 (COR), 284-32 (COR), 287-32 (COR), 292-32 (COR), 294-32 (COR), 295-32 (COR), 299-32 (COR), 300-32 (COR), 303-32 (COR), 324-32 (COR), 325-32 (COR), 327-32 (COR), 337-32 (COR), 347-32 (COR), 348-32 (COR), 349-32 (COR), 352-32 (LS), 354-32 (LS), 362-32 (COR), 384-32 (COR), 388-32 (LS) and 393-32 (COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on October 3, 2014.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosures (24)

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

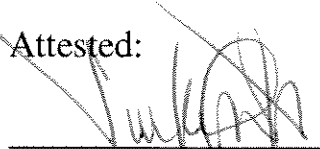
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 284-32 (COR), "AN ACT TO ADD A NEW § 3109 TO ARTICLE 1, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE POSITION OF MEDICAL DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, AND TO PROVIDE FOR COLLATERAL DUTY AS THE MEDICAL DIRECTOR OF THE BUREAU OF COMMUNICABLE DISEASE CONTROL,"** was on the 3rd day of October, 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 _____ day of _____,
2014, at _____ o'clock _____.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 284-32 (COR)

As substituted by the Committee on
General Government Operations and Cultural Affairs;
and amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.

T. C. Ada

V. Anthony Ada

FRANK B. AGUON, JR.

B. J.F. Cruz

Chris M. Dueñas

Michael T. Limtiaco

Brant T. McCreddie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Michael F. Q. San Nicolas

Aline A. Yamashita, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW § 3109 TO ARTICLE 1,
CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED,
RELATIVE TO ESTABLISHING THE POSITION OF
MEDICAL DIRECTOR OF THE DEPARTMENT OF
PUBLIC HEALTH AND SOCIAL SERVICES, AND TO
PROVIDE FOR COLLATERAL DUTY AS THE
MEDICAL DIRECTOR OF THE BUREAU OF
COMMUNICABLE DISEASE CONTROL.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that the current position of Medical Director of the Department of Public Health
and Social Services is an *acting* position, and is *not* formally established in law,

1 rule or regulation. The position of a Medical Director is responsible for, but is *not*
2 limited to, the overall management, coordination and oversight of all
3 administrative duties and functions performed by the Department for clinical and
4 non-clinical medical services, the provision of healthcare coverage (Medicaid and
5 Medically Indigent Program), and communicable/non-communicable disease
6 control, for the Department.

7 *I Liheslaturan Guåhan* takes due note that public health organizations are
8 concerned with protecting the health of entire populations. These populations can
9 be as small as a local neighborhood, or as big as an entire state, or territory. Public
10 health medical professionals serving as chief medical directors try to prevent
11 problems from happening or re-occurring through implementing educational
12 programs, developing policies, administering services, and conducting research.
13 They do, as well, and especially in medically underserved rural areas, perform non-
14 administrative collateral duty and directly provide clinical medical services treating
15 individuals after they become sick or injured.

16 *I Liheslaturan Guåhan* takes due notice that the request to establish the
17 position of Medical Director comes with the recent retirement of the acting
18 Medical Director, and that there is an urgent need to permanently resolve the issue
19 with the establishment of the position formally in statute. This is a particularly
20 difficult position to fill, in that most practitioners are only found at facilities or
21 programs operated by the U.S. Center for Disease Control, or its state equivalent.

22 It is, therefore, the intent of *I Liheslaturan Guåhan* to add a new § 3109 to
23 Article 1 of Chapter 3, Title 10, Guam Code Annotated, to provide for the
24 establishment of the position, and duties of a Medical Director, who *shall*
25 preferably be a board certified physician specialist in a needed public health
26 medical field, or, depending on availability, may be a board eligible physician
27 specialist, who *shall* have the requisite training and experience that meets the

1 mandates and needs of the Department of Public Health and Social Services.

2 It is, further, the intent of *I Liheslaturan Guåhan* to provide for the
3 performance of collateral duty by the Medical Director who *shall* be an existing
4 physician specialist employed by the department and appointed by the director.

5 **Section 2.** A new § 3109 is hereby *added* to Article 1 of Chapter 3
6 (Division of Public Health), of Title 10, Guam Code Annotated, to read:

7 “§ 3109. **Medical Director; Establishment.** The Director *shall*
8 appoint one of the classified physician specialists as Medical Director, to
9 perform collateral administrative and clinical medical duties for the
10 Department. The Medical Director should be a physician specialist
11 preferably in a field of practice or multiple specialties required by the
12 Department, and an experienced public healthcare services administrator.
13 The Medical Director *shall* serve at the pleasure of the Director and *shall*,
14 upon the termination of appointment as Medical Director, remain in the
15 classified position which said person held prior to appointment as Medical
16 Director. Said person *shall* retain all accrued benefits and leave, and *shall*
17 be entitled to advancement in pay range and step to which that person is
18 entitled in the position of physician specialist.

19 (a) Duties. The duties of the Medical Director may include,
20 but are *not* necessarily limited to, the overall development,
21 management and coordination of administrative policy and support for
22 clinical medical services, public healthcare coverage, clinical and non-
23 clinical communicable disease control, and other clinical or non-
24 clinical medical services provided by the respective Bureaus and
25 programs of the Department.

26 (b) Compensation. The Director of the Department of Public
27 Health and Social Services is authorized, pursuant to negotiations, to

1 add an additional incentive bonus to the base salary of an existing
2 physician specialist who is appointed to directly perform
3 administrative and clinical collateral duty as the Medical Director of
4 the Department, up to a maximum amount *not to exceed* Fifty
5 Thousand Dollars (\$50,000), subject to the availability of funds.”

6 **Section 3. Appropriation.**

7 (a) The unexpended available balance of the FY 2014 budget of the
8 Department of Public Health and Social Services, as provided pursuant to
9 P.L. 32-68 and currently designated by the Department for currently funding
10 the position of acting Medical Director, *shall* be available until fully
11 expended, and *shall* be utilized to compensate the Medical Director, as
12 established and provided pursuant to this Act. The difference for any
13 shortfall in the remaining available balance currently identified and
14 earmarked for the position from the FY 2014 budget, *shall* be supplemented
15 and funded from the FY 2015 General Fund appropriation for the
16 Department.

17 (b) The Director of the Department of Public Health and Social
18 Services *shall* annually include a specific item request for compensation of
19 the Medical Director in the proposed fiscal year executive branch budget
20 request.

21 **Section 4. Severability.** *If* any provision of this law or its application to
22 any person or circumstance is found to be invalid or contrary to law, such
23 invalidity *shall not* affect other provisions or applications of this law which can be
24 given effect without the invalid provisions or application, and to this end the
25 provisions of this law are severable.

26 **Section 5. Effective Date.** This Act *shall* become effective upon
27 enactment.

LEGISLATIVE SESSION

I MINA'TRENTAI DOS NA LIHESLATURAN

2014 (SECOND) Regular Session

Voting Sheet

Bill No. 384-32 (COR)

Speaker Antonio R. Unipingo Legislative Session Hall
October 3, 2014

<u>NAME</u>	<u>Yea</u>	<u>Nay</u>	<u>Not Voting/ Abstained</u>	<u>Out During Roll Call</u>	<u>Absent</u>
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 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

13

1

Yea

Nay

Not Voting/
Abstained

Out During
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

I = Pass



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

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

September 30, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

From: Senator Rory J. Respicio

Subject: Supplemental Documents to the Committee Report
on Bill No. 384-32(COR)

Hafa Adai!

Please include this memo and the attachment as a "Supplemental" to the Committee Report on Bill No. 384-32 (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'ase'!

cc: Legal Counsel
Clerk of the Legislature
Sergeant-at-Arms
MIS

2014 SEP 30 AM 10:27



September 30, 2014

Memorandum

To: Senator Rory Respicio
Committee on Rules, Federal, Foreign & Micronesian Affairs, Human &
Natural Resources, and Election Reform

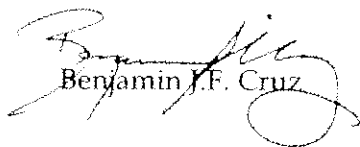
From: Vice Speaker Benjamin J.F. Cruz
Chairman, Committee on General Government Operations and Cultural
Affairs

Subject: Supplemental Documents for Bill 384-32 (COR)

Hafa Adai! Pleased be advised that I have received supplemental documents for Bill No. 384-32 (COR). I would greatly appreciate if the documents were included as an addendum to the committee report for Bill No. 384-32 (COR).

Thank you for your time and kind consideration to this request.

Sincerely,


Benjamin J.F. Cruz



September 30, 2014

Re: Petitions In Support of Bill 384-32

Subsequent to the public hearing conducted on Bill 384-32 - B.J.F. Cruz - "An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products," the American Cancer Society Cancer Action Network on Guam distributed petitions in support of Bill 384-32. Fifty-four (54) petitions have been collected and are appended to this report.

Listed below are names, village, and e-mail addresses of those who signed the petition, which states, "I support Bill 384-32 that places restrictions on discounts and marketing tactics for tobacco products."

