

PH



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

June 18, 2012

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

31-12-1010
Office of the Speaker
Judith T. Won Pat, Ed. D.
6/19/12
Date _____
Time 4:37 PM
Received by _____

Dear Madame Speaker:

Transmitted herewith is Bill No. 420-31 (COR) " AN ACT TO ADD A NEW ITEM (1) TO §3101(m) OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE RENEWAL OF A GUAM DRIVER'S LICENSE", which I signed into law on June 15, 2012 as **Public Law 31-216**.

Senseramente,

RAY TENORIO
I Maga'lahaen Guåhan para pa'go
Acting Governor of Guam

2012 JUN 19 PM 5:03
A

Attachment: copy of Bill

1016

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session**

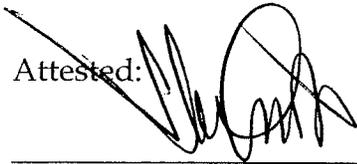
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that substitute Bill No. 420-31 (COR), "AN ACT TO ADD A NEW ITEM (1) TO §3101(m) OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE RENEWAL OF A GUAM DRIVER'S LICENSE", was on the 4th day of June, 2012, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

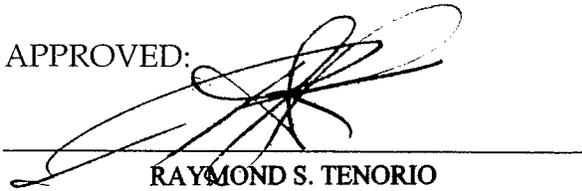
Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this _____ day of _____, 2012, at _____ o'clock _____M.

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

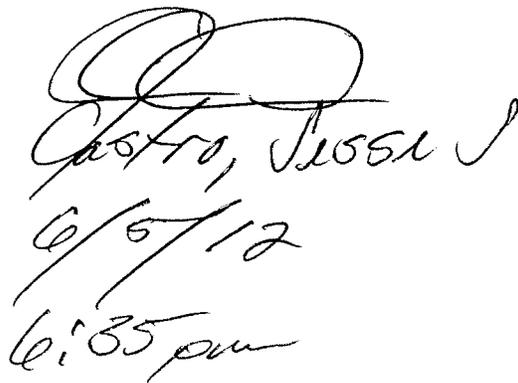
Date: _____

JUN 15 2012

Public Law No. _____

31-216

Assistant Staff Officer
Maga'lahi's Office



Castro, JESSE J
6/6/12
6:35 pm

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 420-31 (COR)

As substituted on the Floor by the Author
and further amended.

Introduced by:

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

**AN ACT TO *ADD* A NEW ITEM (1) TO §3101(m) OF
ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE
ANNOTATED, RELATIVE TO THE RENEWAL OF A
GUAM DRIVER'S LICENSE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the privilege of driving a motor vehicle on Guam must be reserved for citizens
4 who respect the safety of others. The operation of various types of motor vehicles
5 on public roadways requires practice, examination and continued compliance with

1 applicable traffic and safety regulations ensuring the safe movement of drivers,
2 passengers and cargo.

3 A person's attainment of a Guam Driver's License recognizes his or her
4 ability to drive the type of motor vehicle in which he or she is licensed to operate
5 and further demonstrates that he or she understands basic traffic and safety rules of
6 the road. *I Liheslatura* finds that a person operating a motor vehicle, and whose
7 driving record involves multiple traffic violations, poses a serious threat to other
8 persons and property.

9 Therefore, it is the intent of *I Liheslaturan Guåhan* to require that
10 individuals convicted of three (3) separate instances involving moving violations
11 in any twelve (12) month period to complete a course in driver safety, ensuring
12 their awareness of basic traffic and safety regulations, by adding a new Item (1) to
13 §3101(m) of Article 1, Chapter 3, Title 16, Guam Code Annotated.

14 *I Liheslatura* further intends for this new requirement to serve as a
15 mechanism for the Department of Revenue and Taxation, Guam Police
16 Department and Judiciary of Guam to identify and appropriately deal with
17 individuals who place other persons, passengers and property at risk of
18 injury/damage.

