



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 24, 2011

31-11-556

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

5-25-11
4 pm
SOLIMUNDO

Dear Madame Speaker:

Transmitted herewith is Bill No. 122-31 (COR) "AN ACT TO ADD A NEW §3336 (d) TO ARTICLE 3 OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES", which I signed into law on May 23, 2011 as **Public Law 31-51**.

Senseramente,

EDDIE BAZA CALVO

Attachment: copy of Bill

2011 MAY 26 AM 8:04
f

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

CERTIFICATION OF PASSAGE OF AN ACT TO *IMAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 122-31 (LS)**, "AN ACT TO *ADD A NEW §3336 (d) TO ARTICLE 3 OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES*", was on the 10th day of May, 2011, duly and regularly passed.



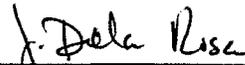
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahren Guåhan* this 12th day of May, 2011, at 10:30 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahren Guåhan

Date:

MAY 23 2011

Public Law No. 31-51

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

Bill No. 122-31 (LS)

As amended by the Committee on Public Safety,
Law Enforcement and Judiciary, and further amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.
Judith T. Won Pat, Ed.D.
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.

**AN ACT TO *ADD* A NEW §3336 (d) TO ARTICLE 3 OF
CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED,
RELATIVE TO INCREASING THE PENALTIES FOR
DRIVERS WHO DISREGARD THE SAFETY OF
SCHOOL CHILDREN ENTERING OR EXITING
SCHOOL BUSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that current penalties may be inadequate for drivers who harm school children by
4 passing a school bus when such passenger carrier is receiving or discharging

1 passengers. *I Liheslaturan Guåhan* finds that §3336 of Title 16 Guam Code
2 Annotated sanctions the issuance of a citation and collection of a nominal penalty
3 fee, both of which may not help to effectively deter drivers who may engage in this
4 form of imprudent driving.

5 *I Liheslaturan Guåhan* further finds that Guam law recognizes reckless
6 driving as operating a vehicle on a highway in willful or wanton disregard for the
7 safety of persons or property. *I Liheslaturan Guåhan* finds the act of driving past a
8 school bus, which has stopped to receive or discharge children, to be a wanton
9 disregard for the safety of those children. This violation becomes more serious
10 when drivers cause injury upon school children because of the failure of the drivers
11 to stop and allow passengers to reach an area of safety.

12 It is, therefore, the intent of *I Liheslaturan Guåhan* to add a special penalty
13 to existing penalties by allowing for violators to be charged with reckless driving,
14 and provide a degree of justice to individuals who fall victim to this wanton
15 disregard for public safety. *I Liheslaturan Guåhan* further intends to use these
16 penalties as a means to help deter drivers from compromising the safety of Guam's
17 school children.

18 **Section 2.** A new Subsection (d) is hereby *added* to §3336 of Article 3 of
19 Chapter 3, Title 16, Guam Code Annotated, to read:

20 “(d) Any person who is in violation of §3336 (c), and as a result has
21 caused bodily injury or damage to personal or public property, *shall* be
22 charged with reckless driving and is punishable under the provisions of
23 §3111, Article 1 of this Chapter, and §9107 of Chapter 9 of this Title 16,
24 Guam Code Annotated, as applicable.”

25 **Section 3. Effective Date.** The provisions contained herein *shall* be
26 effective upon the enactment of this Act, and *shall* apply prospectively.

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

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: May 10, 2011

VOTING SHEET

ABill No. 122-31(LS)

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

0

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence



Thirty-First
Guam Legislature

Committee Members:

- Senator Thomas C. Ada
Vice Chairman
- Speaker Judith T. Won Pat, Ph.D
Member
- Senator Tina R. Muna Barnes
Member
- Senator Judith P. Gutierrez, DPA
Member
- Senator Rory J. Respicio
Member
- Senator Dennis G. Rodriguez, Jr.
Member
- Senator V. Anthony Ada
Member
- Senator Christopher M. Duenas
Member
- Senator Maria Silva-Tajerón
Member
- Senator Aline A. Yamashita, Ph.D
Member

*Other Committee
Membership:*

- Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs
- Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform
- Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources
- Member, Committee on
Education and Public Libraries
- Member, Committee on Guam
Military Buildup and Homeland
Security
- Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

April 27, 2011

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

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

RE : Committee Report – Bill No. 122-31 (LS) as Amended.

The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **Bill No. 122-31 (LS) – AN ACT TO INCREASE THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES BY ADDING A NEW (d) TO §3336 OF CHAPTER 3, TITLE 16 GUAM ANNOTATED,** hereby reports out with the recommendation **TO PASS.**

Committee Votes are as follows:

<u>9</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>1</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,


ADOLPHO B. PALACIOS, MPA, BS/CJA
Chairman

Attachments

Sent to Hon. Respicio
4/27/11 AM 9:45
MM



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

**COMMITTEE REPORT
ON**

BILL NO. 122-31 (LS)

As Amended

Sponsored by Senator Adolpho B. Palacios, Sr.

