

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

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

31-11-928
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:00 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 38-31 (COR) "AN ACT TO AMEND §1102(ss) AND (uu) OF CHAPTER 1, AND §3102.2(a) AND (c) OF ARTICLE 1 OF CHAPTER 3, ALL OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO FACILITATING THE TIMELY ISSUANCE OF DRIVER'S LICENSES, THROUGH THE ALLOWANCE OF OFF-DUTY ROAD EXAMINATIONS", which was signed into law on September 30, 2011 as **Public Law 31-82**.

Senseramente,


EDDIE BAZA CALVO

2011 OCT -5 AM 8:07

Man

Attachment: copy of Bill

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

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

This is to certify that Bill No. 38-31 (COR), "AN ACT TO AMEND §1102(ss) AND (uu) OF CHAPTER 1, AND §3102.2(a) AND (c) OF ARTICLE 1 OF CHAPTER 3, ALL OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO FACILITATING THE TIMELY ISSUANCE OF DRIVER'S LICENSES, THROUGH THE ALLOWANCE OF OFF-DUTY ROAD EXAMINATIONS," was on the 19th day of September, 2011, duly and regularly passed.



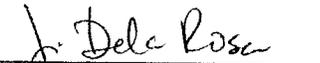
Judith T. Won Pat, Ed.D.
Speaker

Attested:

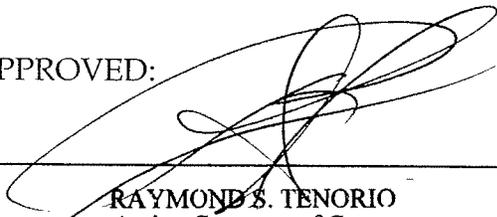


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 20th day of Sept., 2011, at
4:10 o'clock P.M.


Assistant Staff Officer
Maga'laha's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

SEP 30 2011

Date: _____

Public Law No. 31-82

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

Bill No. 38-31 (COR)

As amended by the Author.

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 *AMEND* §1102(ss) AND (uu) OF CHAPTER 1, AND §3102.2(a) AND (c) OF ARTICLE 1 OF CHAPTER 3, ALL OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO FACILITATING THE TIMELY ISSUANCE OF DRIVER'S LICENSES, THROUGH THE ALLOWANCE OF OFF-DUTY ROAD EXAMINATIONS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that due to financial limitations of the government of Guam in providing necessary
4 personnel support, the Division of Motor Vehicles of the Department of Revenue
5 and Taxation has been experiencing serious extended delays in administering the

1 road tests for individuals applying for a non-commercial motor vehicle operator's
2 license, and in meeting the demand for providing these licenses.

3 Furthermore, as the island undergoes the military buildup process, the need
4 for these licenses will continue to increase as a result of the anticipated growth in
5 the overall population of Guam. *I Liheslaturan Guåhan* further finds that the
6 Motor Vehicle Division administers several hundred written tests every testing
7 cycle, which is conducted every few weeks. The backlog in the provision of the
8 non-commercial motor vehicle operator's licenses is a direct result of the
9 challenges that confront DMV with the scheduling and the conduct of the road
10 tests for applicants, and the need for additional personnel support or greater
11 flexibility in the administration of the driver's license program, such as providing
12 for off-duty examinations. Currently, the waiting period for a road test is at times
13 more than six (6) months.

14 Therefore, just as Public Law 30-140 was enacted for the purpose of
15 expediting the issuance of commercial motor vehicle operator's licenses by way of
16 providing for the off-duty conduct of road tests on weekends and holidays, it is
17 likewise appropriate that these accommodations be made for applicants seeking a
18 non-commercial motor vehicle operator's license. It is the intent of *I Liheslaturan*
19 *Guåhan* that the Department of Revenue & Taxation be authorized to administer
20 "off-duty" road examinations for Operator's License Endorsement "A" category
21 licenses, and to enhance the timeliness of the issuance of these licenses for the
22 island community.

23 **Section 2. Off-Duty Road Examinations by the Motor Vehicle Division**
24 **for Individual Operator's Licenses.** The Department of Revenue & Taxation
25 Motor Vehicle Division is hereby authorized to administer "off-duty" road
26 examinations for Operator's License Endorsement "A" category licenses.