19 **Section 2.** A new Item (1) is hereby *added* to §3101(m) of Article 1,
20 Chapter 3, Title 16, Guam Code Annotated, to read:

21 “(1) The Department of Revenue and Taxation *shall* review prior to
22 renewal, the applicant's driving record available through the Judiciary of
23 Guam, detailing any conviction(s) for traffic violations and traffic accidents.
24 The operator's, chauffeur's, or other class of driver's license of an applicant
25 *shall not* be renewed if his *or* her driving record reveals that he *or* she has
26 been convicted of three (3) separate instances involving moving violations

1 in any twelve (12) month period, following issuance or renewal of a license,
2 within the current license period. The applicant's driver's license may be
3 renewed following his *or* her attendance in a program in driver
4 improvement, as approved by the Department of Revenue and Taxation, and
5 who has further obtained a certificate evidencing successful completion of
6 such program. This provision *shall* be applied in addition to any other
7 conditions imposed by a court."

8 **Section 3. Effective Date.** This Act *shall* be effective *not later than* One
9 Hundred Eighty (180) days following enactment.

fn



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

MAY 29 2012

2012 MAY 29 AM 10:42
PH 2-42

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

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

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

RE: Committee Report on Bill No. 420-31 (COR), As Introduced

Vice Chairman
Committee on Education

Dear Speaker Won Pat:

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Transmitted herewith is the Committee Report on Bill No. 420-31 (COR), As Introduced: "An act to amend Subsections (j) and (m) of §3101, Article 1, Chapter 3, Title 16 of the Guam Code Annotated, relative to requirements for a Guam driver's license" and which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

- 1 TO PASS
- 0 TO NOT PASS
- 4 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Member
Committee on the Guam
Military Buildup and
Homeland Security

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

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Committee
Report
On

Bill No. 420-31 (COR), As Introduced: “An act to amend Subsections (j) and (m) of §3101, Article 1, Chapter 3, Title 16 of the Guam Code Annotated, relative to requirements for a Guam driver’s license”



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

MAY 29 2012

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairman

Subject: Committee Report on Bill No. 420-31 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 420-31 (COR), As Introduced: "An act to amend Subsections (j) and (m) of §3101, Article 1, Chapter 3, Title 16 of the Guam Code Annotated, relative to requirements for a Guam driver's license" sponsored by Senator Adolpho Palacios, Sr.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 420-31 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Submitted Testimony & Supporting Documents
6. Notices of Public Hearing
7. Copy of the Public Hearing Agenda
8. Fiscal Note

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

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

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



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 420-31 (COR), As Introduced: "An act to amend Subsections (j) and (m) of §3101, Article 1, Chapter 3, Title 16 of the Guam Code Annotated, relative to requirements for a Guam driver's license"

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on May 11, 2012 at 1:00 pm in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on May 4, 2012 (5-Day Notice), and again on May 9, 2012 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator Dennis Rodriguez Jr., Member
Senator Mana Silva Tajeron, Member
Senator Adolpho Palacios

(b) Appearing before the Committee

None

(c) Written Testimonies Submitted

Mr. Ricardo Leon Guerrero, GPD Acting Chief of Police

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

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

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator Palacios: I received word from Department of Revenue and Taxation that they are not able to attend this afternoons hearing but they will be submitting written testimony. I notified Department of Revenue and Taxation this morning but of course that does not prevent them from submitting testimony at a later date. Mr. Chairman Bill 420 is an effort to improve highway safety through re-orientation or retraining of drivers deemed unsafe by their record of driving habits. This bill proposes that for three moving violations in any 12 month period a persons' license would not be renewed until that person turns in a safe driving certificate of completion from a driving school. The bill requires the applicant to turn in a court clearance and there is a way to do that and without costing anybody money and DRT and the Judiciary are already working toward this goal. This is nothing more than a positive approach for some of these safety driving issues. Thank you Mr. Chairman.

(b) Testimony

Chairman Pangelinan: Thank you and si yu'os ma'ase Senator Palacios. For the record we don't have anyone signed up to present oral testimony this afternoon but we did receive written testimony from the Guam Police Department who support the intent of the bill.

No oral testimony presented.
Written testimony attached.