**AN ACT TO INCREASE THE PENALTIES FOR
DRIVERS WHO DISREGARD THE SAFETY
OF SCHOOL CHILDREN ENTERING OR
EXITING SCHOOL BUSES BY ADDING A
NEW (d) TO §3336 OF CHAPTER 3, TITLE 16
GUAM ANNOTATED.**



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

Thirty-First
Guam Legislature

April 27, 2011

MEMORANDUM

TO: ALL MEMBERS
Committee on Public Safety, Law Enforcement, & Judiciary

FROM: Senator Adolpho B. Palacios, Sr. 
Committee Chairman

SUBJECT: Committee Report on Bill No. 122-31 (LS) as Amended.

Transmitted herewith for your consideration is the Committee Report on **Bill No. 122-31 (LS) as Amended – An act to increase the penalties for drivers who disregard the safety of school children entering or exiting school buses by adding a new (d) to §3336 of Chapter 3, Title 16 Guam Annotated.** – sponsored by Senator Adolpho B. Palacios, Sr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 122-31 (LS) as amended
- Copy of Bill No. 122-31 (LS) as introduced
- Public Hearing Sign-in Sheets
- Copies of testimony submitted and supporting documents
- Copy of COR Referral of Bill No. 122-31 (LS)
- 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 contact this office.

Si Yu'os ma'åse!

Committee Members:

- Senator Thomas C. Ada
Vice Chairman
- Speaker Judith T. Won Pat, Ph.D.
Member
- Senator Tina R. Mima Barnes
Member
- Senator Judith P. Gutherz, DPA
Member
- Senator Rory J. Respicio
Member
- Senator Dennis G. Rodríguez, Jr.
Member
- Senator V. Anthony Ada
Member
- Senator Christopher M. Ducenas
Member
- Senator Mima Silva-Tajerón
Member
- Senator Abne A. Yamashita, Ph.D.
Member

Other Committee Membership:

- Vice Chairman, Committee on Utilities, Transportation, Public Works and Veterans Affairs
- Vice Chairman, Committee on Health and Human Services, Senior Citizens, Economic Development and Election Reform
- Member, Committee on Rules, Federal, Foreign & Micronesian Affairs and Human & Natural Resources
- Member, Committee on Education and Public Libraries
- Member, Committee on Guam Military Buildup and Homeland Security
- Member, Committee on Municipal Affairs, Tourism, Housing and Recreation



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

VOTING SHEET ON:

Bill No. 122-31 (LS) as Amended – AN ACT TO INCREASE THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES BY ADDING A NEW (d) TO §3336 OF CHAPTER 3, TITLE 16 GUAM ANNOTATED.

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		4/25/11				
Thomas C. Ada Vice Chairman		4/27/11				
Tina R. Muña-Barnes Member		4/26/11				
Judith P. Guthertz, DPA Member		4/27/11				
Rory J. Respicio Member		4/26/11				
Dennis G. Rodriguez, Jr. Member		4/27/11				
Judith T. Won Pat, Ed.D. Member		4/27/11				
V. Anthony Ada Member		4/27/11				
Christopher M. Duenas Member		4/27/11				
Mana Silva Tajeron Member				4/27/11		
Aline A. Yamashita, Ph.D. Member						



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

COMMITTEE REPORT DIGEST

Bill No. 122-31 (LS) – “An act to increase the penalties for drivers who disregard the safety of school children entering or exiting school buses by adding a new (d) to §3336 of Chapter 3, Title 16 Guam Annotated.” – sponsored Senator Adolpho B. Palacios, Sr.

I. OVERVIEW

The Committee on Public Safety, Law Enforcement and Judiciary convened the public hearing on April 8, 2011 at 1:30 p.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 122-31 (LS) - “An act to increase the penalties for drivers who disregard the safety of school children entering or exiting school buses by adding a new (d) to §3336 of Chapter 3, Title 16 Guam Annotated,” sponsored by Senator Adolpho B. Palacios, Sr.

Public Hearing Requirements

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on April 1, 2011 (5-day Notice) and on April 5, 2011 (48-Hour notice), pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature’s website.

Senators Present

Senator Adolpho B. Palacios, Sr.	Chairman
Senator Thomas C. Ada	Vice Chairman
Senator Tina Rose Muña Barnes	Member
Senator Aline A. Yamashita, Ph.D.	Member
Senator V. Anthony Ada	Member
Senator Mana Silva Taijeron	Member

Individual(s) Registered for oral or written testimony:

Emily Taitano provided oral and written testimony in support of the Bill.
Juanita Blaz provided written testimony in support of the Bill.

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr. convened the public hearing for the Committee on Public Safety, Law Enforcement and Judiciary at 1:30 p.m., read the title of the bill and summarized its contents. He stated that the penalty is currently only for exceeding the speed limit, but that it is insufficient when there is an injury incurred. The Chairman called Emily Taitano to testify.

Office/Mailing Address: 155 Hesler Place, Hagatña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

Emily Taitano read her prepared written statement. She supports the Bill. She recounted her experience with an accident while her son exited a school bus. He sustained injuries and has undergone rehabilitative treatment. She thanks Senator Palacios for sponsoring the Bill. *(See attached written testimony.)*

Chairman Palacios read the written testimony of Juanita Blaz. She supports the Bill. She believes that there should be a higher penalty because of the disregard of bus signage. She recounted her godson's encounter with a reckless driver and said that the penalties which the driver faced were insufficient. *(See attached written testimony.)*

The Chairman stated that reckless driving shows the wanton disregard for the safety of school children.

