

**EDDIE BAZA CALVO**  
Governor



2011 NOV 22 AM 8:58

*RT*  
**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor of Guam*

November 21, 2011

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

31-11-1116  
Office of the Speaker  
**Judith T. Won Pat, Ed. D.**  
Date 11/21/11  
Time 4:49 PM  
Received by *Ch*

Dear Madame Speaker:

Transmitted herewith is Bill No. 325-31 (COR) "AN ACT TO ADD A NEW §3329.1 TO ARTICLE 3 OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR THE SAFETY OF PEDESTRIANS WHO ARE BLIND OR VISUALLY IMPAIRED WHEN CROSSING GUAM ROADWAYS", which I signed into law on November 17, 2011 as Public Law 31-143.

*Senseramente,*

  
**EDDIE BAZA CALVO**

Attachment: copy of Bill

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN**  
**2011 (FIRST) Regular Session**

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

This is to certify that **Substitute Bill No. 325-31 (COR)**, "AN ACT TO ADD A NEW §3329.1 TO ARTICLE 3 OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR THE SAFETY OF PEDESTRIANS WHO ARE BLIND OR VISUALLY IMPAIRED WHEN CROSSING GUAM ROADWAYS," was on the 8<sup>th</sup> day of November, 2011, 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 8<sup>th</sup> day of Nov., 2011, at 4:25 o'clock P. .M.

  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

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

Date:

**NOV 17 2011**

Public Law No. 311-143

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
**2011 (FIRST) Regular Session**

**Bill No. 325-31 (COR)**

As substituted by the Committee on Utilities, Transportation,  
Public Works and Veterans Affairs.

Introduced by:

T. C. Ada  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Adolpho B. Palacios, Sr.  
V. Anthony Ada  
F. F. Blas, Jr.  
Chris M. Dueñas  
B. J.F. Cruz  
Judith P. Guthertz, DPA  
Sam Mabini, Ph.D.  
T. R. Muña Barnes  
v. c. pangelinan  
M. Silva Taijeron  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW §3329.1 TO ARTICLE 3 OF  
CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED,  
RELATIVE TO PROVIDING FOR THE SAFETY OF  
PEDESTRIANS WHO ARE BLIND OR VISUALLY  
IMPAIRED WHEN CROSSING GUAM ROADWAYS.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that it is the policy of Guam to encourage and enable people who are blind or  
4 visually impaired, or those with mobility impairments, to participate fully in the  
5 social and economic life of the island. To meet this goal, it is imperative to enact

1 traffic safety regulations that provide for the safety of the visually impaired; as  
2 such, this Act *shall* mandate that drivers take all safety precautions necessary when  
3 approaching an individual who is visually impaired.

4 **Section 2.** A new §3329.1 of Article 3, Chapter 3 of Title 16, Guam Code  
5 Annotated, is hereby *added* to read:

6 “§ 3329.1. **Traffic Safety for the Visually Impaired.** The driver of  
7 a vehicle approaching a pedestrian who is blind or visually impaired and is  
8 carrying a cane predominantly white or metallic in color (with or without a  
9 red tip) or using a guide dog *shall* take all necessary precautions to avoid  
10 injury to such pedestrian, and any driver who fails to take such precautions  
11 *shall* be liable in damages for any injury caused to such pedestrian; provided  
12 that a pedestrian who is blind or visually impaired and is *not* carrying such a  
13 cane or using a guide dog in any of the places, accommodations or  
14 conveyances listed in §§2114-2116 of Chapter 2 of Title 19, Guam Code  
15 Annotated, *shall* have all of the rights and privileges conferred by law upon  
16 other persons, and the failure of such pedestrian to carry such a cane or to  
17 use a guide dog in any such places, accommodations or conveyances *shall*  
18 *not* be held to constitute nor be evidence of contributory negligence.”

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: 11/08/11

## VOTING SHEET

SBill No. 325-31(COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



# Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

October 25, 2011

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

Speaker

I Mina' trentai Unu na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

2011 OCT 27 PM 4:49  
MM

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

*Rory J. Respicio*

**RE: Committee Report on Bill No. 325-31 (COR) As Substituted**

*Håfa Adai* Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill 325-31 (COR) – An act to Add a New §3329.1 to Chapter 3 of Title 16, Guam Code Annotated, Relative to Providing for the Safety of Pedestrians who are Blind or Visually Impaired when Crossing Guam Roadways – As Substituted by the Committee on Utilities, Transportation, Public Works and Veterans Affairs.