Chairman Pangelinan: This concludes the testimony on Bill No. 420. There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at senbenp@guam.net or through our website at senbenp.com

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriation, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 420-31 (COR), As Introduced, with the recommendation REPORT OUT ONLY.

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session**

Bill No. 420-31(COV)

Introduced by:

Adolpho B. Palacios, Sr. 

2012 FEB 12
11 3: 21
lilly

**AN ACT TO AMEND SUBSECTIONS (j) AND (m) OF
§3101, ARTICLE 1, CHAPTER 3, TITLE 16 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
REQUIREMENTS FOR A GUAM DRIVER'S
LICENSE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the privilege of driving a motor vehicle on Guam must be reserved
4 for citizens who respect the safety of others. The operation of various types
5 of motor vehicles on public roadways requires practice, examination and
6 continued compliance with applicable traffic and safety regulations ensuring
7 the safe movement of drivers, passengers and cargo.

8 A person's attainment of a Guam Driver's License recognizes his or
9 her ability to drive the type of motor vehicle in which he or she is licensed to
10 operate and further demonstrates that he or she understands basic traffic and
11 safety rules of the road. *I Liheslatura* finds that a person operating a motor
12 vehicle, and whose driving record involves multiple traffic violations, poses
13 a serious threat to other persons and property.

14 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend §3110(j)
15 and §3110(m) of Article 1, Chapter 3 of Title 16, Guam Code Annotated,
16 and require that individuals convicted of violating Guam's traffic laws

1 complete a course in drivers' safety, ensuring their awareness of basic traffic
2 and safety regulations.

3 *I Liheslatura* further intends for this new requirement to serve as a
4 mechanism for the Department of Revenue and Taxation, Guam Police
5 Department and Judiciary of Guam to identify and appropriately deal with
6 individuals who place other persons, passengers and property at risk of
7 injury/damage.

8 **Section 3. License: Requirement.** Subsections (j) and (m) of §3101,
9 Article 1, Chapter 3, Title 16 of the Guam Code Annotated, are hereby
10 *amended*, to read:

11 " (j) The Director of Revenue and Taxation may disapprove the
12 application:

13 (1) If he is satisfied that the applicant is not entitled thereto
14 under the provisions of this Title.

15 (2) If the applicant has failed to furnish the Department of
16 Revenue and Taxation the information required in the
17 application or any reasonable additional information
18 requested by the Department.

19 (3) If he determines that the applicant has made or permitted to
20 be made, unlawful use of any operator's or chauffeur's
21 license.

22 (4) If he determines that the applicant has used a false or
23 fictitious name in any application for a license, or knowingly
24 made a false statement or knowingly concealed a material
25 fact or otherwise committed any fraud in any such
26 application.

1 (5) If he determines that the applicant is a negligent or
2 incompetent operator of a motor vehicle. An applicant shall
3 submit a Traffic Court Clearance, from the Judiciary of
4 Guam, detailing any conviction(s) for traffic violations and
5 traffic accidents for the preceding thirty-six (36) months.
6 Any person who has been convicted on four (4) or more
7 occasions within a consecutive period of twelve (12)
8 months, or six (6) or more occasions within a consecutive
9 period of twenty-four (24) months, or eight (8) or more
10 occasions within a consecutive period of thirty-six (36)
11 months of moving violations of the ~~provisions of the~~ Vehicle
12 Code, involving the safe operation of vehicles on the
13 highway, and which are by law required to be reported to the
14 Department of Revenue and Taxation shall prima facie be
15 presumed to be a “negligent operator of a motor vehicle.”

16 The operator’s, chauffeur’s, or other class of driver’s
17 license of a negligent operator of a motor vehicle, as defined
18 in this section, shall not be issued until such person has
19 attended a program in driver safety, as approved by the
20 Department of Revenue and Taxation, and has obtained a
21 certificate evidencing successful completion of such
22 program. This provision shall be applied in addition to any
23 conditions imposed by a court.”