Senator Aline A. Yamashita stated that she is glad that the fracture was healed. She says that she believes that people need to drive carefully and safely.

Senator Tina Rose Muna Barnes asked whether they need to legislate common sense, but stated that often it must be legislated. She said that there must be legislation to address this. Senator Muna Barnes thanked Ms. Taitano for her testimony.

Senator V. Anthony Ada asked Ms. Taitano who is paying for her son's injuries and she stated that she is battling with the reckless driver's insurer.

Chairman Palacios suggested that perhaps the bill could address the costs of injuries as well.

Chairman Adolpho B. Palacios, Sr., declared that Bill No. 122-31(LS) is duly heard. The Chairman concluded the hearing and requested that written testimony be submitted within the next ten (10) days. He adjourned the hearing at 2:40 p.m.

III. WRITTEN TESTIMONIES

Emily Taitano *(See Section II for summary.)*

Juanita Blaz *(See Section II for summary.)*

No further written testimony received within the ten (10) day period after the public hearing.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Public Safety, Law Enforcement and Judiciary finds that there are inadequate penalties provided by current statute for individuals who disregard the safety of children entering or exiting a school bus. In addition to those findings

presented in Bill No. 122-31 (LS), as introduced by the author, the Committee recognizes the act of causing bodily injury upon children entering or exiting a school bus, as a wanton disregard for public safety. The Committee also amends Section 2 of Bill No. 122-31 (LS) to reflect language that allows for violators to be punishable under the provisions of §3111 and §9107 of Title 16 Guam Code Annotated, as applicable.

The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 122-31 (LS), as amended by the Committee**, with the recommendation TO PASS.

I MINA'TRENTAI UNU NA LIHESLATURÁN GUÁHAN
2011 (FIRST) Regular Session

Bill No. 22-31 (LS)

Introduced by:

Adolpho B. Palacios, Sr. 

BWU
2011 MAR 24 PM 1:49

AN ACT TO INCREASE THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES BY ADDING A NEW (d) TO §3336 OF CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED.

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that current penalties may be inadequate for drivers
4 who harm school children by passing a school bus when such passenger carrier is
5 receiving or discharging passengers. *I Liheslaturan Guåhan* finds that §3336 of Title 16
6 Guam Code Annotated sanctions the issuance of a citation and collection of a nominal
7 penalty fee, both of which may not help to effectively deter drivers who may engage in
8 this form of imprudent driving.

9 *I Liheslaturan Guåhan* further finds that Guam law recognizes reckless driving as
10 operating a vehicle on a highway in willful or wanton disregard for the safety of persons
11 or property. *I Liheslaturan Guåhan* finds the act of driving past a school bus, which has
12 stopped to receive or discharge children, to be a complete disregard for the safety of those
13 children. This violation becomes more serious when drivers cause injury upon school
14 children because of the failure of the drivers to stop and allow passengers to reach an area
15 of safety.

1 It is therefore the intent of *I Liheslaturan Guåhan* to add a special penalty to
2 existing penalties by allowing for violators to be charged with reckless driving, and
3 provide a degree of justice to individuals who fall victim to this wanton disregard for
4 public safety. *I Liheslaturan Guåhan* further intends to use these penalties as a means to
5 help deter drivers from compromising the safety of Guam’s school children.

6 **Section 2. A new (d) is hereby added to §3336 of Chapter 3, Title 16 Guam**
7 **Code Annotated.**

8 **“§3336. Passing Passenger Carriers.**

9 (a) No operator of a vehicle which meets or overtakes any vehicle that has
10 stopped for the purpose of taking on or discharging passengers shall pass such
11 stopped vehicle on the side on which passengers are entering or leaving the
12 vehicle until such stopped vehicle has started and until any passengers who may
13 have alighted have reached the side of the highway; except, that where a safety
14 zone has been established, or at an intersection where traffic is controlled by a
15 peace officer or mechanical traffic signal, a vehicle need not be brought to a full
16 stop before passing a stopped vehicle, but may proceed past such vehicle at a
17 speed not greater than is reasonable and proper and in no event at a speed greater
18 than ten (10) miles per hour, and shall exercise due caution for the safety of all
19 pedestrians.

20 (b) Every school bus, when operated for the transportation of school
21 pupils, shall bear upon the front and rear thereof of a plainly visible sign
22 containing the words “School Bus - Stop” in letters not less than eight (8) inches

1 in height and of proportionate width. No vehicle, other than a school bus, shall
2 display such sign.

3 Penalty: Not less than Ten Dollars (\$10.00) nor more than Fifty Dollars
4 (\$50.00).

5
6 (c) The driver of any vehicle, whenever approaching upon any highway
7 from either direction any school bus which is equipped with signs as herein
8 required and which has stopped for the purpose of receiving or discharging any
9 passengers, shall at once bring his vehicle to a complete stop and shall not
10 proceed to pass such school bus from either direction until all passengers in the
11 immediate area of the bus have been received into or discharged from the bus and
12 have reached a position of safety from vehicular traffic.