	Name	Village	E-mail
1	M. Grace L. Rosadino	Barrigada	lapidg@yahoo.com
2	Alanna Marie M. Salas	Toto	alanna.salas.pro@gmail.com
3	Gwen Aguon	Yigo	cg_aguon@yahoo.com
4	Bernice Nelson	Dededo	bernicenelson@gmail.com
5	Juliet Babsa-ay	Barrigada	julietbabsaay@yahoo.com.ph
6	Lourdes Duguies	Barrigada	lou82mph@yahoo.com
7	Brad Hewitt	Tamuning	wellbody1@gmail.com
8	Gertrudes A. Tucker	Barrigada	portamedic@guam.net
9	Al Wang	Tamuning	alan.wang@dol.guam.gov
10	Estella Blas Tapia	Tamuning	
11	Charleen Hadap	Tamuning	charleenhadap@gmail.com
12	Ed M. Tucker	Barrigada	portamedic@guam.net
13	La'Kita Gatus	Dededo	valiciasc@yahoo.com
14	Mernalee Sablan	Barrigada	breeliantlee@gmail.com
15	Maryrose M. Wilson	Tamuning	maryrose.wilson@dpw.guam.gov
16	Mona M. Duenas	Tamuning	mona.duenas@dpw.guam.gov
17	Barbara McCannon	Hagatna	tsoap@ite.net
18	Linda M. Alegarbes	Hagatna	linda.alagarbes@dpr.guam.gov
19	Kimberly Orsini	GMF	sorsini2003@yahoo.com
20	Therese Joan P.M. Siguenza	Tamuning	teejay.siguenza@epa.guam.gov
21	Mary Jacar	Dededo	mjacar@dislab.com
22	Rachel B. L. Ramirez	Toto	rachel.ramirez@dphss.guam.gov
23	Vivian Pareja	Tamuning	vivian.pareja@dphss.guam.gov
24	Remylynn B. Yamanaka	Barrigada	yamanaka.remylynn@gmail.com
25	Marisha Artero	Hagatna	mishartero@gmail.com
26	Alicia R. Borja	Mangilao	aliciarosaborja@gmail.com
27	Arisha Nishimura	Barrigada	

28	Rynette D. Perez	Hagatna	
29	Leroy Robert Barber Jr.	Mangilao	bbarber@uguam.uog.edu
30	Elizabeth Guerrero	Barrigada	elizabeth.guerrero@dphss.guam.gov
31	Christopher Surla	Barrigada	christopher.surla@dphss.guam.gov
32	Mathi Matthews	Tamuning	matthews.mathi@dphss.guam.gov
33	Marilyn N.	Tamuning	
34	Patti B. Portodo-Hernandez	Agat	patti.hernandez@dca.guam.gov
35	Angelina Mummert	Hagatna	angie.mummert@gmail.com
36	Cerina Y. Mariano	Barrigada	cerina.mariano@gmail.com
37	Paul S.N. Tapao		paul.tapao@gpd.guam.gov
38	Nilda Adame	Hagatna	nilda.adame@dphss.guam.gov
39	Mark Acosta	Mangilao	macosta@yahoo.com
40	Nicole A. Pereda	Hagatna	nicksters20@gmail.com
41	Christine Ubaldo	Yigo	ubaldochristine@yahoo.com
42	Christine Camacho	Hagatna	christine.camacho@gmail.com
43	Pat Wolff	Hagatna	atty.patrick.wolff@gmail.com
44	Karina D. Quito	Dededo	kdquito@gmail.com
45	Patrick Luces	Barrigada	patrick.luces@dphss.guam.gov
46	Jenny R. De Leon	Barrigada	jenny.deleon@dphss.guam.gov
47	Maria Cepeda	Dededo	mbcepeda63@yahoo.com
48	Anthony Gumataotao		tgumataotao@yahoo.com
49	Vicente Santos	Mangilao	
50	Michael J. Cruz	Hagatna	tahitanados@yahoo.com
51	Phoebe Wall	Mangilao	pbwall2003@yahoo.com
52	Wayne & Ethel Brown	Tamuning	paxtonturbosvo@yahoo.com
53	E.S. Ludwig	Tamuning	es.ludwig53@gmail.com
54	Sebastian Pelivanian	Barrigada	

Stop Tobacco Companies From Discounting Our Health!



I support Bill 384-32 that places restrictions on discounts and marketing tactics for tobacco products.

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Don't Let the Tobacco Companies Discount Our Health!

Name:

M. GRACE L. ROSADINO *

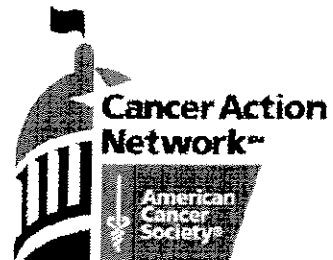
Address:

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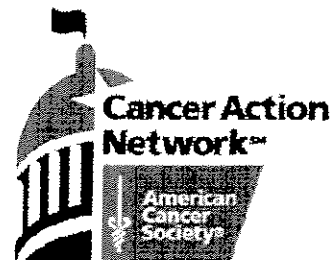
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alanna.salas.pro@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

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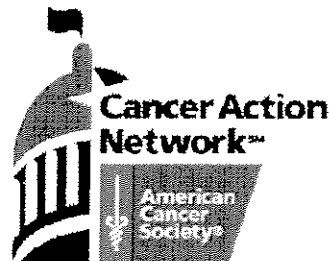
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Don't Let the Tobacco Companies Discount Our Health!

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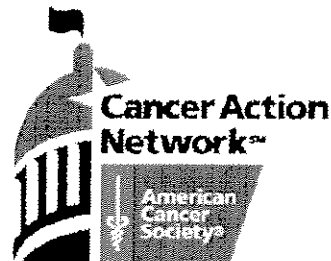
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Name:

LOURDES DUGUIES *

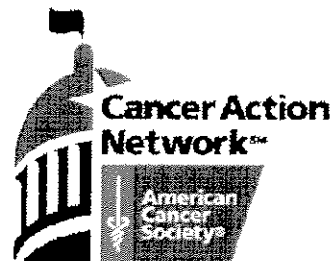
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Don't Let the Tobacco Companies Discount Our Health!

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177 Mall St B306

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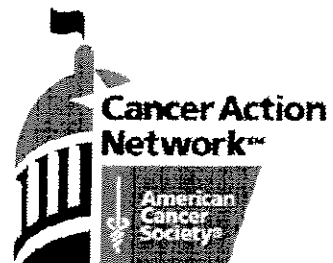
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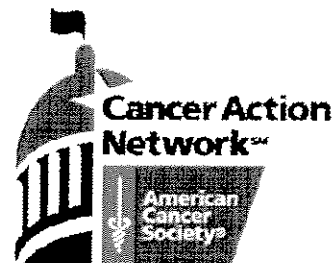
Guam

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Don't Let the Tobacco Companies Discount Our Health!

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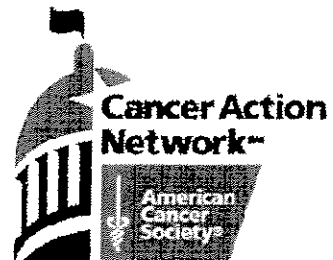
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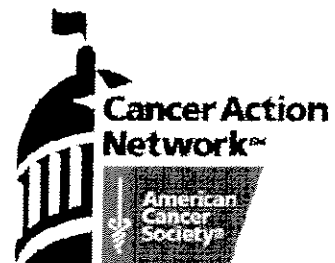
Tamuning

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Name:

Charleen Hadap

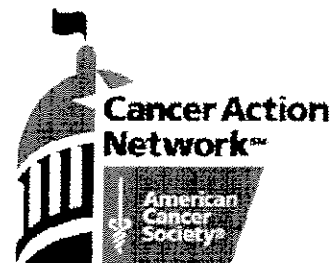
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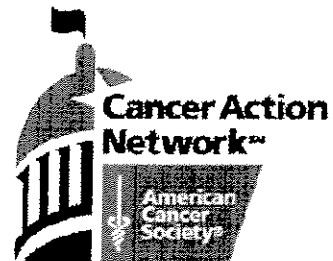
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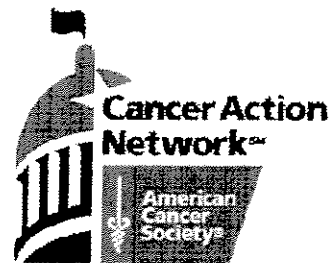
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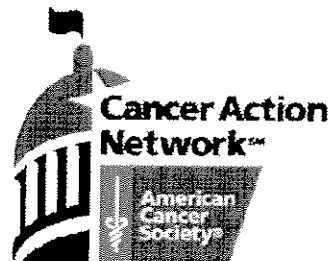
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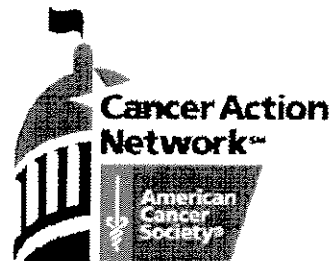
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maryrose.wilson @ dpw.guam.gov



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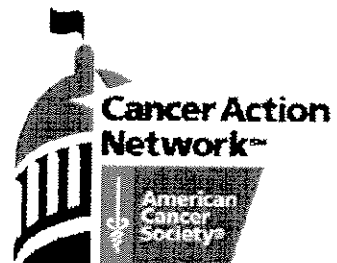
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mona.duenas@dpo.guam.gov



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Name:

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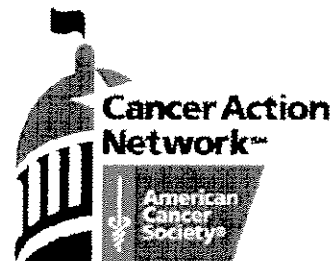
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Name:

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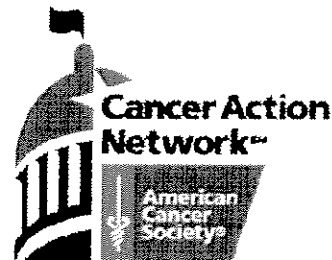
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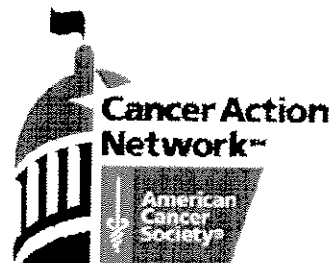
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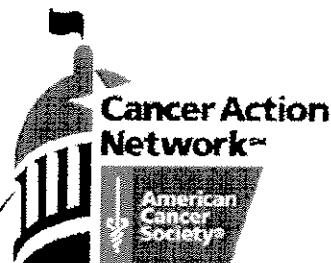
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teejay.siguenza@cpa.guam.gov



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Name:

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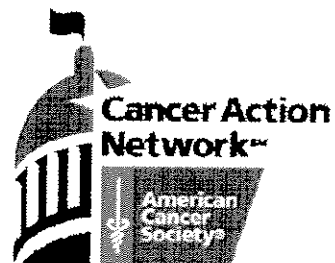
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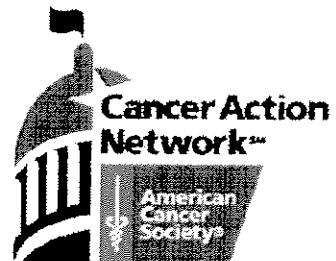
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Name:

VIVIAN PAREJA *

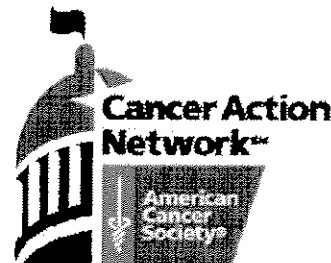
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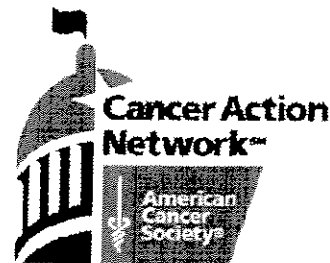
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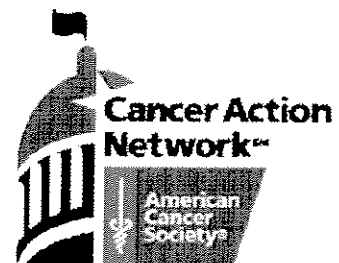
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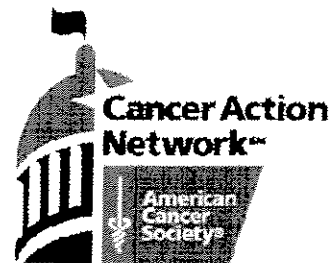
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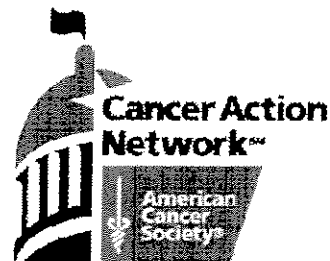
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Guam

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Name:

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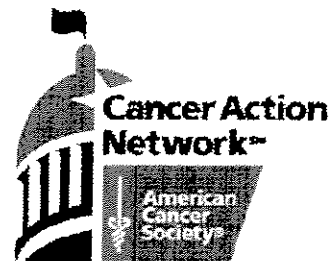
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Email:



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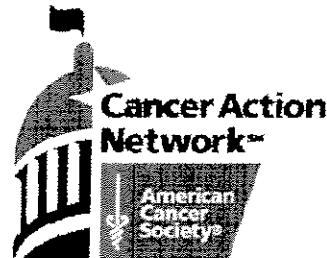
Guam

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96923

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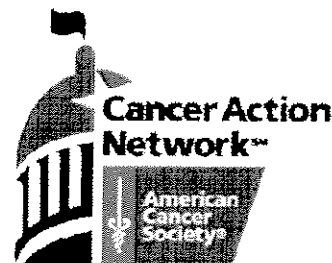
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Don't Let the Tobacco Companies Discount Our Health!

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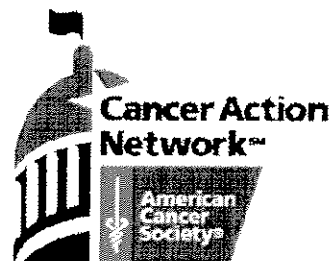
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City:

Tamuning GUAM

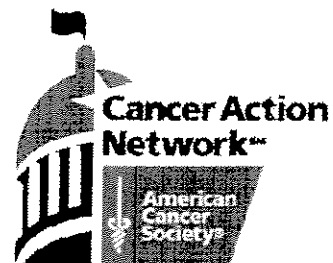
Guam

ZIP:

96931

Email:

matthews.matthi@dphss.guam.gov



* We care about your privacy and protect how your information is used. To view our complete privacy policy, or if you have any questions, please visit acscan.org.

Stop Tobacco Companies From Discounting Our Health!



I support Bill 384-32 that places restrictions on discounts and marketing tactics for tobacco products.

Guam has one of the highest taxes on cigarettes, which is proven to reduce smoking. Now tobacco companies want to discount cigarettes and other tobacco products to make them cheaper for our loved ones to smoke. Let's close this loophole and ensure that our community reduces the burden of tobacco on our family, neighbors, and friends.

Don't Let the Tobacco Companies Discount Our Health!

Name:

MARILYN NIAV

Address:

PO Box 315698 FA

City:

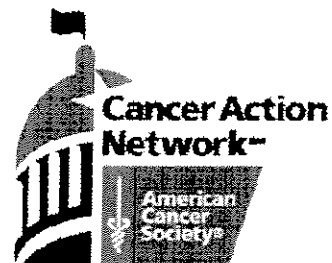
Tamuning

Guam

ZIP:

96931

Email:



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Patti B. Portado-Hernandez

Address:

PO Box 7103

City:

Agat

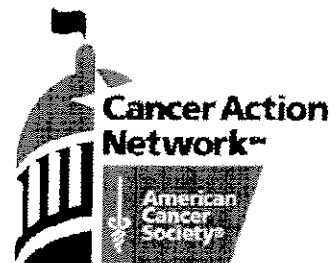
Guam

ZIP:

96928

Email:

patti.hernandez@dea.guam.gov



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Don't Let the Tobacco Companies Discount Our Health!

Name:

ANGELINA MUMMERT

Address:

PO Box 4905

City:

HAGATNA

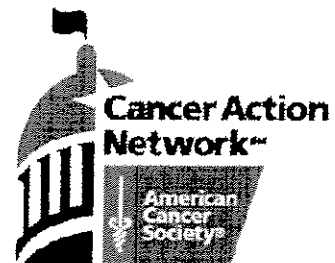
Guam

ZIP:

96932

Email:

angie.mummert@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

CERINA Y. MARIANO

Address:

POB 26670

City:

BARRIGADA

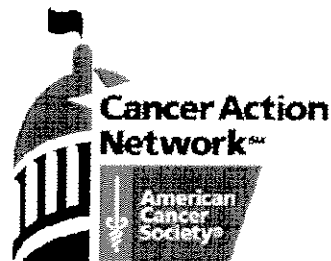
Guam

ZIP:

96921

Email:

cerina.mariano@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Paul S.N. Tapao

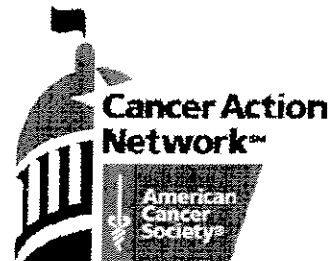
Address:

P.O. Box 4741 Tamuning GU 96981

City: _____, Guam

ZIP: _____

Email: paul.tapao@gpd.guam.gov



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Nilda Adame

Address:

P.O. Box 2549

City:

Hagatna

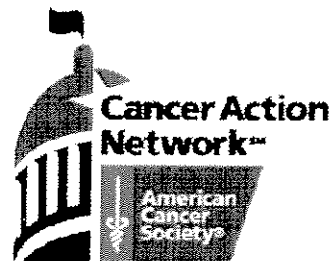
Guam

ZIP:

96932

Email:

Nilda.Adame@DPHSS.Guam.Gov



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Don't Let the Tobacco Companies Discount Our Health!

Name:

MARK ACOSTA

Address:

VOG STATION

City:

MANGILAO

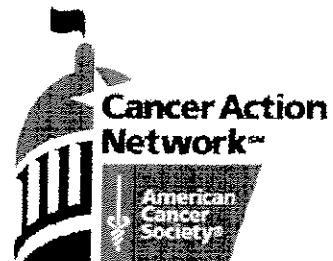
Guam

ZIP:

96923

Email:

macostavog@yahoo.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

NICOLE A. PEREDA

Address:

PO BOX 20050

City:

HAGATNA

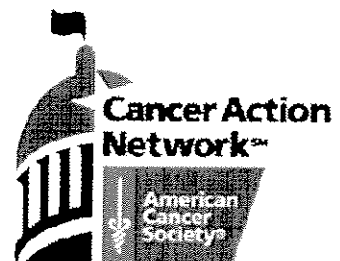
Guam

ZIP:

96932

Email:

nicksters20@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Christine Libaldo

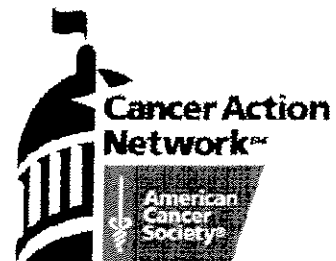
Address:

273 Ch. Lillian, Machananao

City: Yigo, Guam

ZIP: 96924

Email: libaldochristine@yahoo.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

CHRISTINE CAMACHO

Address:

P.O. Box 280

City:

Hagåtña

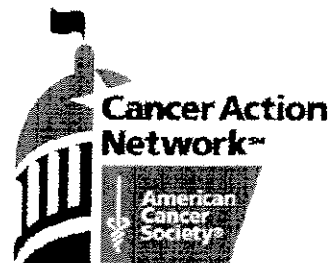
Guam

ZIP:

96932

Email:

christine.camacho@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

PAT WOLFF

Address:

P.O. Box CE

City:

Hagatna

Guam

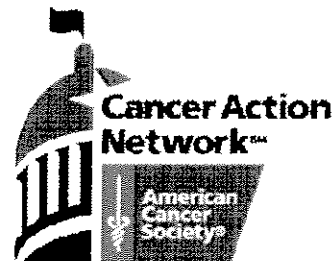
Guam

ZIP:

96932

Email:

atty.pat.2.us1ff@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

KARINA D. QUITO

Address:

City:

DEDEDO

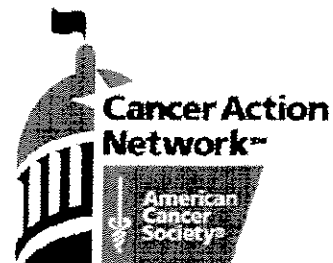
Guam

ZIP:

96929

Email:

kdquito@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Patrick Lucas

Address:

127 MARIANUSAN ST., LEYANAK

City:

PAGASA ADA

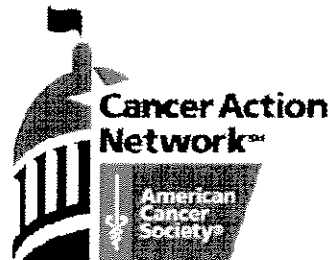
Guam

ZIP:

96913

Email:

patrick.lucas@dphss.guam.gov



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Jenny R. De Leon

Address:

P.O. Box 21661 GUT Barrigada

City:

barrigada

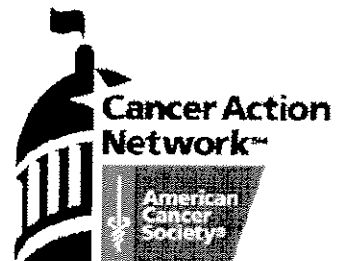
Guam

ZIP:

96921

Email:

jenny.deleon@dphs.guam.gov



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Maria Lopez

Address:

P.O. Box 9400

City:

Dededo

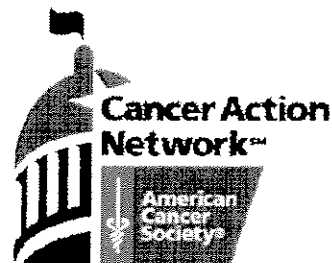
Guam

ZIP:

96929

Email:

mlopezda63@yahoo.com



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Name:

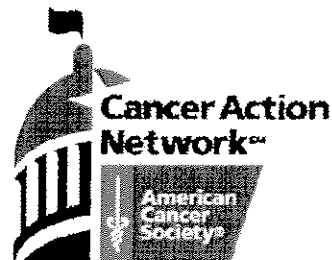
Anthony Gumataotao

Address:

City: _____, Guam

ZIP: _____

Email: *tgumataotao@yahoo.com*



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Vicente Serrano

Address:

5759 WDG STATION HANAGILAO

City:

HANAGILAO

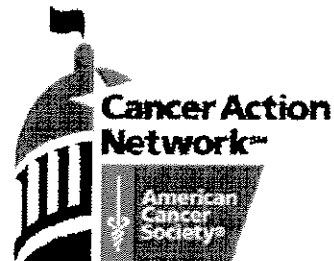
Guam

ZIP:

96923

Email:

BMS & EVA TG. @ AOL



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Michael J. Cruz

Address:

257 A Leyang Rd. Barrigada

City:

Agana

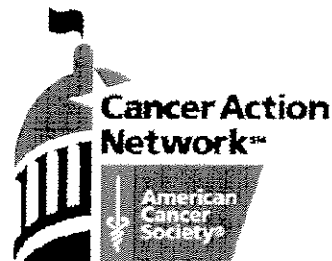
Guam

ZIP:

96913

Email:

TAHITANADOS@yahoo.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Phoebe Wall

Address:

P.O. Box 5204 406 Station

City:

Mangilao

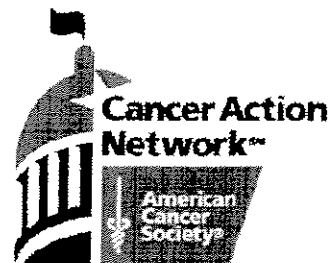
Guam

ZIP:

92923

Email:

pbwall2003@yahoo.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Wayne & Ethel L. BROWN

Address:

P.O. Box 11716

City:

Tamuning

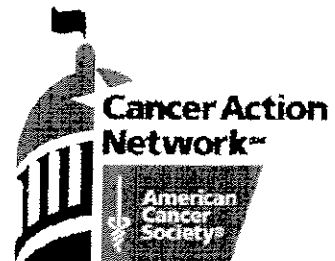
Guam

ZIP:

96931-1716

Email:

Paxtonturbo50@yahoo.com



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Name:

ES Ludwig

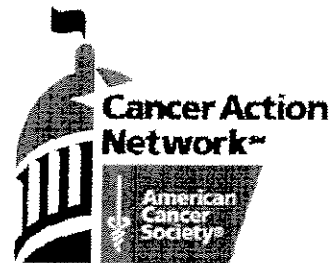
Address:

Alupang Sunset Apt. # F11

City: Tamuning, Guam

ZIP: 96931

Email: es.ludwig53@gmail.com



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Don't Let the Tobacco Companies Discount Our Health!

Name:

Sebastian Polivanian

Address:

PO Box 24722

City:

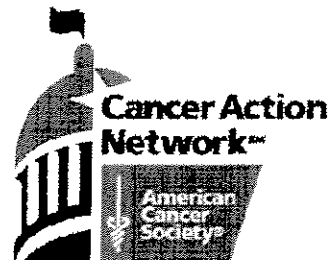
Ramada

Guam

ZIP:

96921

Email:





SEP 25 2014

The Honorable Judith T. Won Pat
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 384-32 (COR), As Introduced

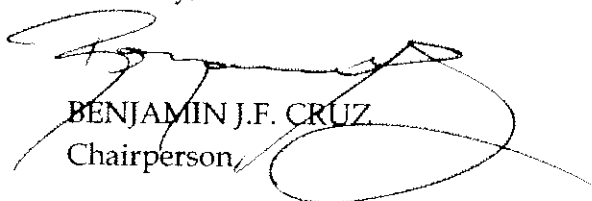
Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on General Government Operations and Cultural Affairs on Bill No. 384-32 (COR) – B.J.F. Cruz – An act to *add* a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.


Committee votes are as follows:

<u>5</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Sincerely,


BENJAMIN J.F. CRUZ
Chairperson

2014 SEP 26 AM 9:45





COMMITTEE REPORT

Bill No. 384-32 (COR), As Introduced

**An act to add a new §26609 to Article 6,
Chapter 26 of Title 11 of the Guam Code
Annotated, relative to the regulation and
taxation of tobacco products.**



SEP 25 2014

MEMORANDUM

TO: All Members
FROM: Vice Speaker Benjamin J.F. Cruz
Committee on General Government Operations and Cultural Affairs

SUBJECT: Committee Report on Bill No. 384-32 (COR), As Introduced

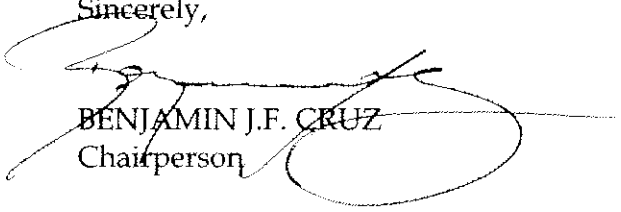
Transmitted herewith for your consideration is the Committee Report on Bill No. 384-32 (COR) – B.J.F. Cruz – An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 384-32 (COR), As Introduced
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 384-32 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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 me.

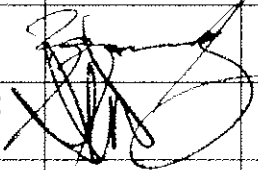

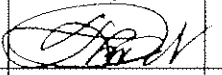


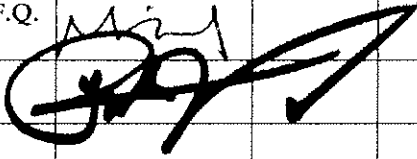
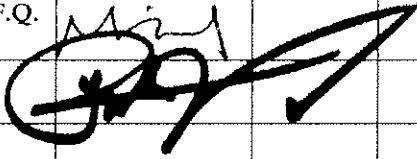
Sincerely,


BENJAMIN J.F. CRUZ
Chairperson



COMMITTEE VOTING SHEET

Bill No. 384-32 (COR), As Introduced – B.J.F. Cruz – An act to *add* a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson		✓				
MUÑA BARNES, TINA ROSE Vice-Chairperson		✓				
WON PAT, JUDITH T. Speaker and Ex-Officio Member		✓				
ADA, THOMAS C. Member						
RESPICIO, RORY J. Member		<i>ru</i> 9.25.14				
RODRIGUEZ, DENNIS G. JR. Member				✓ 9/27		
SAN NICOLAS, MICHAEL, F.Q. Member				✓		
AGUON, Jr., FRANK B. Member						
ADA, V. ANTHONY Member						
Morrison, Thomas Member						
McCreadie, Brant Member						
YAMASHITA, ALINE Member						



COMMITTEE REPORT DIGEST

Bill No. 384-32 (COR), As Introduced: An act to *add* a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.

I. OVERVIEW

Bill No. 384-32 (COR) was introduced by Vice Speaker Benjamin J.F. Cruz on June 18, 2014, and subsequently referred to the Committee on General Government Operations and Cultural Affairs on June 18, 2014.

The Committee on General Government Operations and Cultural Affairs convened a public hearing on Monday, August 4, 2014, at 6:00PM in the Guam Legislature Public Hearing Room. The hearing for Bill No. 384-32 (COR) began at 7:06PM and ended at 7:33PM.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on July 28, 2014, and August 2, 2014, via email. Copies of the hearing notices are appended to the report.