24 “(m) Every operator’s or chauffeur’s license hereafter issued
25 shall expire three (3) years after the first anniversary of the date of
26 birth of any applicant occurring after the date of issuance. The
27 anniversary of the date of birth of any applicant born on February

1 twenty-ninth (29th) shall, for the purposes of this Section, during the
2 years in which there is no February twenty-ninth (29th), be considered
3 as March first (1st). Every such license shall be renewable for a like
4 period within ninety (90) days prior to its expiration. Any license that
5 would otherwise expire on a Saturday or legal holiday shall be valid
6 until the next business day. An applicant for renewal of license shall
7 make application therefore in the same manner as in the case of an
8 original application for a license upon such form as may be required.
9 The Director of Revenue and Taxation at his discretion may require
10 an examination of the applicant as upon an original application. ~~To~~
11 ~~the extent its facilities permit, the~~ Department of Revenue and
12 Taxation shall, ~~in the course of its investigation, check the record of~~
13 ~~the applicant for conviction(s) for traffic violations and traffic~~
14 ~~accidents, may~~ withhold or refuse certification of eligibility for a
15 license or renewal of a license unless the provisions of §3101(j)(5) of
16 this Chapter have been satisfied upon reasonable proof that the
17 applicant can and will operate a motor vehicle safely.”

18 **Section 4. Effective Date.** This Act shall be effective upon
19 enactment.



**Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE**

Senator Vicente 'ben' Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
Bill No. 420**

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
		none					



GUAM POLICE DEPARTMENT

DIPATTAMENTON POLISIAN GUAHAN

Government of Guam



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Bldg. 13-16A Mariner Avenue, Tiyan
Barrigada, Guam 96913
P.O. Box 23909 Barrigada, Guam 96921
Telephone: (671) 475-8473 (Switchboard); (671) 475-8508 / 8509 / 8512
Fax: (671) 472-4036

FRED E. BORDALLO, JR.
Chief of Police

RICARDO M. LEON GUERRERO
Acting Police Commander

May 10, 2012

The Honorable Vicente C. Pangelinan
Senator and Chairman, Committee on
Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement, and Land
I Mina ' trentai Unu Na Liheslaturan Guahan
324 West Soledad Avenue
Hagåtña, Guam 96910



Subject: Testimony on Bill No. 420-31 (COR)

Dear Senator Pangelinan:

Buenas yan Hafa Adai! The Guam Police Department (GPD) hereby submits this written testimony relative to Bill No. 420-31 (COR): An act to amend subsection (j) and (m) of §3101, Article 1, Chapter 3, Title 16 of the Guam Code Annotated (GCA), relative to requirements for a Guam driver's license.

The Guam Police Department agrees with the findings of *I Liheslaturan Guahan* that a person operating a motor vehicle, and whose driving record involves multiple traffic violations, poses a serious threat to other persons and property.

Therefore, we support the intent of Bill No. 420-31 (COR), within the context of promoting safe driving through a driver safety program for persons who are deemed to be negligent or incompetent in operating a motor vehicle. Driver safety and education programs must be implemented as an important component of a comprehensive highway safety program, together with positive enforcement, highway engineering, and vehicle safety inspections.

However, support for the Bill is presented absent sufficient input from the affected agencies or departments on managing the additional requirements imposed on such agencies. Such factors are beyond the scope of the Guam Police Department's consideration in commenting on the merits of Bill No. 420-31 (COR). *Si Yu'os ma'ase!*

Senseramente,


**RICARDO M. LEON GUERRERO, Major
Chief of Police, Acting**

RMLG:RSNP\scr



BUREAU OF BUDGET & MANAGEMENT RESEARCH

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

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOHN A. RIOS
DIRECTOR

STEPHEN J. GUERRERO
DEPUTY DIRECTOR

FEB 23 2012

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

Hafa Adai Senator Respicio:

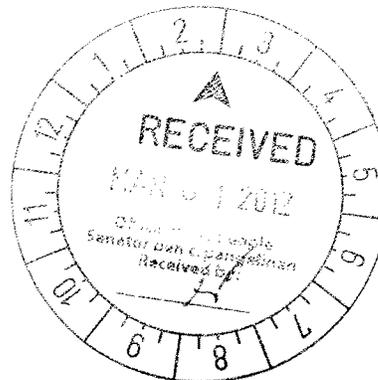
Transmitted herewith is the Fiscal Note on the following Bill Nos.: 420-31(COR).