13 Penalty: Not less than Ten Dollars (\$10.00) nor more than Fifty
14 Dollars (\$50.00).

15
16 (d) Any person who is in violation of §3336 (c), and as a result has caused
17 bodily injury or damage to personal or public property, shall be charged with
18 reckless driving under the provisions of §3111 and §9107 of Title 16 Guam Code
19 Annotated.”

20 **Section 3. Effective Date.**

21 The provisions contained herein shall be effective upon the enactment of this Act,
22 and shall apply prospectively.

23 **Section 4. Severability.**

24 If any provision of this Act or its application to any person or circumstance is
25 found to be invalid or contrary to law, such invalidity shall not affect other provisions or

- 1 applications of this Act which can be given effect without the invalid provisions or
- 2 application, and to this end the provisions of this Act are severable.

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

Bill No. 122-31 (LS)

*As Amended by the Committee on Public Safety,
Law Enforcement and Judiciary*

Introduced by:

Adolpho B. Palacios, Sr.

**AN ACT TO INCREASE THE PENALTIES FOR
DRIVERS WHO DISREGARD THE SAFETY OF
SCHOOL CHILDREN ENTERING OR EXITING
SCHOOL BUSES BY ADDING A NEW (d) TO §3336
OF CHAPTER 3, TITLE 16 GUAM CODE
ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that current penalties may be inadequate
4 for drivers who harm school children by passing a school bus when such
5 passenger carrier is receiving or discharging passengers. *I Liheslaturan*
6 *Guåhan* finds that §3336 of Title 16 Guam Code Annotated sanctions the
7 issuance of a citation and collection of a nominal penalty fee, both of which
8 may not help to effectively deter drivers who may engage in this form of
9 imprudent driving.

10 *I Liheslaturan Guåhan* further finds that Guam law recognizes
11 reckless driving as operating a vehicle on a highway in willful or wanton
12 disregard for the safety of persons or property. *I Liheslaturan Guåhan* finds
13 the act of driving past a school bus, which has stopped to receive or
14 discharge children, to be a ~~complete~~ wanton disregard for the safety of those
15 children. This violation becomes more serious when drivers cause injury

1 upon school children because of the failure of the drivers to stop and allow
2 passengers to reach an area of safety.

3 It is therefore the intent of *I Liheslaturan Guåhan* to add a special
4 penalty to existing penalties by allowing for violators to be charged with
5 reckless driving, and provide a degree of justice to individuals who fall
6 victim to this wanton disregard for public safety. *I Liheslaturan Guåhan*
7 further intends to use these penalties as a means to help deter drivers from
8 compromising the safety of Guam's school children.

9 **Section 2. A new (d) is hereby added to §3336 of Chapter 3, Title**
10 **16 Guam Code Annotated.**

11 **“§3336. Passing Passenger Carriers.**

12 (a) No operator of a vehicle which meets or overtakes any
13 vehicle that has stopped for the purpose of taking on or discharging
14 passengers shall pass such stopped vehicle on the side on which
15 passengers are entering or leaving the vehicle until such stopped
16 vehicle has started and until any passengers who may have alighted
17 have reached the side of the highway; except, that where a safety zone
18 has been established, or at an intersection where traffic is controlled
19 by a peace officer or mechanical traffic signal, a vehicle need not be
20 brought to a full stop before passing a stopped vehicle, but may
21 proceed past such vehicle at a speed not greater than is reasonable and
22 proper and in no event at a speed greater than ten (10) miles per hour,
23 and shall exercise due caution for the safety of all pedestrians.

24 (b) Every school bus, when operated for the transportation of
25 school pupils, shall bear upon the front and rear thereof of a plainly
26 visible sign containing the words “School Bus - Stop” in letters not

1 less than eight (8) inches in height and of proportionate width. No
2 vehicle, other than a school bus, shall display such sign.

3 Penalty: Not less than Ten Dollars (\$10.00) nor more than
4 Fifty Dollars (\$50.00).

5 (c) The driver of any vehicle, whenever approaching upon any
6 highway from either direction any school bus which is equipped with
7 signs as herein required and which has stopped for the purpose of
8 receiving or discharging any passengers, shall at once bring his
9 vehicle to a complete stop and shall not proceed to pass such school
10 bus from either direction until all passengers in the immediate area of
11 the bus have been received into or discharged from the bus and have
12 reached a position of safety from vehicular traffic.

13 Penalty: Not less than Ten Dollars (\$10.00) nor more than
14 Fifty Dollars (\$50.00).

15 (d) Any person who is in violation of §3336 (c), and as a result
16 has caused bodily injury or damage to personal or public property,
17 shall be charged with reckless driving and is punishable under the
18 provisions of §3111 and §9107 of Title 16 Guam Code Annotated, as
19 applicable.”