Committee votes are as follows:

- 7 6 TO DO PASS
- 0 TO NOT PASS
- 0 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Saina Ma'åse',

*Thomas C. Ada*  
Thomas C. Ada



**Senator Thomas C. Ada**

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

**COMMITTEE REPORT  
ON**

**BILL NO. 325-31 (COR)**

**AN ACT TO ADD A NEW §3329.1 TO  
CHAPTER 3 OF TITLE 16, GUAM  
CODE ANNOTATED, RELATIVE  
TO PROVIDING FOR THE SAFETY  
OF PEDESTRIANS WHO ARE  
BLIND OR VISUALLY IMPAIRED  
WHEN CROSSING GUAM  
ROADWAYS.**

**As Substituted by the  
Committee on Utilities, Transportation,  
Public Works and Veterans Affairs**



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

October 24, 2011

### MEMORANDUM

**To:** All Members  
Committee on Utilities, Transportation, Public Works and Veterans Affairs

**From:** Senator Thomas C. Ada   
Committee Chairperson

**Subject:** Committee Report - Bill No. 325-31 (COR) As Substituted

Transmitted herewith for your consideration is the Committee Report on Bill 325-31 (COR) – An act to Add a New §3329.1 to Chapter 3 of Title 16, Guam Code Annotated, Relative to Providing for the Safety of Pedestrians who are Blind or Visually Impaired when Crossing Guam Roadways – As Substituted by the Committee on Utilities, Transportation, Public Works and Veterans Affairs.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Substitute Bill No. 325-31 (COR)
- Copy of Bill No. 325-31 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 325-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os Ma'åse!*



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
 31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guahan

### COMMITTEE VOTE SHEET

Bill 325-31 (COR) – An act to Add a New §3329.1 to Chapter 3 of Title 16, Guam Code Annotated, Relative to Providing for the Safety of Pedestrians who are Blind or Visually Impaired when Crossing Guam Roadways

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		✓ 10/24/11				
SENATOR ADOLPHO B. PALACIOS, SR. Vice Chairperson		✓ 10/25/11				
VICE SPEAKER BENJAMIN J.F. CRUZ Member						
SENATOR RORY J. RESPICIO Member		✓ 10/25/11				
SENATOR TINA ROSE MUÑA BARNES Member						
SENATOR DENNIS G. RODRIGUEZ, JR. Member		✓ 10/25/11				
SENATOR V. ANTHONY ADA Minority Member		✓ 10/25/11				
SENATOR ALINE A. YAMASHITA, PH.D. Minority Member						
SENATOR MANA SILVA TAIJERON Minority Member		✓ 10/25/11				
SENATOR CHRISTOPHER M. DUEÑAS Minority Member		✓ 10/25/11				

## COMMITTEE REPORT DIGEST

### I. OVERVIEW

Bill 325-31 (COR) was introduced by Senator Tom Ada on October 3, 2011, and was subsequently referred by the Committee on Rules to the Committee on Utilities, Transportation, Public Works and Veterans Affairs on October 5, 2011.

The Committee on Utilities, Transportation, Public Works and Veterans Affairs convened a public hearing on Bill 325-31 (COR) on October 11, 2011 at 3:00p.m. in *I Liheslatura's* Public Hearing Room to receive public testimony on the measure.

#### **Public Notice Requirements**

In accordance with the Open Government Law, notices were disseminated via email to all Senators and all main media outlets on Tuesday, October 4, 2011 (5-Day Notice), and again on Friday, October 7, 2011 (48-Hour Notice). Notices were also issued to various public and private entities.

#### **Senators Present**

Senator Thomas C. Ada	Committee Chairperson
Senator Adolpho B. Palacios, Sr.	Committee Vice-Chairperson
Senator Christopher M. Duenas	Minority Member
Senator Aline A. Yamashita, Ph.D.	Minority Member
Senator V. Anthony Ada	Minority Member

The public hearing was Called-to-Order at 3:00 p.m.