1 **Section 3. Inclusion of Operator’s License Endorsement A.**
2 Subsections (ss) and (uu) of §1102 of Chapter 1, Title 16, Guam Code Annotated,
3 are hereby *amended* to read as follows:

4 “(ss) *Examiner* means an Examiner duly employed by the
5 Department of Revenue and Taxation Agency, government of Guam,
6 authorized to administer an operator’s license road examination or a
7 commercial drivers license road examination.”

8 “(uu) *Services* means Operators License Endorsement A, and
9 Chauffeurs License Endorsement B, C, D and G road examinations.”

10 **Section 4. Charges for Examiner Off-Duty Services.** Subsections (a)
11 and (c) of §3102.2, Article 1, Chapter 3, Title 16, Guam Code Annotated, are
12 hereby *amended*, so that §3102.2 reads in its entirety:

13 “**§ 3102.2. Charges for Examiner Off-Duty Services.** (a) Charges
14 for *Services* by Department of Revenue and Taxation Examiners. Any
15 person that requires the *Services* of an Examiner(s) upon special request,
16 subject to the approval of the Director, on Saturdays, Sundays or holidays
17 between the hours of 8:00 a.m. and 5:00 p.m. *shall* be charged for *Services*
18 as are rendered by Examiners as follows:

19 (1) for the first hour or fraction thereof, a rate of three (3)
20 times the Examiner’s, or Examiners’, hourly wage (3.0 x hourly wage
21 rate) for each Examiner requested to perform *Services*;

22 (2) after the first hour, but only after fifteen (15) minutes
23 have elapsed, a rate of one and a half (1½) times each Examiner’s
24 hourly wage rate during such hour, or each hour thereafter, but *not* to
25 exceed a maximum charge of Two Hundred Seventy-five Dollars
26 (\$275.00) per Examiner per examination;

1 (3) for road examinations for Operator's License
2 Endorsement A, the charge *shall not* exceed Fifteen Dollars (\$15.00)
3 per examination per person.

4 (b) Non-Performance of *Services*. If *Services* have been requested
5 and the Examiner(s) has reported to work, and the *Services* are *not*
6 performed by reason of circumstances beyond the control of the Examiner(s)
7 concerned, the requesting party *shall* be charged in accordance with
8 §3102.2(a) on the same basis as though the *Services* had actually been
9 performed during the time the Examiner was ordered to report for duty and
10 did so report, and the time the Examiner was notified that the Examiner's
11 *Services* would *not* be required.

12 (c) Other Charges. In addition to charges authorized under §3102.2
13 (a) and (b), all other commercial drivers license and operator's license fees
14 and charges apply."

15 **Section 5. Proposed Rules and Regulations.** The Department of
16 Revenue and Taxation *shall* promulgate appropriate rules and regulations, if
17 deemed necessary, to ensure the compliance and timely implementation of the
18 provisions contained in this Act. Said rules and regulations *shall* take into
19 consideration the maximum administration of road tests, in accordance with the
20 Department's mandate, within regular government operational hours. The Director
21 of Revenue and Taxation *shall* be responsible for the proper and effective
22 administration of the off-duty road examinations, and *shall* be the final approving
23 authority in the conduct of such off-duty road tests.

24 **Section 6. Effective Date.** This Act *shall* be effective following the
25 promulgation and formal adoption of the program rules and regulations as
26 highlighted herein, or otherwise upon enactment.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

ABill No. 38-31(COR)

Resolution No. _____

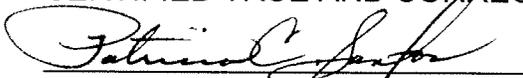
Question: _____

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

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 29 2011

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

2011 Aug 29 11:08:29
[Handwritten signature]

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

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

Vice Chairman
Committee on Education

RE: Committee Report on Bill No. 38-31 (COR), As Introduced

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

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 38-31 (COR), As Introduced: "An act relative to facilitating the timely issuance of general operators drivers licenses, through the allowance of off-duty road examinations for license endorsement "A" class licenses, by amending subsection "(uu)" of §1102 of Chapter 1, Title 16, Guam Code Annotated" and which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

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

Committee votes are as follows:

- TO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- 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',

[Handwritten signature]
Vicente (ben) Cabrera Pangelinan
Chairman

Committee
Report
On

Bill No. 38-31 (COR), As Introduced: “An act relative to facilitating the timely issuance of general operators drivers licenses, through the allowance of off-duty road examinations for license endorsement “A” class licenses, by amending subsection “(uu)” of §1102 of Chapter 1, Title 16, Guam Code Annotated”



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 29 2011

MEMORANDUM

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

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. 38-31 (COR), As Introduced

Vice Chairman
Committee on Education

Transmitted herewith for your consideration is the Committee Report on Bill No. 38-31 (COR), As Introduced: "An act relative to facilitating the timely issuance of general operators drivers licenses, through the allowance of off-duty road examinations for license endorsement "A" class licenses, by amending subsection "(uu)" of §1102 of Chapter 1, Title 16, Guam Code Annotated" sponsored by Senator Adolpho B. Palacios, Sr..