20 **Section 3. Effective Date.**

21 The provisions contained herein shall be effective upon the enactment
22 of this Act, and shall apply prospectively.

23 **Section 4. Severability.**

24 If any provision of this Act or its application to any person or
25 circumstance is found to be invalid or contrary to law, such invalidity shall
26 not affect other provisions or applications of this Act which can be given

- 1 effect without the invalid provisions or application, and to this end the
- 2 provisions of this Act are severable.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno na Liheslaturan Guåhan

**SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN**

Friday, April 8, 2011

Bill No. 122-31 (LS) – AN ACT TO INCREASE THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES BY ADDING A NEW (d) TO §3336 OF CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED. – sponsored by Senator Adolpho B. Palacios, Sr.

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
Emily Taitano		697-5417		✓	✓	

April 08, 2011

On December 15, 2010 around 4:30 in the afternoon I received a call from a young boy telling me that my son Michael Ray Blaz was hit by a car while exiting the bus at his bus stop. I had to ask several times if he was awake and what exactly happened, all while the boy kept reassuring me Michael was fine and that the ambulance was on its way. All I knew was I wouldn't be ok until I saw him for myself. I was frantically calling my mom and Michael's dad to let them know what was going on. Finally, I was told to just meet them at the hospital. I still don't know how I managed to drive myself to the hospital without getting into an accident myself. Waiting for the ambulance was even more brutal, but when it finally pulled up and I saw my son sitting up and awake my heart and mind was somewhat at ease. Michael had some scrapes to his face and later we found out his ankle was fractured and he had to wear a cast for four weeks. Even after the cast was taken off he still had some pain to his ankle and required physical therapy.

The bus was at a complete stop, with its flashing lights on and stop sign out. As my son was exiting, just his foot had come out of the door when he was struck, his head hitting the driver's hood and then fell to the ground.

Later that night I received a call from Officer Brian Benavente calling to check on my son. I asked him what would happen to the violator and he explained that he had to take into account that she was not speeding, or intoxicated and also he had to take into consideration that my son was not seriously injured. I was very upset about this, I was not asking for Ms. Ramirez to be arrested and serve time in jail, but for a stiffer fine and something more like revoking her license. I also didn't want any other parent to go through this.

I thank Senator Palacios and his policy analyst Jason Tedtaotao for their time on addressing my concerns and for responding and keeping me informed in regards to the proposed penalties.

Emily Taitano

senabpalacios@gmail.com
jason@senatorpalacios.com

Bill 122-31 to seek to change the penalties for those who pass a school bus while receiving or discharging students and causing bodily injury.

Hafa Adai Senator Palacios and Guam Legislature,

Thank you for accepting my written testimony on Bill 122-31. I strongly feel that the penalty should be more severe than it is currently due to the fact that there is intent to not adhere to bus signage, signaling them to stop. This act of passing to beat the bus is reckless and with no regard for students safety that may be boarding or disembarking from the bus.

Recently my godson was struck while stepping out of his bus. I was surprised to find that the person that hit him was able to continue driving, and had no real penalty for her actions. In this analogy she did not just run the red light but hit a pedestrian while he crossed the road.

My concern for my children and others is the message they will take from my godson's experience. People will get away with breaking the law if the law is not clear. Please make this clear so that the next person will get more than just a slap on the wrist.

Juanita Blaz- Mom of 6 from Dededo



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

2011 Mar 25 PM 4:24

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

March 25, 2011

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

VIA FACSIMILE
(671) 472-2825

MAJORITY
MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Ms. Benita Manglona
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note -
Bill Nos. 120-31 (LS) through 123-31 (LS)

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Hafa Adai Ms. Manglona:

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

Transmitted herewith is a listing of *I Mina'trentai Unu 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.

Senator
Thomas C. Ada

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

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

Very Truly Yours,

MINORITY
MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator Judith P. Guthertz, DPA

Senator
Christopher M. Ducnas

Attachments
Cc: Clerk of the Legislature

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

March 24 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
122-31 (LS)	A. B Palacios, Sr.	AN ACT TO INCREASE THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES BY ADDING A NEW (d) TO §3336 OF CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED	3/24/11 1:49 p.m.	3/25/11		Committee on Public Safety, Law Enforcement and Judiciary			



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

2011
MAR 25 PM 4:24
WJG

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

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LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
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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

March 25, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 120-31 (LS) through 123-31 (LS)

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 120-31 (LS) through 123-31 (LS).

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 Senators 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!

(4) Attachments

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

March 24 2011

Page 1 of 1

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

April 1, 2011

(§8107 Title 5 GCA – 5-day notice prior to hearing)

FIRST NOTICE OF PUBLIC HEARING

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at **1:30 pm, Friday, April 8, 2011**, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 78-31 (COR) – AN ACT TO PROHIBIT THE CATHINONE DERIVATIVES METHYENEDIOXYPYROVALERONE AND METHYLMETHCATHINONE BY AMENDING APPENDIX A (E) (4) OF CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED.** – sponsored by **Vice Speaker Benjamin J. F. Cruz.**
- **Bill No. 106-31 (COR) – AN ACT TO AMEND §3202(j) TO CHAPTER 3, TITLE 19 GCA RELATIVE TO THE PAYMENT FOR SOLEMNIZATION OF MARRIAGE BY A MAYOR OR VICE MAYOR.** – sponsored by **Senator Tina Rose Muña Barnes.**
- **Bill No. 122-31 (LS) – AN ACT TO INCREASE THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES BY ADDING A NEW (d) TO §3336 OF CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED.** – sponsored by **Senator Adolpho B. Palacios, Sr.**

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr., or via fax to 472-5022, or via email to SenABPalacios@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at 472-5047/5048.