### II. SUMMARY OF TESTIMONY & DISCUSSION

#### **Mr. Benito Servino**

*Provided oral and written testimony (written testimony attached)*

Mr. Benito Servino, Director of the Department of Integrated Services for Individuals with Disabilities, spoke in favor of the legislation with some recommended amendments. He began by commending the legislation's aim of improving access to basic services for people who are blind or visually impaired, and for the bill's acknowledgement of the right of people to be able to independently traverse Guam by foot. However, he did recommend instead using "people first" language when referring to those who are blind or visually impaired; in short, rather than defining an individual solely by their disability (e.g. "must stop for the blind"), the disability should only follow after first identifying the person (e.g. "must stop for the pedestrian who is blind"). Director Servino also recommended language stating that "motor vehicles and pedestrians should yield the right of way to a person who is blind or visually impaired that is using a white cane."

## **Question & Answer**

**Chairman Tom Ada:** Stated that he introduced the legislation after discussions with local advocacy organizations that brought this issue to his attention. While some may feel this bill is common sense, the Chairman highlights that such legislation further establishes safety measures protecting all of Guam's citizens.

**Senator Palacios:** States that he will work with the bill author to potentially include stipulated monetary fines.

**Senator Yamashita:** Thanks Director Servino for his extraordinary work in his role as Director of DISID.

**Senator Tony Ada:** Stated that he would like to ask DPW if intersections can include technology that will audibly notify pedestrians who are blind or visually impaired or how much time they have to cross the street during a red light.

Chairman Tom Ada adjourned the Public Hearing at 4:20 p.m..

## **III. FINDINGS & RECOMMENDATIONS**

The Committee on Public Works, Transportation, Utilities and Veterans Affairs has substituted Bill No. 325-31 (COR) with the following significant changes:

- In order to follow the "people first" philosophy, all references to "the blind pedestrian" were changed to "pedestrian who is blind or visually impaired".

The Committee on Public Works, Transportation, Utilities and Veterans Affairs hereby reports out Bill No. 325-31 (COR) As Substituted by the Committee, with the recommendation To Pass.

*I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
**2011 (FIRST) Regular Session**

Bill No. 325-31 (COR)  
As Substituted by the Committee  
on Utilities, Transportation,  
Public Works, and Veterans Affairs

Introduced by:

T.C. Ada  
R.J. Respicio  
D.G. Rodriguez, Jr.  
A.B. Palacios, Sr.

**AN ACT TO ADD A NEW §3329.1 TO CHAPTER 3 OF TITLE 16,  
GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR  
THE SAFETY OF PEDESTRIANS WHO ARE BLIND OR  
VISUALLY IMPAIRED WHEN CROSSING GUAM  
ROADWAYS.**

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

2       **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that it  
3 is the policy of Guam to encourage and enable people who are blind or visually impaired,  
4 or those with mobility impairments, to participate fully in the social and economic life of  
5 the island. To meet this goal, it is imperative to enact traffic safety regulations that  
6 provide for the safety of the visually impaired; as such, this Act shall mandate that drivers  
7 take all safety precautions necessary when approaching an individual who is visually  
8 impaired.

9       **Section 2.** A new §3329.1 to Chapter 3, Title 16, Guam Code Annotated, is  
10 hereby *added* to read:

11       “**§3329.1. Traffic Safety for the Visually Impaired.** The driver of a vehicle  
12 approaching a pedestrian who is blind or visually impaired and is carrying a cane

1 predominantly white or metallic in color (with or without a red tip) or using a guide dog  
2 shall take all necessary precautions to avoid injury to such pedestrian, and any driver who  
3 fails to take such precautions shall be liable in damages for any injury caused such  
4 pedestrian; provided that a pedestrian who is blind or visually impaired and is not  
5 carrying such a cane or using a guide dog in any of the places, accommodations or  
6 conveyances listed in §§2114-2116 of Chapter 2 of Title 19, Guam Code Annotated, shall  
7 have all of the rights and privileges conferred by law upon other persons, and the failure  
8 of such pedestrian to carry such a cane or to use a guide dog in any such places,  
9 accommodations or conveyances shall not be held to constitute nor be evidence of  
10 contributory negligence.”

11 **Section 3. Effective Date.** Notwithstanding any other provisions of law, the  
12 action requested herein is approved and will be in effect when this Act is signed into law  
13 by the Governor.