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


JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 420-31 (COR)**

AN ACT TO AMEND SUBSECTIONS (j) AND (m) OF §3101, ARTICLE 1, CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIREMENTS FOR A GUAM DRIVER'S LICENSE.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Revenue & Taxation (DRT)		Dept./Agency Head: John P. Camacho	
Department's General Fund (GF) appropriation(s) to date:		\$10,250,643	
Department's Other Fund (Specify) appropriation(s) to date: Tax Collection Enhancement Fund (TCEF) - \$696,831; Better Public Service Fund (BPSF) - \$1,422,747		2,119,578	
Total Department/Agency Appropriation(s) to date:		\$12,370,221	

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / Yes / No
- Is amount appropriated adequate to fund the intent of the appropriation? / N/A / Yes / No
If no, what is the additional amount required? \$ _____ / N/A
- Does the Bill establish a new program/agency? / Yes / No
If yes, will the program duplicate existing programs/agencies? / N/A / Yes / No
Is there a federal mandate to establish the program/agency? / Yes / No
- Will the enactment of this Bill require new physical facilities? / Yes / No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / Yes / No
 / Requested agency comments not received by due date / Other: _____

Analyst: Michael M. Aflague, B&M Analyst Date: 2/12/12 Director: John A. Rios Date: 2/20/12

Footnotes: The Bill has a potential for additional funding impact, however in its present form that impact cannot be determined at this time.

8/2/12



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st 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
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

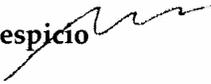
Senator
Christopher M. Duenas

February 13, 2012

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 

Subject: Referral of Bill Nos. 418-31(COR) to 420-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 418-31 (COR) through 420-31 (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 Guahan
Bill Log Sheet

BILL NOS.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
420-31 (COR)	Adolpho B. Palacios, Sr.	AN ACT TO AMEND SUBSECTIONS (j) AND (m) OF §3101, ARTICLE 1, CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIREMENTS FOR A GUAM DRIVER'S LICENSE.	02/10/12 3:21 p.m.	2/13/2012		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land			



Lisa Dames <cipo@guamlegislature.org>

Public Hearing Notice

2 messages

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

Fri, May 4, 2012 at 4:57 PM

Hafa Adai,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Friday, May 11, 2012 beginning at 1:00pm in the Guam Legislature Public Hearing Room. The following bills are on the agenda:

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Lisa Dames
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Adam Bearce <adam@guamlegislature.org>
To: Lisa Dames <cipo@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Fri, May 4, 2012 at 5:09 PM

Hi. This is now posted.
[Quoted text hidden]

Listserv: phnotice@guamlegislature.org

As of Oct. 17, 2011

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wilcastro671@gmail.com



Lisa Dames <cipo@guamlegislature.org>

Public Hearing Notice

1 message

Lisa Dames <cipo@guamlegislature.org>

Fri, May 4, 2012 at 4:59 PM

To: news@guampdn.com, news@k57.com, life@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, zita@mvguam.com, Janela Buhain <janela@gmail.com>, Mar-vic Cagurangan <marvic.cagurangan@yahoo.com>, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, "Alladi, Amritha" <aalladi@guam.gannett.com>, "Melyan, Catriona" <cmelyan@guam.gannett.com>, tritonscall@gmail.com

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

 **Agenda_051112.pdf**
161K



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

May 9, 2012

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

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

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **1:00pm**, on **Friday, May 11, 2012** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Priniponi Siha:
(Bills)

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

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

Website: <http://senbenp.com>

Memo to Senators
May 9, 2012
Page 2

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - Second Notice

1 message

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

Wed, May 9, 2012 at 10:08 AM

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - Second Notice

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, May 9, 2012 at 10:06 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, zita@mvguam.com, Janela Buhain <janela@gmail.com>, Mar-vic Cagurangan <marvic.cagurangan@yahoo.com>, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, "Alladi, Amritha" <aalladi@guam.gannett.com>, "Melyan, Catriona" <cmelyan@guam.gannett.com>

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cipo@guamlegislature.org



I Mina Trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
 Senator Vicente "ben" Cabrera Pangelinan
 Office of the People
 Website: www.senbenp.com