Office/Mailing Address: 155 Hester Place, Hagatña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



Adolpho Palacios <senabpalacios@gmail.com>

First Notice of Public Hearing scheduled for April 8, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Fri, Apr 1, 2011 at 8:54 AM

To: speaker@judiwonpat.com, Senator Tom Ada <tom@senatorada.org>, senatortonyada@guamlegislature.org, senator@tinamunabarnes.com, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, senator@senatorbjcruz.com, duenasenator@gmail.com, judiguthertz@gmail.com, senatorsam@senatormabini.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, cor@guamlegislature.org, senatordrodriguez@gmail.com, senatormana@gmail.com, Aline Yamashita <Aline4families@gmail.com>

Cc: clerks@guamlegislature.org, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, "Atty. Therese Terlaje" <tterlaje@guam.net>, yong@guamlegislature.org, mis@guamlegislature.org, sgtarms@guamlegislature.org, "Steven A. Dierking" <steve@believeinguam.com>, cyrus@senatorada.org, louise_atalig@yahoo.com, chelsa@tinamunabarnes.com, Mary Fejeran <maryfejeran@gmail.com>, garrett.duenas@senatorbjcruz.com, chris.carillo@senatorbjcruz.com, joshua.tenorio@senatorbjcruz.com, leonguerrero.angela@gmail.com, leslie.g@senatormabini.com, cipo@guamlegislature.org, Stephanie Mendiola <sem@guamlegislature.org>, cherbert.senatordrodriguez@gmail.com, chechsantos@gmail.com, alerta.jermaine@gmail.com, evelyn4families@gmail.com

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

FACSIMILE TRANSMITTAL SHEET

DATE: April 1, 2011

TO: Pacific Daily News 477-3079 (Attention: Government Meetings)
Marianas Variety 648-2007 (Attention: Community Page)
KUAM/Isla 630 637-9865/9870
Pacific News Center 477-0793
Marianas Media 477-2240
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpses 649-8883

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: *FIRST Notice of Public Hearing scheduled for April 8, 2011*

PAGES: 1 (including this sheet)

April 1, 2011
(§8107 Title 5 GCA – 5-day notice prior to hearing)

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Destination	Start Time	Time	Prints	Result	Note
PDN	04-01 08:24	00:00:36	001/001	OK	
KUAM	04-01 08:25	00:00:23	001/001	OK	
PNC	04-01 08:26	00:00:22	001/001	OK	
K57	04-01 08:26	00:00:18	001/001	OK	
HIT RADIO 100	04-01 08:27	00:00:18	001/001	OK	
KSTO	04-01 08:28	00:00:40	001/001	OK	
GLIMPSES	04-01 08:29	00:00:19	001/001	OK	
MARIANAS VARIETY	04-01 08:29	00:00:25	001/001	OK	
KSTEREO/KISH	04-01 08:30	00:00:40	001/001	OK	
JOY 92 FM	04-01 08:31	00:00:18	001/001	OK	
KPRG	04-01 08:32	00:00:19	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MIX: Mixed Original TX, CALL: Manual TX, CSAC: CSAC, FWD: Forward, PC: PC-Fax,
BND: Double-Sided Binding Direction, SR: Special or iginal, FCODE: F-Code, RTX: Re-TX,
RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
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KStereo/KISH 477-6411
Glimpses 649-8883

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: **FIRST Notice of Public Hearing scheduled for April 8, 2011**

PAGES: 1 (including this sheet)

April 1, 2011
(§8107 Title 5 GCA - 5-day notice prior to hearing)

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Adolpho Palacios <senabpalacios@gmail.com>

First Notice of Public Hearing scheduled for April 8, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Fri, Apr 1, 2011 at 8:50 AM

To: sabrina@kuam.com, jason@kuam.com, mindy@kuam.com, malafunkshun@kuam.com, news@guampdn.com, Catriona Melyan <cmelyan@guampdn.com>, dmgeorge@guampdn.com, mpieper@guampdn.com, amier@mvguam.com, advertise@mvguam.com, zytaitano@gmail.com, news@spbg Guam.com, clynt@spbg Guam.com, jtyquiengco@spbg Guam.com, jontalk@k57.com, breakfastshowk57@gmail.com, kstone news@ite.net, kstokish@gmail.com, rgibson@k57.com

April 1, 2011

(§8107 Title 5 GCA – 5-day notice prior to hearing)

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Adolpho Palacios <senabpalacios@gmail.com>

Second Notice of Public Hearing scheduled for April 8, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Tue, Apr 5, 2011 at 9:31 AM

To: speaker@judiwonpat.com, Senator Tom Ada <tom@senatorada.org>, senatorortonyada@guamlegislature.org, senator@tinamunabarnes.com, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, senator@senatorbjcruz.com, duenasenator@gmail.com, judiguthertz@gmail.com, senatorsam@senatormabini.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, cor@guamlegislature.org, senatordrodriguez@gmail.com, senatormana@gmail.com, Aline Yamashita <Aline4families@gmail.com>