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

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

Bill No. 325-31 (cor)

Introduced by:

2011  
MAY 11 4:30 PM  
T.C. Ada  
R.J. Respicio  
D.G. Rodriguez, Jr.  
A.B. Palacios, Sr.

**AN ACT TO ADD A NEW §3329.1 TO CHAPTER 3 OF TITLE 16,  
GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR  
THE SAFETY OF THE VISUALLY IMPAIRED WHEN  
CROSSING GUAM ROADWAYS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that it  
3 is the policy of Guam to encourage and enable the blind, the visually handicapped, and  
4 the otherwise physically disabled to participate fully in the social and economic life of the  
5 island. To meet this goal, it is imperative to enact traffic safety regulations that provide  
6 for the safety of the visually impaired; as such, this Act shall mandate that drivers take all  
7 safety precautions necessary when approaching an individual who is visually impaired.

8 **Section 2.** A new §3329.1 to Chapter 3, Title 16, Guam Code Annotated, is  
9 hereby *added* to read:

10 **“§3329.1. Traffic Safety for the Visually Impaired.** The driver of a vehicle  
11 approaching a totally or partially blind pedestrian who is carrying a cane predominantly  
12 white or metallic in color (with or without a red tip) or using a guide dog shall take all  
13 necessary precautions to avoid injury to such blind pedestrian, and any driver who fails to  
14 take such precautions shall be liable in damages for any injury caused such pedestrian;  
15 provided that a totally or partially blind pedestrian not carrying such a cane or using a

1 guide dog in any of the places, accommodations or conveyances listed in §§2114-2116 of  
2 Chapter 2 of Title 19, Guam Code Annotated, shall have all of the rights and privileges  
3 conferred by law upon other persons, and the failure of a totally, or partially blind  
4 pedestrian to carry such a cane or to use a guide dog in any such places, accommodations  
5 or conveyances shall not be held to constitute nor be evidence of contributory  
6 negligence.”

7 **Section 3. Effective Date.** Notwithstanding any other provisions of law, the  
8 action requested herein is approved and will be in effect when this Act is signed into law  
9 by the Governor.

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





Benito "Ben" Servino  
DIRECTOR

## Department of Integrated Services for Individuals with Disabilities

Dipattamenton Programa Para I Maninuter  
Government of Guam



Eddie Baza Calvo  
GOVERNOR

Ray Tenorio  
LIEUTENANT GOVERNOR

October 11, 2011

Honorable Thomas C. Ada, Chairperson  
Committee on Utilities, Transportation, Public Works and Veterans Affairs  
31<sup>st</sup> Guam Legislature  
Suite 207, Ada Plaza Center  
Hagåtña, Guam 96910

**Re: Bill No. 325-31 (COR), AN ACT TO ADD A NEW §3329.1 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR THE SAFETY OF THE VISUALLY IMPAIRED WHEN CROSSING GUAM ROADWAYS**

Buenas yan Hafa Adai Senator Ada and Members of the Committee on Utilities, Transportation, Public Works and Veterans Affairs

My name is Ben S. Servino, and I currently serve as the Director for the Department of Integrated Services for Individuals with Disabilities (DISID).

I commend your efforts to re-affirm our Island's commitment to improve access to basic services for people who are blind or visually impaired and acknowledging their right to travel independently with the use of a white cane by establishing legislation that provides for their safety when they are crossing Guam's roadways.

I have reviewed Bill 325-31 (COR) and wish to provide these recommendations:

- 1) To help promote the proper use of terminology in describing people with disabilities I highly recommend that the following lines be modified to reflect the "person-first" philosophy:

Page 1, Lines 3-4: Recommend modifying statement: "the blind, the visually handicapped, and the otherwise physically disabled" to: "**people who are blind or visually impaired, or those with mobility impairments**".

Page 1, Line 11: Recommend modifying statement: "totally or partially blind pedestrian" to: "**pedestrian who is blind or visually impaired**".

Page 1, Line 13: Recommend modifying statement: "blind pedestrian" to: **"pedestrian who is blind or visually impaired"**.

Page 1, Line 15: Recommend modifying statement: "totally or partially blind pedestrian" to: **"pedestrian who is blind or visually impaired"**.

Page 2, Lines 3-4: Recommend modifying statement: "totally, or partially blind Pedestrian" to: **"pedestrian who is blind or visually impaired"**.