**INEKUNGOK PUBBLEKO
 (PUBLIC HEARING)**

gi Betnes, gi diha 11 gi Máyu, 2012
 (Friday, May 11, 2012)

**Kuáttion Inekungok Pubbleko gi I Liheslaturan Guáhan
 (Guam Legislature Public Hearing Room)**

ala una gi despues di talo'ani
 (1:00 PM)

**TAREHA
 (AGENDA)**

**Priniponi Siha
 (Bills)**

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Mina' Trenta Na Lihelaturan Guahan
THIRTIETH GUAM LEGISLATURE
 Senator vicente "ben" pangelinan

INEKUNGOK PUPBLEKO
 (PUBLIC HEARING)

gi Betnes, gi diha 11 gi Mayu, 2012
 (Friday, May 11, 2012)

Kuaton Inekungok Pubbleko gi Liheblaturan Guahan
 (Guam Legislature Public Hearing Room)

ala una gi despues di talo'ani
 (1:00 PM)

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 (AGENDA)

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 (Bills)

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MARIANAS VARIETY GUAM EDITION **15**

WEDNESDAY, MAY 9, 2012



**I Mina'Trentai Unu Na
Lihselaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE**

**Senator Vicente "ben" Cabrera Pangelinan
Office of the People**

155 Hesler St., Hagatna, Guam 96910

Ph: 473-4236 Fax: 473-4238

Email: senbenp@guam.net

Website: www.senbenp.com

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(PUBLIC HEARING)**

***gi Betnes, gi diha 11 gi Máyu, 2012
(Friday, May 11, 2012)***

***Kuátton Inekungok Pupbleko gi I Lihselaturan Guahan
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***ala una gi despues di talo'áni
(1:00 PM)***

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(Bills)***

Bill No. 410-31 (COR): An Act to provide for Pharmacy pricing uniformity by HealthCare Insurers, by adding a new Article 9, to Chapter 18, Title 22 Guam Code Annotated.

Bill No. 420-31 (COR): An Act to amend Subsections (j) and (m) of §3101, Article 1, Chapter 3, Title 16 of the Guam Code Annotated, Relative to Requirements for a Guam Driver's License.

Bill No. 421-31 (LS): An Act to authorize appropriation carry-over provisions for the Guam Fire Department for the expenditure of the expired Enhanced 911 Emergency Reporting System Funds for the specific purpose of conducting a 2012-2013 Fire Suppression and Emergency Medical Services recruitment cycle, along with any other use prescribed in Public Law 25-55.

Bill No. 444-31 (COR): An Act to Repeal Section 106155 of Chapter 106 11 Guam Code Annotated and to Add Chapter 162 to Title 11 of the Guam Code Annotated Relative to Establishing the Collective Investment Funds Act.

Bill No. 448-31 (COR): An Act to Add a New Chapter 58C to Title 5 Guam Code Annotated Relative to the Rehabilitation, Renovation, and Construction of Public Schools.

Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinin Senadot ben pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guâhan gi www.guamlegislature.com Yanggen para un na'hâlom testigu-mu, chule' para i ifisinin-mâmi gi 324 West Soledad Avenue gi iya Hagâtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapâsi nu i fendon gubetnamento.

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

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I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

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Bill No. 420-31(GOV)

Introduced by:

Adolpho B. Palacios, Sr.

AN ACT TO AMEND SUBSECTIONS (j) AND (m) OF §3101, ARTICLE 1, CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIREMENTS FOR A GUAM DRIVER'S LICENSE.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*
3 finds that the privilege of driving a motor vehicle on Guam must be reserved
4 for citizens who respect the safety of others. The operation of various types
5 of motor vehicles on public roadways requires practice, examination and
6 continued compliance with applicable traffic and safety regulations ensuring
7 the safe movement of drivers, passengers and cargo.

8 A person's attainment of a Guam Driver's License recognizes his or
9 her ability to drive the type of motor vehicle in which he or she is licensed to
10 operate and further demonstrates that he or she understands basic traffic and
11 safety rules of the road. *I Liheslatura* finds that a person operating a motor
12 vehicle, and whose driving record involves multiple traffic violations, poses
13 a serious threat to other persons and property.