Cc: "Atty. Therese Terlaje" <tterlaje@guam.net>, clerks@guamlegislature.org, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, mis@guamlegislature.org, yong@guamlegislature.org, sgtarms@guamlegislature.org, "Steven A. Dierking" <steve@believeinguam.com>, cyrus@senatorada.org, louise_atalig@yahoo.com, chelsa@tinamunabarnes.com, Mary Fejeran <maryfejeran@gmail.com>, garrett.duenas@senatorbjcruz.com, leonguerrero.angela@gmail.com, leslie.g@senatormabini.com, cipo@guamlegislature.org, Stephanie Mendiola <sem@guamlegislature.org>, cherbert.senatordrodriguez@gmail.com, chechsantos@gmail.com, alerta.jermaine@gmail.com, evelyn4families@gmail.com

April 5, 2011

(\$8107 Title 5 GCA – 48-hour notice prior to hearing)

SECOND NOTICE OF PUBLIC HEARING

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at **1:30 pm, Friday, April 8, 2011**, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 78-31 (COR) – AN ACT TO PROHIBIT THE CATHINONE DERIVATIVES METHYENEDIOXYPYROVALERONE AND METHYLMETHCATHINONE BY AMENDING APPENDIX A (E) (4) OF CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED.** – sponsored by Vice Speaker Benjamin J. F. Cruz.
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sponsored by **Senator Adolpho B. Palacios, Sr.**

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Adolpho Palacios <senabpalacios@gmail.com>

Second Notice of Public Hearing scheduled for April 8, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com> **Tue, Apr 5, 2011 at 9:27 AM**
To: sabrina@kuam.com, jason@kuam.com, mindy@kuam.com, news@guampdn.com, Catriona Melyan <cmelyan@guampdn.com>, dmgeorge@guampdn.com, mpieper@guampdn.com, amier@mvguam.com, advertise@mvguam.com, zytaitano@gmail.com, news@spbguam.com, clynt@spbguam.com, jtyquiengco@spbguam.com, jontalk@k57.com, breakfastshowk57@gmail.com, rgibson@k57.com, kstone@ite.net, kstokish@gmail.com

April 5, 2011

(§8107 Title 5 GCA – 48-hour notice prior to hearing)

SECOND NOTICE OF PUBLIC HEARING

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

FACSIMILE TRANSMITTAL SHEET

DATE: April 5, 2011

TO: Pacific Daily News 477-3079 (Attention: Government Meetings)
Marianas Variety 648-2007 (Attention: Community Page)
KUAM/Isla 630 637-9865/9870
Pacific News Center 477-0793
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpses 649-8883

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: *SECOND Notice of Public Hearing scheduled for April 8, 2011*

PAGES: 1 (including this sheet)

April 5, 2011

(§8107 Title 5 GCA – 48-hour notice prior to hearing)

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Office/Mailing Address: 155 Hesler Place, Hagåtña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

Broadcast Report

P 1
 04/05/2011 09:21
 Serial No. A02E011003085
 TC: 129377

Destination	Start Time	Time	Prints	Result	Note
PDN	04-05 09:07	00:00:36	001/001	OK	
K57	04-05 09:10	00:00:18	001/001	OK	
HIT RADIO 100	04-05 09:11	00:00:19	001/001	OK	
KSTO	04-05 09:12	00:00:41	001/001	OK	
GLIMPSES	04-05 09:13	00:00:19	001/001	OK	
MARIANAS VARIETY	04-05 09:14	00:00:26	001/001	OK	
KSTEREO/KISH	04-05 09:15	00:00:42	001/001	OK	
JOY 92 FM	04-05 09:16	00:00:18	001/001	OK	
KPRG	04-05 09:16	00:00:19	001/001	OK	
KUAM	04-05 09:20	00:00:23	001/001	OK	
PNC	04-05 09:20	00:00:56	000/001	No Ans	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX, MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax, BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-Code, RTX: Re-TX, RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax, I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full, LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error, DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Uno Na Liheslaturan Guåhan
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Chairman

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April 5, 2011
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Destination	Start Time	Time	Prints	Result	Note
PDN	04-05 09:22	00:00:36	001/001	OK	
KUAM	04-05 09:23	00:00:28	001/001	OK	
KS7	04-05 09:24	00:00:19	001/001	OK	
HIT RADIO 100	04-05 09:25	00:00:19	001/001	OK	
KSTO	04-05 09:26	00:00:42	001/001	OK	
MARIANAS VARIETY	04-05 09:28	00:00:28	001/001	OK	
KSTEREO/KISH	04-05 09:29	00:00:47	001/001	OK	
PNC	04-05 09:33	00:00:56	000/001	No Ans	
GLIMPSES	04-05 09:34	00:00:20	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX, MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax, BND: Double-Sided Binding direction, SP: Special original, FCODE: F-code, RTX: Re-TX, RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax, I-FAX: Internet Fax