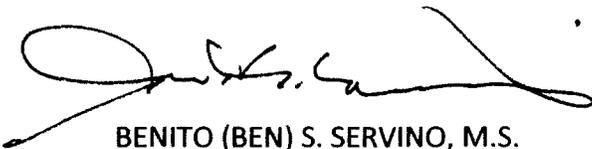
- 2) I also recommend that a statement be included in the Bill which states: **"motor vehicles and pedestrians should yield the right of way to a person who is blind or visually impaired that is using a white cane"**.

I wish to share that like the International Symbol of Accessibility (Wheelchair Symbol), the white cane is perceived by many as a symbol for blindness or visual impairment. White canes are recognized for providing these individuals with greater mobility and allowing them to participate more within our community. People who are blind and visually impaired have used canes as mobility tools for centuries but it was not until after World War-I that the white cane was properly introduced.

This month's observance of White Cane Safety Day recognizes the achievements of people who are blind or visually impaired and the importance of the white cane.

I thank you for providing me this opportunity to provide input on Bill 325-31 (COR).

Sincerely,



BENITO (BEN) S. SERVINO, M.S.  
Director, DISID



# COMMITTEE ON RULES

*I Minã'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

201 OCT 20 11:36

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

October 20, 2011

## Memorandum

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

To: Pat C. Santos  
Clerk of the Legislature

MAJORITY  
MEMBERS:

From: Senator Rory J. Respicio

Speaker  
Judith T. Won Pat

Subject: Fiscal Notes

Vice Speaker  
Benjamin J. F. Cruz

*Hafa Adai!*

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

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

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

- Bill Nos.: 311-31 (COR)
- 320-31 (COR)
- 325-31 (COR)
- 336-31 (COR)
- 339-31 (COR)

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

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

MINORITY  
MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

*Si Yu'os ma'åse'!*

Senator  
Christopher M. Duenas

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORRAY TENORIO  
LIEUTENANT GOVERNORJOHN A. RIOS  
ACTING DIRECTORSTEPHEN J. GUERRERO  
DEPUTY DIRECTOR

OCT 20 2011

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 311-31(COR), and 320-31(COR)  
and Fiscal Note Waiver on Bill Nos.: 325-31(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

  
JOHN A. RIOS  
Acting Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña, Guam 96932**EDDIE BAZA CALVO**  
GOVERNOR**RAY TENORIO**  
LIEUTENANT GOVERNOR

OCT 20 2011

**JOHN A. RIOS**  
ACTING DIRECTOR**STEPHEN J. GUERRERO**  
DEPUTY DIRECTOR

The Bureau requests that Bill No(s). 325-31 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The Bill adds a new § 3329.1 to Chapter 3 of Title 16 Guam Code Annotated relative to providing for the safety of the visually impaired when crossing Guam roadways, and stipulating that any driver who fails to take such precaution shall be liable in damages for any injury caused such pedestrians. The intent is administrative in nature as submitted for legislative consideration, and does not impact any government funds of the Government of Guam.

A handwritten signature in black ink, appearing to read "John A. Rios".  
**JOHN A. RIOS**  
Acting Director



# COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

2011 OCT -5  
11:11

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

### MAJORITY MEMBERS:

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

October 5, 2011

### MEMORANDUM

To: **Pat Santos**  
*Clerk of the Legislature*

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

From: **Senator Rory J. Respicio** *[Signature]*

Subject: **Referral of Bill Nos. 323-31(COR) through 325-31 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 323-31 (COR) through 325-31 (COR).

Please ensure that the subject bills are 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 Unu na Liheslaturan Guåhan*.

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

*Si Yu'os Ma'åse!*

*(3) Attachment*

*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**October 03, 2011**

Page 1 of 1

<b>Bill No.</b>	<b>Sponsor(s)</b>	<b>Title</b>	<b>Date Introduced</b>	<b>Date Referred</b>	<b>120 Day Deadline</b>	<b>Committee Referred</b>	<b>Public Hearing Date</b>	<b>Date Committee Report Filed</b>	<b>Status (Date) Passed? Failed? Vetoed? Overridden? Public Law'</b>
325-31 (COR)	T.C. Ada, R.J. Respicio, D.G. Rodriguez, Jr., A.B. Palacios, Sr.	AN ACT TO ADD A NEW §3329.1 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR THE SAFETY OF THE VISUALLY IMPAIRED WHEN CROSSING GUAM ROADWAYS.	10/03/11 4:30 p.m.	10/5/11		Committee on Utilities, Transportation, Public Works and Veterans Affairs.			