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

This report includes the following:

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

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 38-31 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Submitted Testimony & Supporting Documents
6. Copy of COR Referral of Bill No. 38-31 (COR), As Introduced
7. Notices of Public Hearing
8. Copy of the Public Hearing Agenda
9. Fiscal Note

Member
Committee on the Guam
Military Buildup and
Homeland Security

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.

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

Si Yu'os Ma'åse',

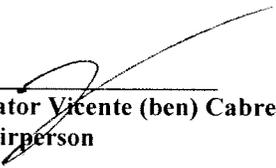
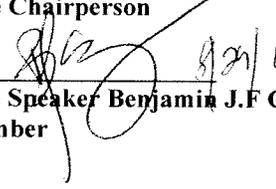
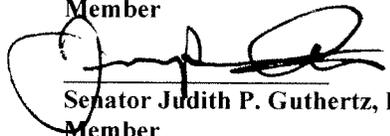
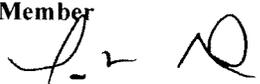
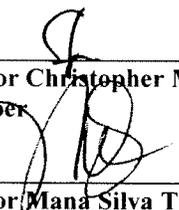

Vicente (ben) Cabrera Pangelinan
Chairman

I MINA TRENDAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

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

Bill No. 38-31 (COR), As Introduced: "An act relative to facilitating the timely issuance of general operators drivers licenses, through the allowance of off-duty road examinations for license endorsement "A" class licenses, by amending subsection "(uu)" of §1102 of Chapter 1, Title 16, Guam Code Annotated"

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairperson	✓				
Speaker Judith T. Won Pat, Ed.D. Vice Chairperson					
 Vice Speaker Benjamin J.F Cruz Member	✓				
Senator Tina R. Muña-Barnes Member					
 Senator Judith P. Guthertz, DPA Member	✓				
Senator Dennis G. Rodriguez, Jr. Member					
 Senator V. Anthony Ada Member	✓				
Senator Christopher M. Dueñas Member					
 Senator Mana Silva Taijeron Member	✓				



the People

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. 38-31 (COR): "An act relative to facilitating the timely issuance of general operators drivers licenses, through the allowance of off-duty road examinations for license endorsement "A" class licenses, by amending subsection "(uu)" of §1102 of Chapter 1, Title 16, Guam Code Annotated"

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on March 15, 2011 at 9:00 am 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 March 8, 2011 (5-Day Notice), and again on March 13, 2010 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Speaker Judith Won Pat Ed. D, Member
Senator Anthony V. Ada, Member
Senator Christopher M. Dueñas, Member
Senator Mana Silva Tajeron, Member
Senator Adolpho B. Palacios, Sr.
Senator Sam Mabini Ph. D

(b) Appearing before the Committee

John Camacho, Rev & Tax Director
Marie Benito, Rev & Tax Deputy Director
Frank Blas, Rev & Tax Acting Administrator for the Motor
Vehicle Division

(c) Written Testimonies Submitted

John Camacho, Rev & Tax Director

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator Vicente (ben) Cabrera Pangelinan: The next item on the agenda is bill number 38 introduced by Senator Adolpho Palacios, an act relative to facilitating the timely issuance of general operators drivers licenses, through the allowance of off-duty road examinations for license endorsement “A” class licenses, by amending subsection“(uu)” of §1102 of Chapter 1, Title 16, Guam Code Annotated. We have signed up to testify Mr. John Camacho from Revenue and Taxation and Ms. Benito. Thank you very much for joining us. Before we begin receiving testimony from the panel I would like to give the author of this legislation an opportunity to give us a summary of the bill.