14 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend §3110(j)
15 and §3110(m) of Article 1, Chapter 3 of Title 16, Guam Code Annotated,
16 and require that individuals convicted of violating Guam's traffic laws

1 complete a course in drivers' safety, ensuring their awareness of basic traffic
2 and safety regulations.

3 *I Liheslatura* further intends for this new requirement to serve as a
4 mechanism for the Department of Revenue and Taxation, Guam Police
5 Department and Judiciary of Guam to identify and appropriately deal with
6 individuals who place other persons, passengers and property at risk of
7 injury/damage.

8 **Section 3. License: Requirement.** Subsections (j) and (m) of §3101,
9 Article 1, Chapter 3, Title 16 of the Guam Code Annotated, are hereby
10 *amended*, to read:

11 “(j) The Director of Revenue and Taxation may disapprove the
12 application:

13 (1) If he is satisfied that the applicant is not entitled thereto
14 under the provisions of this Title.

15 (2) If the applicant has failed to furnish the Department of
16 Revenue and Taxation the information required in the
17 application or any reasonable additional information
18 requested by the Department.

19 (3) If he determines that the applicant has made or permitted to
20 be made, unlawful use of any operator's or chauffeur's
21 license.

22 (4) If he determines that the applicant has used a false or
23 fictitious name in any application for a license, or knowingly
24 made a false statement or knowingly concealed a material
25 fact or otherwise committed any fraud in any such
26 application.

1 (5) If he determines that the applicant is a negligent or
2 incompetent operator of a motor vehicle. An applicant shall
3 submit a Traffic Court Clearance, from the Judiciary of
4 Guam, detailing any conviction(s) for traffic violations and
5 traffic accidents for the preceding thirty-six (36) months.
6 Any person who has been convicted on four (4) or more
7 occasions within a consecutive period of twelve (12)
8 months, or six (6) or more occasions within a consecutive
9 period of twenty-four (24) months, or eight (8) or more
10 occasions within a consecutive period of thirty-six (36)
11 months of moving violations of the ~~provisions of the~~ Vehicle
12 Code₂ involving the safe operation of vehicles on the
13 highway₂ and which are by law required to be reported to the
14 Department of Revenue and Taxation shall prima facie be
15 presumed to be a “negligent operator of a motor vehicle.”

16 The operator’s, chauffeur’s, or other class of driver’s
17 license of a negligent operator of a motor vehicle, as defined
18 in this section, shall not be issued until such person has
19 attended a program in driver safety, as approved by the
20 Department of Revenue and Taxation, and has obtained a
21 certificate evidencing successful completion of such
22 program. This provision shall be applied in addition to any
23 conditions imposed by a court.”

24 “(m) Every operator’s or chauffeur’s license hereafter issued
25 shall expire three (3) years after the first anniversary of the date of
26 birth of any applicant occurring after the date of issuance. The
27 anniversary of the date of birth of any applicant born on February

1 twenty-ninth (29th) shall, for the purposes of this Section, during the
2 years in which there is no February twenty-ninth (29th), be considered
3 as March first (1st). Every such license shall be renewable for a like
4 period within ninety (90) days prior to its expiration. Any license that
5 would otherwise expire on a Saturday or legal holiday shall be valid
6 until the next business day. An applicant for renewal of license shall
7 make application therefore in the same manner as in the case of an
8 original application for a license upon such form as may be required.
9 The Director of Revenue and Taxation at his discretion may require
10 an examination of the applicant as upon an original application. ~~To~~
11 ~~the extent its facilities permit, t~~The Department of Revenue and
12 Taxation shall, ~~in the course of its investigation, check the record of~~
13 ~~the applicant for conviction(s) for traffic violations and traffic~~
14 ~~accidents,~~ may withhold or refuse certification of eligibility for a
15 license or renewal of a license unless the provisions of §3101(j)(5) of
16 this Chapter have been satisfied ~~upon reasonable proof that the~~
17 ~~applicant can and will operate a motor vehicle safely.”~~

18 **Section 4. Effective Date.** This Act shall be effective upon
19 enactment.