Senators Present

Vice Speaker Benjamin J.F. Cruz, Committee Chairperson
Senator Thomas C. Ada, Committee Member
Senator Frank B. Aguon, Jr., Committee Member
Senator Michael F.Q. San Nicolas, Committee Member
Senator Brant T. McCreadie, Committee Member
Senator V. Anthony Ada, Committee Member

Appeared before the Committee

Ms. Renata Bordallo, Chairperson, Guam Comprehensive Cancer Control Coalition
Dr. Annette M. David, M.D., Advisory Board Member, American Cancer Society
(Guam Field Office); Senior Partner, Health Partners, LLC
Mr. Noel M.D. Rubio
Mr. Eugene S.N. Cruz, Member, Non-Communicable Disease Tobacco Control Action Team
Mrs. Elizabeth Guerrero, Program Manager, Tobacco Prevention & Control Program, Department of Public Health and Social Services

Submitted Written Testimonies

Mr. Chuck Tanner (Policy and Advocacy Action Team Lead), Ms. Renata Bordallo,

(Chairperson), **Mr. D. Jared Ivie** (Vice-Chairperson), Guam Comprehensive Cancer Control Coalition

Dr. John Ray Taitano, M.D., President, Guam Medical Society

Mr. James W. Gillan, Director, Department of Public Health and Social Services

Mr. Eugene S.N. Cruz, Member, Non-Communicable Disease Tobacco Control Action Team

Mr. Noel M.D. Rubio, Member, Campaign for Tobacco Free Kids

American Cancer Society - Cancer Action Network

Dr. Annette M. David, M.D., Senior Partner, Health Partners, LLC

Dr. Robert L. Haddock, DVM, Epidemiologist, Guam Department of Public Health and Social Services; Director, Guam Cancer Registry, University of Guam

II. TESTIMONY & DISCUSSION

Chairperson Benjamin J.F. Cruz announced Bill No. 384-32 (COR) and provided his statement as the bill's sponsor:

"As the main sponsor, I just wanted to give a little bit of background about the reason why I [introduced this bill]. As many of you know, earlier this year we were able to pass legislation to increase taxes for chew tobacco (smokeless tobacco). And after that was passed, I was approached by an individual in the community who told me that there was a practice—and this individual actually provided me with copies of invoices—there was a practice ongoing in the community where a wholesaler would sell ten cartons of cigarettes to a mom-and-pop store. The mom-and-pop store would pay the wholesaler for the ten cartons of cigarettes, but the wholesaler would also provide to the mom-and-pop store an additional six cartons of cigarettes for free. And I was really taken aback by that because part of the reason we wanted to increase the [tobacco] tax is to make sure that it became so expensive that it was prohibitive. (*Chairperson Cruz holds up two multi-packs of cigarettes, each with a sticker that reads, 'BUY 1 GET 1 FREE'*) This is actually from a store and I have the receipt for it, showing that it is 'Buy-one-get-one-free'. And I, since introducing this legislation, have done my own survey, gone around to stores, and I've noticed that they're selling packs of cigarettes—or at least they're advertising on storefronts—at \$3.85 a pack. So I am watching, even though you think that I don't look when I go into the gas station, but I look at the prices and I see. I know that the snuff (chewing tobacco) is up to \$7.85 or whatever it is—it's almost \$8.00—so I know that's up; but I'm appalled to find these [other] things going on. So I want the Committee to understand that this draft legislation was sent out to members of the community about five months ago and, thanks to the [American] Cancer Society and Dr. [Annette] David, it was circulated to numerous other groups throughout the country. And as a result this legislation was proposed as being the way to try to address this issue. I don't completely understand how, but I take it on faith that going through the American Cancer Society for Hawaii and a couple of other states, and going through the network that Dr. David has reached out to, that this is one

way of trying to close this loophole and hopefully come to terms and address this issue of the continued addiction of members of our community with this scourge. Dr. David knows that I stopped supporting president Obama when he refused to send to the [U.S.] Senate the Convention for Tobacco Control.”

Ms. Renata Bordallo, Chairperson, Guam Comprehensive Cancer Control Coalition (GCCCC), read her testimony in support of Bill No. 384-32 (COR), appended to this report, into the record. The testimony was also signed by GCCCC Policy and Advocacy Action Team Lead **Mr. Chuck Tanner** and GCCCC Vice-Chairperson **Mr. D. Jared Ivie**.

Dr. Annette M. David, M.D. read her testimony on behalf of the American Cancer Society – Cancer Action Network. She read a second letter of support as Senior Partner of Health Partners, LLC, and as a public health advocate and a member of the community. Both letters are appended to this report.

Mr. Noel M. D. Rubio, Member, Campaign for Tobacco Free Kids, read his written testimony, appended to this report, in support of the bill.

Mr. Eugene S.N. Cruz, Member, Non-Communicable Disease Tobacco Control Action Team, read his written testimony, appended to this report, in support of the bill.

Mrs. Elizabeth Guerrero, Program Manager, Tobacco Prevention & Control Program, Department of Public Health and Social Services (DPHSS), read a testimony on behalf of DPHSS Director James W. Gillan. The letter is appended to this report.

Chairperson Cruz, on account that there was no else present to provide testimony nor were there questions for the panel, considered Bill No. 384-32 (COR) as heard.


III. FINDINGS AND RECOMMENDATIONS

The Committee on General Government Operations and Cultural Affairs to which was referred “Bill No. 384-32 (COR) - B.J.F. Cruz - An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products” hereby submits these findings to *I Mina'trentai Dos Na Liheslaturan Guåhan* and reports out Bill No. 384-32 (COR), as Introduced, with a recommendation TO REPORT OUT ONLY.

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

Bill No. 384-32 (COR)

Introduced by:

B. J.F. Cruz 

**AN ACT TO ADD A NEW § 26609 TO ARTICLE 6,
CHAPTER 26 OF TITLE 11 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE REGULATION
AND TAXATION OF TOBACCO PRODUCTS.**

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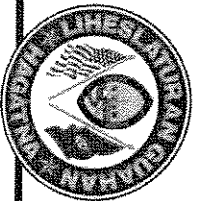
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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 26609 is hereby *added* to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, to read:

“§ 26609. Tobacco Products Regulated and Taxed. No business engaged in the manufacture, production, distribution, or importation of tobacco products, or any employee or agent of the same, *shall* sell such products to retailers or consumers through any multi-pack discounts (e.g., “Buy two, get one free”). No business engaged in the manufacture, production, distribution, or importation of tobacco products, or any employee or agent of the same, *shall* sell or otherwise provide or distribute to retailers or consumers any tobacco products without charge or for less than the listed or non-discounted price, in exchange for the purchase of any other tobacco product. For the purposes of this section, “listed or non-discounted price” shall mean the higher of the prices listed for a tobacco product on its package or the price listed on any related shelving, posting, advertising, or display at the place where the tobacco product is sold or offered for sale plus all applicable taxes if such taxes are not included in the stated price, and before the application of any discounts.”

Chairman, Committee on General Government Operations
and Cultural Affairs
Web Address: www.senatorbjczuk.com



32nd Guam Legislature • senator@senatorbjcruz.com
155 Hesler Place, Hagatna, Guam 96910
Telephone: (671) 477-2520 • Fax: (671) 477-2522

Monday, August 4, 2014 - 6:00PM
Guam Legislature Public Hearing Room • Hagåtña, Guam

Bill No. 384-32 (COR) – B.J.F. Cruz - "An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products."

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Chairman, Committee on General Government Operations
and Cultural Affairs
Web Address: www.senatorbjcruz.com



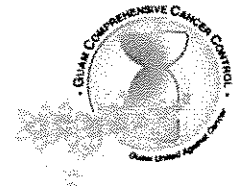
IMINA TRENIAIDOS NA LIHESI ATURAN GUAHAN
The 32nd Guam Legislature • senator@senatorjguz.com
155 Hesler Place, Hagatna, Guam 96910
Telephone: (671) 477-25201 • Fax: (671) 477-2522

Monday, August 4, 2014 - 6:00PM

Guam Legislature Public Hearing Room • Hagåtña, Guam

Bill No. 384-32 (COR) - B.J.F. Cruz - "An act to add a new §2609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products."

[illegible]



July 31, 2014

Honorable Benjamin J. Cruz
Vice Speaker, 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

Dear Senator Cruz,

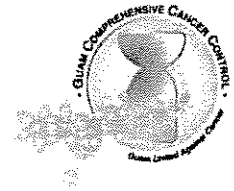
Thank you for sponsoring Bill 384-32 (An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products).

The Guam Comprehensive Cancer Control Coalition supports Bill 384-32. We believe that eliminating multi-pack discounting schemes and other mechanisms that make tobacco products more affordable and create a tax loophole for businesses will help curtail negative health behaviors in our community, thus preventing new cases of cancer and other chronic diseases in the future.

Cancer is the second leading cause of death on our island and has been a leading cause of death for many decades. Evidence clearly shows that the use of tobacco products can cause cancers of the lung and bronchus, head and neck and other cancers. Therefore, by reducing tobacco use in our community we can directly reduce the incidents of future cancer diagnoses and the associated financial and emotional burden of cancer on our families and the community.

We continue to believe that policies focused on consumer behavior are very successful in limiting negative health behaviors and their outcomes. Communities across the globe have shown that raising taxes on tobacco is one of the fastest and most effective ways to reduce tobacco use of any kind. Unfortunately, in the past few years, businesses have been finding ways to circumvent or find loopholes to ensure that prices of tobacco stay competitive and affordable for the average consumer. By maintaining more affordable costs of tobacco, these businesses target the most vulnerable populations in our community - the youth and the poor - who ultimately develop these negative behaviors which lead to poor health outcomes.

The Behavioral Risk Factor Surveillance System, in 2012, indicated that 25.8% of Guamanians were current smokers. Although this reflects a reduction of 4.7% from 2011, it still is alarmingly high compared to the United States (and D.C.) which has a rate of 19.6%. In addition, Guamanians with less than \$15,000 in annual income, who have less than a high school education, and who are 34 years old and younger make up most of Guam's current smokers.



You have it within your means to make the healthier consumer choice the easier choice for our people. You have the power to make this community a much healthier place, leading to a cancer-free island. Please act now and pass Bill 384-32!

Sincerely

Chuck Tanner

Policy and Advocacy Action Team Lead, Guam Comprehensive Cancer Control Coalition

Renata Bordallo, MSW, CTR

Chair, Guam Comprehensive Cancer Control Coalition

D. Jared Ivie, MSW

Vice-Chair, Comprehensive Cancer Control Coalition



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Honorable Benjamin J. Cruz
Vice Speaker, 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

RE: Letter in Support of Bill 384-32 (An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products).

Dear Senator Cruz,

Hafa Adai! As a member of the Guam Comprehensive Cancer Control Coalition (Cancer Coalition) and resident of Guam, I strongly support Bill 384-32 (An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products).