Senator Adolpho Palacios: Thank you Mr. Chairman for scheduling bill 38 for today. Bill 38 proposes to authorize Revenue and Taxation examiners to conduct examination for operator licenses after hours much like the current P.L. 30-140 that authorizes the Revenue and Taxation examiners to conduct after hour’s exams for commercial licenses. Bill 38 is a resurrection of a bill that was introduced by Senator Frank Aguon in the last term. It was heard but it did not make the last session because the author was not on island at the time. Bill 38 proposes to address the 3 to 6 months waiting time for testing an examination of applicants for operator licenses. Based on the same public hearing last year the concern was raised the potential abuse that what can be during normal working hours would probably be reserved for the weekend or after hours because there is an additional fee one would take it during off duty hours. This bill requires promulgation of rules and regulation first before any administration program can take effect. I hope that Rev and Tax subject these rules to the Triple A process during that time the public can review this and we will review this so that there is safe guards so that there is no abuse. With that Mr. Chairman we have Rev and Tax here to give us their concern with this legislation. Thank you.

Senator Vicente (ben) Cabrera Pangelinan: Si yu’os ma’ãse’ Senator Palacios. We will then go ahead and receive testimony from the panel. Mr. Camacho you may begin.

(b) Testimony

1. Mr. John Camacho –Director, RevTax

Mr. John Camacho: Good morning Senators. My name is John P. Camacho the current director of the Department of Revenue and Taxation. I’m here to testify on bill 38-31 to address the issues of long delays of the road test.

There was a conference last week and it was something to hear from an economist Bradley who gave an example of what the government is not doing a good job and used road testing. I thought it was good to hear because we were having this public hearing today for off duty road test for operating licenses. I want to thank you for this bill and we support it. The only thing we want to address is the funding. We look at two separate funding issues that maybe possible to look at. One of them is looking at the examiners an hourly rate and looking at how

many applicants we can entertain on the weekends and divide the total cost. The other example, which we prefer, is look at where our funding can be identified for overtime pay.

We are also looking at the military build-up and trying to address this on permanent bases by hiring 3 of 4 people for the driver licenses. We are actually implementing a law that was passed 3 of 4 years ago when the law was changed to issue drivers license from a choice between 3 years a 5 years. So what we are looking at right now is if we implement this system on a five year term it would generate fees of 20 dollars and that would generate 300,000 dollars a year. If we can work together with the front office and try to fix this on a permanent bases that would be great. Hopefully we can get this pass before the 2012 budget.

Panel Comments and Questions

None

2. Ms. Marie Benito –Deputy Director, RevTax

Mr. Marie Benito: Good morning Senators. My name is Marie Benito and I am the Deputy Director for Rev & Tax and I'm here to testify in favor of bill 38. Right now we have a current staff of 4 under the Drivers License Branch that administer written tests and renewal road test on top of Guam I.D. that was given to us with no staff. We need immediate leave and this will address that. In the very near future consider hiring the vacancies. John said 3 – 4 but I think seven is needed to account for the military build-up. Our guys also have the duties of handling online renewals. This bill will help us thank you.

Panel Comments and Questions

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much Ms. Benito. I'll go ahead and defer my first question to author. Senator Palacios do you have any question?

Senator Adolpho Palacios: Thank you Chairman. You mentioned there is only 4 staff do they also do the chauffeur examination?

Ms. Marie Benito: Yes

Senator Adolpho Palacios: It is good to hear from the director that this bill would reduce the wait to possibility 30 days. Do you have the staff to do this after hours?

Ms. Marie Benito: Yes

Senator Adolpho Palacios: Will this be weekends only and at the main office?

Ms. Marie Benito: Yes

Senator Adolpho Palacios: Thank you Mr. Chairman.

Senator Vicente (ben) Cabrera Pangelinan: Thank you Senator Palacios. How many chauffeur exams do you conduct a week?

3. Mr. Frank Blas –Acting Administrator for the Motor Vehicle Division, RevTax

Mr. Frank Blas: Good morning Senators. My name is Frank Blas and I am the Acting Administrator for the Motor Vehicle Division. We do about 3-5 chauffeur exams per week.

Senator Vicente (ben) Cabrera Pangelinan: This is during regular hours?

Mr. Frank Blas: Yes

Senator Vicente (ben) Cabrera Pangelinan: The program to allow for off duty is that in place?

Mr. Frank Blas: Yes

Senator Vicente (ben) Cabrera Pangelinan: How many do you do of that?

Mr. Frank Blas: With our staff maybe 4-6 on a weekend.