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Glimpses 649-8863
FROM: Office of Senator Adolpho B. Palacios, Sr.
SUBJECT: SECOND Notice of Public Hearing scheduled for April 8, 2011
PAGES: 1 (including this sheet)

April 5, 2011
(§8107 Title 5 GCA - 48-hour notice prior to hearing)

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I Mina Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PUBLIC HEARING

1:30 pm, Friday, April 8, 2011

I Liheslaturan Guåhan's Public Hearing Room, Hagåtña

AGENDA

- I. **Call to Order**
- II. **Opening Remarks/Announcements**
- III. **Items for Public Consideration**
 - **Bill No. 78-31 (COR) – AN ACT TO PROHIBIT THE CATHINONE DERIVATIVES METHYENEDIOXYPYROVALERONE AND METHYLMETHCATHINONE BY AMENDING APPENDIX A (E) (4) OF CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED.** – sponsored by **Vice Speaker Benjamin J. F. Cruz.**
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- IV. **Closing Remarks**
- V. **Adjournment**

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

Bill No. 22-31 (LS)

Introduced by:

Adolpho B. Palacios, Sr. 

2011 MAR 24 PM 1:49
BWL

AN ACT TO INCREASE THE PENALTIES FOR DRIVERS WHO DISREGARD THE SAFETY OF SCHOOL CHILDREN ENTERING OR EXITING SCHOOL BUSES BY ADDING A NEW (d) TO §3336 OF CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED.

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that current penalties may be inadequate for drivers
4 who harm school children by passing a school bus when such passenger carrier is
5 receiving or discharging passengers. *I Liheslaturan Guåhan* finds that §3336 of Title 16
6 Guam Code Annotated sanctions the issuance of a citation and collection of a nominal
7 penalty fee, both of which may not help to effectively deter drivers who may engage in
8 this form of imprudent driving.

9 *I Liheslaturan Guåhan* further finds that Guam law recognizes reckless driving as
10 operating a vehicle on a highway in willful or wanton disregard for the safety of persons
11 or property. *I Liheslaturan Guåhan* finds the act of driving past a school bus, which has
12 stopped to receive or discharge children, to be a complete disregard for the safety of those
13 children. This violation becomes more serious when drivers cause injury upon school
14 children because of the failure of the drivers to stop and allow passengers to reach an area
15 of safety.

1 It is therefore the intent of *I Liheslaturan Guåhan* to add a special penalty to
2 existing penalties by allowing for violators to be charged with reckless driving, and
3 provide a degree of justice to individuals who fall victim to this wanton disregard for
4 public safety. *I Liheslaturan Guåhan* further intends to use these penalties as a means to
5 help deter drivers from compromising the safety of Guam’s school children.

6 **Section 2. A new (d) is hereby added to §3336 of Chapter 3, Title 16 Guam**
7 **Code Annotated.**

8 **“§3336. Passing Passenger Carriers.**

9 (a) No operator of a vehicle which meets or overtakes any vehicle that has
10 stopped for the purpose of taking on or discharging passengers shall pass such
11 stopped vehicle on the side on which passengers are entering or leaving the
12 vehicle until such stopped vehicle has started and until any passengers who may
13 have alighted have reached the side of the highway; except, that where a safety
14 zone has been established, or at an intersection where traffic is controlled by a
15 peace officer or mechanical traffic signal, a vehicle need not be brought to a full
16 stop before passing a stopped vehicle, but may proceed past such vehicle at a
17 speed not greater than is reasonable and proper and in no event at a speed greater
18 than ten (10) miles per hour, and shall exercise due caution for the safety of all
19 pedestrians.

20 (b) Every school bus, when operated for the transportation of school
21 pupils, shall bear upon the front and rear thereof of a plainly visible sign
22 containing the words “School Bus - Stop” in letters not less than eight (8) inches

1 in height and of proportionate width. No vehicle, other than a school bus, shall
2 display such sign.

3 Penalty: Not less than Ten Dollars (\$10.00) nor more than Fifty Dollars
4 (\$50.00).

5
6 (c) The driver of any vehicle, whenever approaching upon any highway
7 from either direction any school bus which is equipped with signs as herein
8 required and which has stopped for the purpose of receiving or discharging any
9 passengers, shall at once bring his vehicle to a complete stop and shall not
10 proceed to pass such school bus from either direction until all passengers in the
11 immediate area of the bus have been received into or discharged from the bus and
12 have reached a position of safety from vehicular traffic.

13 Penalty: Not less than Ten Dollars (\$10.00) nor more than Fifty
14 Dollars (\$50.00).

15
16 (d) Any person who is in violation of §3336 (c), and as a result has caused
17 bodily injury or damage to personal or public property, shall be charged with
18 reckless driving under the provisions of §3111 and §9107 of Title 16 Guam Code
19 Annotated.”

20 **Section 3. Effective Date.**

21 The provisions contained herein shall be effective upon the enactment of this Act,
22 and shall apply prospectively.

23 **Section 4. Severability.**

24 If any provision of this Act or its application to any person or circumstance is
25 found to be invalid or contrary to law, such invalidity shall not affect other provisions or

1 applications of this Act which can be given effect without the invalid provisions or
2 application, and to this end the provisions of this Act are severable.