We continue to believe that policies focusing on consumer behavior have higher impacts that can limit negative health behaviors. For example, raising taxes on tobacco is one of the fastest and most effective means to reduce tobacco use of any kind. However, in the past few years, businesses have been finding ways to circumvent or find loopholes to ensure prices of tobacco stay competitive and accessible to the average consumer. By maintaining affordable prices of tobacco, these loopholes target the most vulnerable populations in our community, the youth and the poor, thus promoting the development of these negative behaviors which lead to poor health outcomes.

Moreover, the Behavioral Risk Factor Surveillance System indicated that in 2012, 25.8% of Guamanians were current smokers. Although this reflects a reduction of 4.7% from 2011, it still is alarmingly high compared to the United States (and D.C.) which has a rate of 19.6%. In addition, Guamanians who make less than \$15,000 in annual income, who have less than a high school education, and who are 34 years old and younger make up most of Guam's current smokers.

The Guam Medical Society stands ready to support all forms of legislation that will help reduce the number of smokers on Guam especially among our youth. It is a proven fact that smoking is the single most preventable cause of morbidity and mortality in the United States and Guam and this bill should also reduce second hand smoke exposure among our children and innocent bystanders such as spouses and babies. The Guam Medical Society applauds the intent of the bill and vigorously supports its passage.

I believe that passing Bill 384 will help decrease the number of current smokers on our island and will prevent new cases of cancer and other chronic diseases in the future. Please help make the right choice, the easy choice – vote YES on Bill 384-32!

Thank you,

8/3/14

John Ray Taitano, MD, MSS, FACP
President, Guam Medical Society
Email: drtaitano@gmail.com



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

AUG 04 2014

Honorable Benjamin J. Cruz
Vice Speaker, 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

RE: Letter in Support of Bill 384-32 (An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products).

Dear Vice Speaker Cruz,

Thank you for the opportunity to provide testimony on Bill 384-32(COR). The Department of Public Health and Social Services supports Bill 384-32 (COR) and its intent to bar multi-pack discounts and other methods of selling tobacco products to retailers at a reduced price.

Tobacco use continues to be the leading cause of preventable death and disability in the world. The leading causes of death on Guam are heart disease, cancer, stroke and diabetes. Tobacco use is either a direct effect on the onset or compounds the severity of these diseases. We lose one Guamanian a day due to tobacco use.

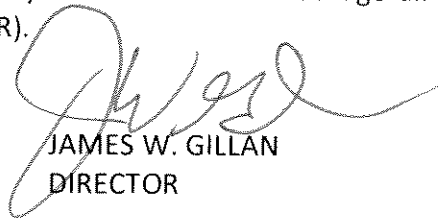
Tobacco companies spend billions of dollars on strategies to ensure consumers become and stay addicted to their products. In 2008, cigarette makers spent nearly \$10 billion to market their products. Much of the spending was used to pay for price cuts through coupons, sales, and giveaways. Promotion packs have been identified by the Centers for Disease Control and Prevention as a strategy that tobacco companies use to keep prices down.

In 2012 U.S. Surgeon General Regina M. Benjamin, M.D. stated, "Tobacco companies lower prices through coupons and other promotions so that consumers can afford to buy their products. Teens are especially sensitive to pricing".

We find this true for our adult smokers as well. The 2013 Behavioral Risk Factor Surveillance System (BRFSS) Survey, showed that 34.2% of current smokers have a household income of \$25,000 or less.

Fortunately, we have seen positive steps in the reduction of smoking on island, from 1 in 3 adult smokers in 2011 to 1 in 4 in 2013 (2011, 2013 BRFSS). The 2013 Youth Risk Behavior Survey (YRBS) also showed a decrease of students who smoke, from 21.9% in 2011 to 20.2% (high school) and from 13.9% down to 9.3% (middle school). This is due to the passage of policies aimed at reducing access, affordability and acceptability of tobacco use.

Bill 384-32 (COR) has the capacity to further reduce health-related economic hardships on our most vulnerable families caused by tobacco use. I encourage all Senators to support the life-saving passage of Bill 384-32 (COR).



JAMES W. GILLAN
DIRECTOR

August 4, 2014

Honorable Benjamin J.F. Cruz
155 Hesler Place
Hagatna, Guam 96910

Testimony in support of Bill 384-32 (COR)
Presented by: Eugene Santos
Non-Communicable Disease Consortium's Tobacco-Control Action Team

Honorable Senators of the 32nd Legislature,

Thank you for the opportunity to provide testimony in support of Bill 384-32 (COR), which proposes to prohibit the sale of tobacco products through discounted multi-pack marketing schemes and to ultimately close another one of Guam's tobacco tax loopholes. I present this testimony on behalf of the Non-Communicable Disease Consortium's Tobacco-Control Action Team, to voice our full support of Bill 384-32 (COR), which will strengthen efforts to protect our community from the devastating effects that tobacco use has on our friends and loved ones.

When companies are allowed to discount and create promotional activities, the community is incentivized to purchase and use more tobacco products. These discounts and promotional packages are intended to keep tobacco users hooked and pose greatest risk to youth, women and heavy smokers who are more likely to be lured by these marketing tactics. Bill 384-32 (COR) is another example of public policy that will strengthen our efforts to reduce tobacco use and save lives from tobacco-related illness. The rise in use of smokeless tobacco among our youth (6.3% in 2001 to 14% in 2011) makes it imperative that this loophole is closed to further protect our community.

Guam's data shows the marked progress we have made against tobacco – according to data published in the Behavioral Risk Factor Surveillance System, we were successful in reducing the adult tobacco use rate from 30.5% in 2011 to 25.8% in 2012. The strong public policy environment as well as our community efforts to provide cessation and prevention have contributed to this success.

However, there is still much work to be done to reach the goal established by the NCD Consortium's Tobacco-Control Action Team – **reducing tobacco use on Guam to 18% by 2018**. Passage of Bill 384-32 (COR) represents one more sound policy measure you can take to ensure we reach this target and save lives from tobacco. We thank you for the opportunity to present testimony today and we urge you and your colleagues to pass this legislation in pursuit of a tobacco-free future for our island.

TESTIMONY IN STRONG SUPPORT OF BILL 384 TO BAN TOBACCO DISCOUNT SCHEMES

Prepared by: Noel Martin D. Rubio

32nd Guam Legislature

Vice-Speaker Benjamin J.F. Cruz, Chair

Senator Tina Rose Muna Barnes, Vice-Chair

Members of the Committee on General Government Operations and Cultural Affairs

August 04, 2014

Good evening, Vice Speaker Cruz, members of the Committee on General Government Operations and Cultural Affairs, and everyone present here tonight. My name is Noel Rubio, and I am an incoming college freshman and member of the Campaign for Tobacco Free Kids, speaking in strong support of Vice Speaker Benjamin J.F. Cruz's Bill 384-32, an important piece of legislation that blocks the tobacco industry from skirting the existing tobacco tax through the promotion of such things as multi-pack discounts.

I am greatly appreciative to Vice Speaker Cruz for this opportunity to testify at tonight's hearing as a representative of Guam's youth. Oftentimes, it feels as if the voices of local youth are overlooked by the larger community—sometimes even dismissed—and I am truly honored to be able to share with you my perspective on an issue that critically affects today's youngest generations.

Ultimately, Bill 384-32 seeks to strengthen current regulatory policy regarding the sale and distribution of tobacco products on Guam. Although aggressive federal reform has greatly slashed the ability of tobacco companies to advertise their products through various forms of media, and the recently raised local tobacco tax has mitigated tobacco use rates on island, the tobacco industry is still able to market its products in such a manner that it both evades the local tax and lures current and new tobacco users, particularly youth, making accessible an agent through which many lives are lost and many more are endangered.

The deadly effects of tobacco are well known and widely documented. A single cigarette contains over 4,000 distinct chemical substances, some of which are found in household cleaners, car engines, road pavement, and pesticides. Many of these substances have been known to cause cancer, and both smokers and non-smokers exposed to cigarette smoke or tobacco-contaminated clothing and surfaces, have contracted multiple (frequently fatal) diseases as a direct result of tobacco products. Additionally, tobacco's high addictiveness makes it difficult for current users to quit.

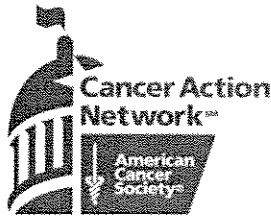
In my personal experience, I have seen peers struggle with the rampant effects of tobacco addiction. Never did I have to look past my former high school's campus to see a classmate scramble to pay for lunch because he secretly spent his allowance on cigarettes or worry about his already problematic lungs. Mind you, these are just seventeen- and eighteen-year-olds. Quite often, I would smell the scent of cigarette smoke while walking through the parking lot or even catch a friend "vaping" in an empty classroom. As alarming as these images may sound, they present a very real picture of modern day youth culture. If left

unchecked, these emerging habits may likely lead to drastically shortened lifespans and crippling financial troubles for the young tobacco users of today.

I don't know about you, but to me, an industry that makes a profit off the endangerment of human lives is an industry that must be stopped. Bill 384-32 significantly quells the disturbing trends I described previously, all of which are caused by the tobacco industry's presence in our daily lives, because the bill implements measures that have statistically been proven to globally reduce tobacco use—namely, strengthening the tobacco tax and reducing easy access to tobacco products. In other words, in order to put an end to the lethal tobacco epidemic plaguing our island (which, although it has seen significant drops in tobacco use rates, still posts one of the highest figures for tobacco prevalence in the nation), we must increase taxes and reduce access. Increased tobacco taxes yield revenue used for the island's betterment, are publicly supported, and discourage users from continuing or beginning a deadly addiction. Reduced access also cuts off the incentive to continue or take up tobacco use and helps users wishing to quit their addiction (an overwhelming majority of smokers on island) follow through with their cessation plans.

It is my firm belief that Bill 384-32 and other bills like it, put forth by brave and conscientious policymakers such as Vice Speaker Cruz, will effectively terminate the vicious cycle of tobacco addiction affecting our community in its many manifestations—cigarette smoking, chewing snuff, and more recently, “vaping”, or the use of perfumed electronic nicotine delivery devices, which continue to entice youth, are largely unregulated, and have been proven to be even more addictive and almost as dangerous as cigarettes—and therefore secure for Guam the healthy future it deserves.