Senador Tom Ada

Cyrus Luhr <cyrus@senatorada.org>

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## Public Hearing Notice - Oct 11, 2011 - First Notice

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Cyrus Luhr <cyrus@senatorada.org>

Tue, Oct 4, 2011 at 4:33 PM

To: phnotice@guamlegislature.org

Hafa Adai,

Please see the attached memo regarding a Public Hearing being held this upcoming Tuesday, October 11, at 3:00 pm.

Thank you,  
Cyrus

---

Cyrus Lotfi Luhr  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
*I Mina'trentai Unu na Liheslaturan Guâhan* - 31st Guam Legislature  
[671-473-3301](tel:671-473-3301)

 **Public Hearing - Oct 11, 2011 - all Senators - first notice.pdf**  
171K

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**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)**

As of Oct. 17, 2011

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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guáhan

October 4, 2011

### MEMORANDUM

To: All Senators  
From: Senator Thomas C. Ada  
Subject: **Public Hearing Notice: October 11, 2011, at 3:00 pm**

Please be advised that the Committee on Transportation, Utilities, Public Works and Veterans Affairs is holding a public hearing on Tuesday, October 11, 2011, at 3:00 pm. This meeting will take place in the Public Hearing Room of *I Liheslatura*.

The agenda is as follows:

**Bill No. 273-31 (COR) - C.M. Duenas / v.c. pangelinan**

An act to delete a portion of the 1966 Highway Master Plan Reservation Easement on Lot No. 121-6, Mongmong, municipality of Sinajana, Guam; and, to repeal and re-enact § 62103 of Title 21, Guam Code Annotated, relative to compliance with Master Plan.

**Appointments to the Guam Building Code Council**

- Mr. Brent Wiese
- Mr. William Miller

**Appointments to Guam Regional Transit Authority Board**

- Mr. Andrew S. Tydingco
- Mr. Jason L. Cruz

**Bill No. 325-31 (COR) - T.C. Ada / R.J. Respicio / D.G. Rodriguez, Jr.**

An act to add a new §3229.1 to Chapter 3 of Title 16, Guam Code Annotated, relative to providing for the safety of the visually impaired when crossing Guam roadways.

Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until October 14, 2011, 5:00 pm.

Individuals requiring special accommodations, auxiliary aids, or services should submit their request to our office c/o Cyrus Luhr. Copies of the agenda items may be found on the official Guam Legislature website ([www.guamlegislature.com](http://www.guamlegislature.com)). Please feel free to contact our office at 473-3301 should you have any questions or concerns.



Senator Tom Ada

Cyrus Luhr <cyrus@senatorada.org>

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## Public Hearing Notice - Oct 11, 2011, at 3pm

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Cyrus Luhr <cyrus@senatorada.org>

Tue, Oct 4, 2011 at 4:26 PM

To: media@senatorada.org

Hafa Adai,

Please see the attached memo regarding a Public Hearing being held this upcoming Tuesday, October 11, at 3:00 pm.

Thank you,  
Cyrus

---

Cyrus Lotfi Luhr  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
*I Mina'trentai Unu na Liheslaturan Guåhan* - 31st Guam Legislature  
671-473-3301

 **Public Hearing - Oct 11, 2011 - all media - first notice.pdf**  
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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

October 4, 2011

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<a href="#">dmgeorge@guampdn.com</a>	<a href="#">dmgeorge@guampdn.com</a>	Member
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<a href="#">nick.delgado@kuam.com</a>	<a href="#">nick.delgado@kuam.com</a>	Member
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<a href="#">sabrina@kuam.com</a>	<a href="#">sabrina@kuam.com</a>	Member
<a href="#">scoop@guamnewswatch.com</a>	<a href="#">scoop@guamnewswatch.com</a>	Member
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1 - 28



Senator Tom Ada

Cyrus Luhr <cyrus@senatorada.org>

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## Second Notice - Public Hearing - Oct. 11, 2011

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Cyrus Luhr <cyrus@senatorada.org>

Fri, Oct 7, 2011 at 4:53 PM

To: media@senatorada.org

Hafa Adai,

Please see the attached Public Hearing Notice which is scheduled for Tuesday, Oct. 11, at 3pm. Please let me know if you have any questions or concerns.