Senator Vicente (ben) Cabrera Pangelinan: Are you doing this every weekend?

Mr. Frank Blas: When we can. If the staff are available. We have a policy in place. If they were to take leave during the week they wouldn't be eligible for the weekend.

Senator Vicente (ben) Cabrera Pangelinan: How long does it take to do exam?

Mr. Frank Blas: It's a full day two part test.

Senator Vicente (ben) Cabrera Pangelinan: So you are doing more off-duty than on duty?

Mr. Frank Blas: When the supervisor is available on the weekend he joins in. He does not administer test during the week.

Senator Vicente (ben) Cabrera Pangelinan: How many test you do on a drivers license Class A?

Mr. Frank Blas: 55-77 a week.

Senator Vicente (ben) Cabrera Pangelinan: Has the department considered any other methodology to whittle down this back log?

Mr. John Camacho: Like I mentioned earlier we are looking at ways to generate revenues through the five year license.

Senator Vicente (ben) Cabrera Pangelinan: If you did this you wouldn't have to charge any additional fee for an expedited driver's exam?

Ms. Marie Benito: Correct.

Senator Vicente (ben) Cabrera Pangelinan: Speaker Won Pat do you have any questions?

Speaker Judith Won Pat: Thank you very much can you explain how does this work?

Mr. Frank Blas: On the weekend we have a full staff working on just that type of service. One examiner can do 11 exams a day and we do have some cross training and they would help over the weekend.

Speaker Judith Won Pat: How do examiners get paid?

Mr. Frank Blas: With the heavy equipment the companies pay the examiners hourly rate at a maximum of 275 a test, pass or fail.

Speaker Judith Won Pat: Does money go to the employee?

Mr. Frank Blas: No, that goes to the department at a time and a half.

Speaker Judith Won Pat: How would you see this for Class A?

Mr. Frank Blas: As my director mentioned earlier we don't want to charge our customers a fee.

Speaker Judith Won Pat: I mean the amount is not going to be efficient enough to pay these people individuals a time and a half. So you would need that concurrently this new renewal of a five year license. So have you started the Triple A process or is this something you're looking to, like you said earlier I think making it a part of the budget so that this is mandated or maybe legislature being introduced. How is this going to be done?

Mr. John Camacho: You mean the five year license?

Speaker Judith Won Pat: Yes

Mr. John Camacho: Like I said earlier it is a current law right now. We are trying to implement the five year license next month.

Speaker Judith Won Pat: Since the legislation is in place and just now being implemented and the earmarking of those monies that you're going to be collecting that you want back into the department rather than the General Fund.

Mr. John Camacho: That is one way but we normally get what we call a Better Public Service Fund. Increasing that on an annual base will be good.

Speaker Judith Won Pat: Thank you.

Senator Vicente (ben) Cabrera Pangelinan: Thank you Speaker. Senator Ada.

Senator Anthony V. Ada: On the operator license for the road test exams on weekends, do you go by the longest person waiting on the list?

Mr. Frank Blas: We prefer to address those that have been waiting the longest. We have issued exams for some people sooner.

Senator Anthony V. Ada: How long do they have after the written to take the road test?

Mr. Frank Blas: It's a 6 months wait for the learners permit then it's about another 6 months wait. The permit is good for two years before the permit expired in one year. The same law that allowed for the five year license also increased the permit to two years.

Senator Anthony V. Ada: Mr. Camacho, how much would it cost to implement a 3 year license to a 5 year license

Mr. John Camacho: This month we're thinking of implementing the five year but there were some delays. As far as the cost I think it's just a program issue that has to be resolved.

Senator Anthony V. Ada: What would be the fee for the five year license?

Mr. John Camacho: That would be 45 dollars and the three year would be 25.

Senator Anthony V. Ada: Thank you Mr. Chairman.

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much. Senator Mana Taijeron.

Senator Mana Silva Taijeron: I just wondered have you considered using these private driving schools to implement the driving test. Is that an option?

Mr. Frank Blas: The only drawback I would have to consider them would be to administer the road test. At this time they take care of a lot of the drivers behind the wheel. They are already fully loaded and busy and here we are asking them to take on an additional service that the government is responsible for.

Senator Mana Silva Taijeron: If they could offer that service would you consider it? I know it's going to give you added responsibility to oversee their activities.

Mr. Frank Blas: It would be a staffing issue on how to properly regulate that industry.