I would like to thank you all for your time and consideration. I hope that my discussion with you tonight reveals that there are youth, just like me, passionately committed to the formation of a happier, healthier, more equitable, more just, and healthier society for all. Members of the Legislature, it is for all these reasons that I humbly ask you to support Vice Speaker Cruz's Bill 384-32.



American Cancer Society
Cancer Action Network
2370 Nuʻuanu Avenue
Honolulu, Hawaiʻi 96817
808.432.9149
www.acscan.org

August 4, 2014

32nd Guam Legislature
Vice-Speaker Benjamin J.F. Cruz, Chair
Senator Tina Rose Muña Barnes, Vice Chair
Members of the Committee on General Government
Operations and Cultural Affairs

Testimony in Support of Bill 384-32 (COR) - An act to add a new §26609 to article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.

Vice Speaker Cruz, Senator Barnes, and members of the Committee on General Government Operations and Cultural Affairs, the American Cancer Society Cancer Action Network supports Bill 384-32, which places restrictions on certain tobacco promotional and discount marketing tactics. The American Cancer Society Cancer Action Network (ACS CAN) is the nation's leading cancer advocacy organization. ACS CAN works with federal, state, and local government bodies to support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem.

Tobacco companies, appropriately, face multiple restrictions on how they can promote their products, limiting their ability to reach consumers. Federal law prohibits advertising on TV, radio and the internet, and the Master Settlement Agreement keeps tobacco ads off billboards and out of most magazines. Despite these restrictions, the tobacco industry has become aggressive towards marketing and promoting its products in other ways.

Tobacco companies are keenly aware of the impact of price, and spend \$8 billion on marketing. According to the Federal Trade Commission, the largest single category of the \$8 billion in marketing expenditures in 2009 and 2010 were price discounts in order to reduce the price of cigarettes to consumers (80%).¹

Lowering pricing through discounts is an established way for the tobacco industry to keep their customers and lure additional ones. As stated in the 2012 Surgeon General's report "Because there is strong evidence that as the price of tobacco products increases, tobacco use decreases, especially among young people, then any actions that mitigate the impact of increased price

¹Federal Trade Commission reports for cigarette marketing for the years 2009 and 2010.
<http://www.ftc.gov/os/2012/09/120921cigarettereport.pdf>

and thus reduce the purchase price of tobacco can increase the initiation and level of use of tobacco products among young people.”²

Tobacco discount and promotional activities act as an incentive for a person to purchase and use more tobacco products. We believe this is contrary to strong public policy to reduce the use of tobacco and thus save more lives from tobacco related disease, chronic illness, and death. We urge this committee to continue addressing the burden that tobacco has on our community by removing any incentives for increased tobacco use. Thank you for the opportunity to provide testimony on this important matter.

²HHS, Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General, 2012, pg. 599.



TESTIMONY IN STRONG SUPPORT OF BILL 384 TO BAN TOBACCO DISCOUNT SCHEMES

Prepared by: Dr. Annette M. David

Honorable Vice-Speaker BJ Cruz
Honorable Members of the 32nd Guam Legislature

I am presenting this testimony as a physician with Health Partners, LLC, and as a public health advocate and community member.

Our team at Health Partners, LLC strongly supports Senator BJ Cruz's Bill 384 banning multi-pack discounts and other discount schemes that lower the price of tobacco products below retail levels. This bill closes a critical legal loophole that undermines the public health purpose of taxing tobacco products at an appropriate level.

Price is very likely the strongest determinant of tobacco use, and we remain an island of tobacco addiction. Despite significant declines in tobacco consumption over the past 15 years, comparisons of tobacco use prevalence based on the Behavioral Risk Factor Surveillance System (BRFSS) show that Guam remains "in the red"---i.e. has one of the highest levels of tobacco use---when compared to the other US States and Territories.

The World Bank and the World Health Organization unequivocally endorse taxing tobacco products at 70% or higher of retail prices as a priority public health strategy. Tobacco taxation is a triple win:

- It is a HEALTH win because it encourages users to quit and prevents youth from taking up tobacco use. Over time, lower tobacco use leads to a reduced health burden from tobacco-related death and chronic disease.
- It is FISCAL win because it generates usable revenue that can be used to augment health and welfare programs, including Medicaid expenses.
- It is also a POLITICAL win because national and state polls consistently have found overwhelming public support for tobacco tax increases. Polls also show that, when it comes to balancing budgets, voters prefer raising tobacco taxes to other tax increases or cutting crucial programs such as education and public safety. In Guam, our Community Outreach research at the University of Guam's Cancer Research Center demonstrated compelling support from both youth and adult community members for further increasing tobacco taxes, and using the tax revenues to fund tobacco control and cancer-related prevention and treatment programs.

Local data clearly delineates the powerful impact of sound tobacco control policy on youth and adult tobacco use. We have seen youth smoking rates decrease from nearly 1 out of every 2 high school students in 1999 to 1 in 5 students in 2013. Yet, our youth smoking rates remain significantly higher than the US median. Clearly, we still have a long way to go to reduce tobacco consumption on our island. And, especially for youth, keeping the price of tobacco products high is essential.

The Noncommunicable Disease Prevention and Control Coalition, the Guam Comprehensive Cancer Prevention and Control Coalition, the Guam Diabetes prevention and Control Coalition all have identified tobacco control as their priority. At a Community Summit run by our youth-led community researchers for the Community Outreach of UOG's Cancer U54 Research Grant, the community feedback called for:

- Increased taxes further on cigarettes and other tobacco products, including smokeless tobacco.
- Ensuring that the taxes levied on smokeless tobacco products are at the same level to the taxes applied to cigarettes.
- Limiting the extent of tobacco advertising, including at point of sale, and prohibiting the use of marketing strategies that target children and youth.

The Guam Legislature through the leadership of Senator BJ Cruz listened and responded to the call for action by our community through legislative initiatives to raise tobacco taxes (PL 30-80) and to bring tax rates on smokeless tobacco products at a level commensurate with cigarettes (P.L. 32-132).

But taxes are effective only if they are consistently applied and collected. One important legal strategy is to close all the loopholes that result in opportunities for tax avoidance and tax evasion. Bill 384 aims to do this by eliminating pricing discount schemes that result in lower tobacco prices, circumventing the advantages of higher prices on tobacco products.

Thus, Bill 384 is a critical public policy component to ensure progress towards a healthier future for our island.

The bill is a triple win; a vote for the bill benefits all of our community members. A vote against it benefits only the businesses that make a profit out of a continued addiction to tobacco. Honorable Senators of the Legislature, please vote for the people of Guam, for our healthier future. Please support Bill 384.

8-1-14

Honorable Benjamin J. Cruz
Vice Speaker, 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

RE: Letter in Support of Bill 384-32 (An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products).

Dear Senator Cruz,

Hafa Adai! As a member of the Guam Comprehensive Cancer Control Coalition (Cancer Coalition) and resident of Guam, I strongly support Bill 384-32 (An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products).

The Centers for Disease Control and Prevention, Atlanta, says that cigarette smoking is the number one risk factor for lung cancer. In the United States, cigarette smoking causes about 90% of lung cancers. Using other tobacco products such as cigars or pipes also increases the risk for lung cancer. Tobacco smoke is a toxic mix of more than 7,000 chemicals. Many of these chemicals are poisons. At least 70 are known to cause cancer in people or animals.

Smoke from other people's cigarettes, pipes, or cigars (secondhand smoke) also causes lung cancer. When a person breathes in secondhand smoke, it is like he or she is smoking. In the United States, two out of five adults who don't smoke and half of children are exposed to secondhand smoke, and about 3,000 people who never smoked die from lung cancer due to secondhand smoke every year.

I believe that passing Bill 384 will help decrease the number of current smokers on our island and will prevent new cases of cancer and other chronic diseases in the future. Please help make the right choice, the easy choice – I encourage you to vote YES on Bill 384-32!

Sincerely,



Robert L. Haddock, DVM, MPH
Epidemiologist, Guam Department of Public Health and Social Services
and
Director, Guam Cancer Registry, University of Guam



COMMITTEE ON RULES

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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 E.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 384-32 (COR) – B.J.F. Cruz, "AN ACT TO ADDA NEW§26609 TOARTICLE 6, CHAPTER 26 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS."** – on July 25, 2014. COR hereby certifies that BBMR confirmed receipt of this request July 25, 2014 at 1:06 P.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 384-32 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules

September 26, 2014

Date



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 E.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

July 25, 2014

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes-- Bill Nos. 383-32 (COR) and 384-32(COR)

Hafa Adai Mr. Calvo:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
383-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA) BY ADDING A NEW DIVISION 11 TO TITLE 13 OF THE GUAM CODE ANNOTATED.
384-32 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW § 26609 TO ARTICLE 6, CHAPTER 26 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

July 18, 2014

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: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Vice-Speaker
Benjamin J.F. Cruz
Member

Subject: **Referral of Bill No. 384-32(COR)**

Legislative Secretary
Tina Rose Muña Barnes
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 384-32(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'Trentai Dos Na Liheslaturan Received

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
384-32 (COR)	B. J.F. Cruz	AN ACT TO ADDA NEW§26609 TOARTICLE 6, CHAPTER 26 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS.	7/18/14 4:02 p.m.	07/18/14	Committee on General Governmental Operations and Cultural Affairs			



Feder Weidenborcher <fweiden@senatorbjcruz.com>

FIRST NOTICE of Public Hearing - August 4, 2014

Dani Reyes <danireyes@senatorbjcruz.com>

Mon, Jul 28, 2014 at 5:15 PM

To: PH Notice <phnotice@guamlegislature.org>

Cc: Management Information System <mis@guamlegislature.org>, "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>

July 28, 2014

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing – August 4, 2014**

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing beginning at **6:00PM** on **Monday, August 4, 2014**, in the **/ Liheslatura Public Hearing Room** with the following schedule:

6:00PM

- The Executive Appointment of Pr. Thomas L. Van Engen to serve as Member of the Guam Parole Board.
- Bill No. 384-32 (COR) – B.J.F. Cruz – “An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.”
- Bill No. 375-32 (COR) – B.T. McCreadie – “An act to amend §§77110.1 and 7110.2, and to repeal §§ 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated, relative to the minimum requirements for positions within the Guam Police Department.”
- Bill No. 386-32 (COR) – B.J.F. Cruz – “An act to clarify certain functions of the Administrative Law Judge under the Civil Service Commission by amending Subsection (c) of Title 4 GCA §4405.”