Thank you,  
Cyrus

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Cyrus Lotfi Luhr  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
*I Mina'trentai Unu na Liheslaturan Guåhan* - 31st Guam Legislature  
671-473-3301

### 2 attachments

-  **Public Hearing - Oct 11, 2011 - all media - second notice.pdf**  
171K
-  **Public Hearing - Oct 11, 2011 - all media - second notice.docx**  
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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guáhan

October 7, 2011

### MEMORANDUM

To: All Media

From: Senator Thomas C. Ada

Subject: **Public Hearing Notice: October 11, 2011, at 3:00 pm**

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The agenda is as follows:

**Bill No. 273-31 (COR) - C.M. Duenas / v.c. pangelinan**

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- Mr. Brent Wiese
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**Appointments to Guam Regional Transit Authority Board**

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- Mr. Jason L. Cruz

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Testimonies should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagátña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until October 14, 2011, 5:00 pm.

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Senator Tom Ada

Cyrus Luhr <cyrus@senatorada.org>

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## Second Notice - Public Hearing - Tuesday, Oct. 11, 3:00 pm

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Cyrus Luhr <cyrus@senatorada.org>

Fri, Oct 7, 2011 at 4:54 PM

To: phnotice@guamlegislature.org

Hafa Adai,

Please see the attached Public Hearing Notice which is scheduled for Tuesday, Oct. 11, at 3pm. Please let me know if you have any questions or concerns.

Thank you,  
Cyrus

---

Cyrus Lotfi Luhr  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
*I Mina'trentai Unu na Liheslaturan Guåhan* - 31st Guam Legislature  
671-473-3301

 **Public Hearing - Oct 11, 2011 - all Senators - second notice.pdf**  
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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guáhan

October 7, 2011

### MEMORANDUM

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Subject: **Public Hearing Notice: October 11, 2011, at 3:00 pm**

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## **Senator Thomas C. Ada**

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guahan

### **AGENDA**

#### **PUBLIC HEARING**

**Tuesday, October 11, 2011, at 3:00 pm**  
**Public Hearing Room, I Liheslaturan Guahan**

The agenda is as follows:

#### **Bill No. 273-31 (COR) - C.M. Duenas / v.c. pangelinan**

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*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

2011 JAN -3  
MUA  
PM 4:30

Bill No. 325-31 (cor)

Introduced by:

T.C. Ada  
R.J. Respicio  
D.G. Rodriguez, Jr.  
A.B. Palacios, Sr.

**AN ACT TO ADD A NEW §3329.1 TO CHAPTER 3 OF TITLE 16,  
GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR  
THE SAFETY OF THE VISUALLY IMPAIRED WHEN  
CROSSING GUAM ROADWAYS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that it  
3 is the policy of Guam to encourage and enable the blind, the visually handicapped, and  
4 the otherwise physically disabled to participate fully in the social and economic life of the  
5 island. To meet this goal, it is imperative to enact traffic safety regulations that provide  
6 for the safety of the visually impaired; as such, this Act shall mandate that drivers take all  
7 safety precautions necessary when approaching an individual who is visually impaired.

8 **Section 2.** A new §3329.1 to Chapter 3, Title 16, Guam Code Annotated, is  
9 hereby *added* to read:

10 **“§3329.1. Traffic Safety for the Visually Impaired.** The driver of a vehicle  
11 approaching a totally or partially blind pedestrian who is carrying a cane predominantly  
12 white or metallic in color (with or without a red tip) or using a guide dog shall take all  
13 necessary precautions to avoid injury to such blind pedestrian, and any driver who fails to  
14 take such precautions shall be liable in damages for any injury caused such pedestrian;  
15 provided that a totally or partially blind pedestrian not carrying such a cane or using a

1 guide dog in any of the places, accommodations or conveyances listed in §§2114-2116 of  
2 Chapter 2 of Title 19, Guam Code Annotated, shall have all of the rights and privileges  
3 conferred by law upon other persons, and the failure of a totally, or partially blind  
4 pedestrian to carry such a cane or to use a guide dog in any such places, accommodations  
5 or conveyances shall not be held to constitute nor be evidence of contributory  
6 negligence.”

7 **Section 3. Effective Date.** Notwithstanding any other provisions of law, the  
8 action requested herein is approved and will be in effect when this Act is signed into law  
9 by the Governor.

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