A link, as indicated by underlined and boldfaced blue text, has been provided for each agenda item's respective document.

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; via facsimile to 477-2522; or via e-mail to senator@senatorbjcruz.com. Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at carlo.branch@senatorbjcruz.com.

We look forward to your attendance and participation.

cc: MIS
COR
Sgt-at-Arms
Media

Keywords: *Self-esteem, self-esteem threat, self-esteem threat sensitivity, self-esteem threat sensitivity scale, self-esteem threat sensitivity scale-2*

[illegible]

25



FIRST NOTICE MEMO 08042014.pdf
170K

170K

FIRST NOTICE PR 08042014.pdf
158K

158K



July 28, 2014

MEMORANDUM

To: All Members/ All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: FIRST NOTICE of Public Hearing – August 4, 2014

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing beginning at 6:00PM on **Monday, August 4, 2014**, in the *I Liheslatura* **Public Hearing Room** with the following schedule:

6:00PM

- The Executive Appointment of **Pr. Thomas L. Van Engen** to serve as **Member** of the **Guam Parole Board**.
- **Bill No. 384-32 (COR)** – B.J.F. Cruz – “An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.”
- **Bill No. 375-32 (COR)** – B.T. McCreadie – “An act to amend §§77110.1 and 7110.2, and to repeal §§ 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated, relative to the minimum requirements for positions within the Guam Police Department.”
- **Bill No. 386-32 (COR)** – B.J.F. Cruz – “An act to clarify certain functions of the Administrative Law Judge under the Civil Service Commission by amending Subsection (c) of Title 4 GCA §4405.”

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We look forward to your attendance and participation.



FOR IMMEDIATE RELEASE
July 28, 2014

FIRST NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as five (5) days' notice for Public Hearings by the *Committee on General Government Operations and Cultural Affairs* scheduled on **Monday, August 4, 2014**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

6:00PM

- The Executive Appointment of **Pr. Thomas L. Van Engen** to serve as **Member** of the **Guam Parole Board**.
- **Bill No. 384-32 (COR)** – B.J.F. Cruz – “An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.”
- **Bill No. 375-32 (COR)** – B.T. McCreadie – “An act to amend §§77110.1 and 7110.2, and to repeal §§ 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated, relative to the minimum requirements for positions within the Guam Police Department.”
- **Bill No. 386-32 (COR)** – B.J.F. Cruz – “An act to clarify certain functions of the Administrative Law Judge under the Civil Service Commission by amending Subsection (c) of Title 4 GCA §4405.”

Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; by facsimile to 477-2522; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

###



[To: PH Notice <phnotice@guamlegislature.org>, "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms \(Legislature\)" <sgtarms@guamlegislature.org>](#)

SECOND NOTICE of Public Hearing - August 4, 2014

Dani Reyes <danireyes@senatorbjcruz.com>

Sat, Aug 2, 2014 at 3:00 PM

To: PH Notice <phnotice@guamlegislature.org>

Cc: Management Information System <mis@guamlegislature.org>, "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>

August 2, 2014

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing – August 4, 2014**

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing at **6:00PM** on **Monday, August 4, 2014**, in the ***I Liheslatura* Public Hearing Room** with the following agenda:

6:00PM

- The Executive Appointment of Pr. Thomas L. Van Engen to serve as Member of the Guam Parole Board.
- Bill No. 384-32 (COR) – B.J.F. Cruz – “An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products.”
- Bill No. 375-32 (COR) – B.T. McCreadie – “An act to amend §§77110.1 and 7110.2, and to repeal §§ 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated, relative to the minimum requirements for positions within the Guam Police Department.”
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We look forward to your attendance and participation.

cc: MIS
COR
Sgt-at-Arms
Media

—
Dani Reyes
Legislative Aide

Vice Speaker Benjamin J.F. Cruz
I Mina'trentai Dos Na Liheslaturan Guåhan
T 671-477-2520 | F 671-477-2522
<http://www.senatorbjcruz.com>

2 attachments



SECOND NOTICE PR 08042014.pdf
158K



SECOND NOTICE MEMO 08042014.pdf
163K



August 2, 2014

MEMORANDUM

To: All Members/ All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing - August 4, 2014**

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Confirmation Hearing at 6:00PM on **Monday, August 4, 2014**, in the *I Liheslatura Public Hearing Room* with the following agenda:

6:00PM

- The Executive Appointment of **Pr. Thomas L. Van Engen** to serve as **Member** of the **Guam Parole Board**.
- **Bill No. 384-32 (COR)** - B.J.F. Cruz - "An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products."
- **Bill No. 375-32 (COR)** - B.T. McCreadie - "An act to amend §§77110.1 and 7110.2, and to repeal §§ 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated, relative to the minimum requirements for positions within the Guam Police Department."
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We look forward to your attendance and participation.



FOR IMMEDIATE RELEASE
August 2, 2014

SECOND NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as forty-eight (48) hours' notice for Public Hearings by the *Committee on General Government Operations and Cultural Affairs* scheduled on **Monday, August 4, 2014**, in the Guam Legislature Hearing Room in Hagatña, on the following:

6:00PM

- The Executive Appointment of **Pr. Thomas L. Van Engen** to serve as **Member** of the **Guam Parole Board**.
- **Bill No. 384-32 (COR)** - B.J.F. Cruz - "An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products."
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Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagatña Guam 96910; by facsimile to 477-2522; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

###

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As of July 7, 2014

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As of July 7, 2014

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As of July 7, 2014

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PUBLIC HEARING AGENDA

Monday, August 4, 2014

Guam Legislature Public Hearing Room • Hagatña, Guam

6:00PM

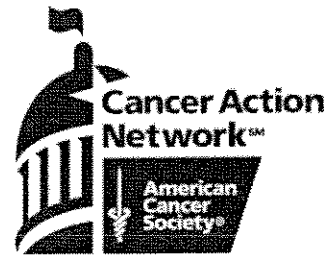
- The Executive Appointment of **Pr. Thomas L. Van Engen** to serve as **Member** of the **Guam Parole Board**.
- **Bill No. 384-32 (COR)** - B.J.F. Cruz - "An act to add a new §26609 to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, relative to the regulation and taxation of tobacco products."
- **Bill No. 375-32 (COR)** - B.T. McCreadie - "An act to amend §§77110.1 and 7110.2, and to repeal §§ 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated, relative to the minimum requirements for positions within the Guam Police Department."
- **Bill No. 386-32 (COR)** - B.J.F. Cruz - "An act to clarify certain functions of the Administrative Law Judge under the Civil Service Commission by amending Subsection (c) of Title 4 GCA §4405."

CONTACT:

Cory Chun
American Cancer Society Cancer Action Network
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or

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Media Advocacy Specialist, ACS CAN
913-710-5519
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ACS CAN Applauds Vice Speaker Cruz on Introducing Tobacco Sales Legislation

HAGATNA, GUAM – July 21, 2014 – The American Cancer Society Cancer Action Network (ACS CAN) applauds Vice Speaker Benjamin J.F. Cruz for introducing legislation that would restrict deep discounts and free samples associated with multi-pack purchases of tobacco in Guam.

Tobacco remains the number one preventable cause of cancer in Guam and price is proven to be one of the most effective ways to keep kids from starting tobacco use and prompt adults to quit. We commend Vice Speaker Cruz for his work on this bill and look forward to working with the Guam Legislature on this measure.

ACS CAN, the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society, supports evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem. ACS CAN works to encourage elected officials and candidates to make cancer a top national priority. ACS CAN gives ordinary people extraordinary power to fight cancer with the training and tools they need to make their voices heard. For more information, visit www.acscan.org.

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COMMITTEE ON RULES

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

July 25, 2014

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 383-32 (COR) and 384-32(COR)

Hafa Adai Mr. Calvo:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
383-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO ADOPT THE UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA) BY ADDING A NEW DIVISION 11 TO TITLE 13 OF THE GUAM CODE ANNOTATED.
384-32 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW § 26609 TO ARTICLE 6, CHAPTER 26 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION AND TAXATION OF TOBACCO PRODUCTS.



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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

July 18, 2014

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
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Member

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Thomas C. Ada 
Acting Chairperson of the Committee on Rules

Subject: Referral of Bill No. 384-32(COR)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 384-32(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
2014 (SECOND) Regular Session

Bill No. 384-32 (COR)

Introduced by:

B. J.F. Cruz 

2014 JUL 18 PM 4:02

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me

**AN ACT TO ADD A NEW § 26609 TO ARTICLE 6,
CHAPTER 26 OF TITLE 11 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE REGULATION
AND TAXATION OF TOBACCO PRODUCTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 26609 is hereby *added* to Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, to read:

“§ 26609. Tobacco Products Regulated and Taxed. No business engaged in the manufacture, production, distribution, or importation of tobacco products, or any employee or agent of the same, *shall* sell such products to retailers or consumers through any multi-pack discounts (e.g., “Buy two, get one free”). No business engaged in the manufacture, production, distribution, or importation of tobacco products, or any employee or agent of the same, *shall* sell or otherwise provide or distribute to retailers or consumers any tobacco products without charge or for less than the listed or non-discounted price, in exchange for the purchase of any other tobacco product. For the purposes of this section, “listed or non-discounted price” shall mean the higher of the prices listed for a tobacco product on its package or the price listed on any related shelving, posting, advertising, or display at the place where the tobacco product is sold or offered for sale plus all applicable taxes if such taxes are not included in the stated price, and before the application of any discounts.”