Senator Mana Silva Taijeron: Just out of curiosity are you behind on issuing your written test as well.

Mr. John Camacho: I believe the written portion is done by UOG and from time to time we handle those that are critical. For example if there leaving the island.

Senator Mana Silva Taijeron: Thank you

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much, Senator Mabini.

Senator Sam Mabini: Thank you, just out of curiosity what is the pass fail rate with your road test.

Mr. Frank Blas: I would say over half that take the first test pass.

Senator Sam Mabini: So that is a little bit of half that fail that have to come back?

Mr. Frank Blas: Yes.

Senator Sam Mabini: So we have an issue of them being properly trained. It will be beneficial for us if they just pass the first time. Has that been address at the driving schools?

Mr. Frank Blas: I have to check with my supervisor, if we have communicated with them.

Senator Sam Mabini: What classes of licenses have you seen an increase?

Mr. Frank Blas: In class A.

Senator Sam Mabini: How many are military personnel?

Mr. Frank Blas: It's mostly the dependents that need to take tests but I would say 2 out of every 10.

Senator Sam Mabini: Thank you.

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much. I just have a few questions. If you come to Guam fully licensed from the United States or territories, what are your requirements driving on Guam?

Mr. Frank Blas: They must provide the license, have a valid government I.D., and we have to see the actual social security card.

Senator Vicente (ben) Cabrera Pangelinan: Motorcycle license, what are we doing with regards to the law that was passed.

Mr. Frank Blas: We are following the law.

Senator Vicente (ben) Cabrera Pangelinan: Ok. Senator Palacios.

Senator Adolpho Palacios: With the issue of swapping license but I think DRT requires a certification from that jurisdiction to compare the standards. Some people from CNMI say they have to provide additional paper work.

Mr. Frank Blas: All the states now have a graduated license law that is comparable to ours. CNMI does not have something comparable to us.

Senator Adolpho Palacios: In regards to Senator Tajjeron comments on the drivers school test taking, I have to say I see a conflict of interest. Also is there a review by DRT to make sure the driver preparation training at the driving schools are valid?

Mr. Frank Blas: Yes.

Senator Adolpho Palacios: It is my understanding when you take a motorcycle test the content still reflects some outdated information. Can we look into that? Thank you.

Senator Vicente (ben) Cabrera Pangelinan: We had individuals come to Guam who wish to keep their old license. Is there any way we can find a solution?

Mr. Frank Blas: With our goal to update our system and be able to verify license up front, right now we take the license then contact the issuing jurisdiction to say the license was switched here. Then they may report to us about some outstanding citation.

Senator Vicente (ben) Cabrera Pangelinan: Yes we should continue to do that. What I mean is some people just want to keep their old license as a souvenir.

Mr. Frank Blas: Yes, I we want to do that.

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much. There is no other individual that signed up to testify on Bill 38 and that concludes this public hearing.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriation, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No.38-31 (COR), with the recommendation TO PASS.

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

Bill No. 38-31(COR)

Introduced by:

ADOLPHO B. PALACIOS, SR. 

AN ACT RELATIVE TO FACILITATING THE
TIMELY ISSUANCE OF GENERAL OPERATORS
DRIVERS LICENSES, THROUGH THE
ALLOWANCE OF OFF-DUTY ROAD
EXAMINATIONS FOR LICENSE
ENDORSEMENT "A" CLASS LICENSES, BY
AMENDING SUBSECTION "(uu)" OF §1102 OF
CHAPTER 1, TITLE 16, GUAM CODE
ANNOTATED.

2011 JAN 19 PM 3:05



1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2

3 Section 1. Legislative Findings and Intent:

4 *I Liheslaturan Guahan* finds that due to financial limitations of
5 the government of Guam in providing necessary personnel support,
6 the Division of Motor Vehicle of the Department of Revenue and
7 Taxation has been experiencing serious extended delays in
8 administering the road tests for individuals applying for a non-
9 commercial motor vehicle operators' license, and in meeting the
10 demand for providing these licenses.

11 Furthermore, as the island undergoes the military buildup
12 process, the need for these licenses will continue to increase as a
13 result of the anticipated growth in the overall population of Guam.

1 The *Liheslaturan Guahan* further finds that the Motor Vehicle Division
2 administers several hundred written tests every testing cycle, which
3 is conducted every few weeks. The backlog in the provision of the
4 non-commercial motor vehicle operators' license is a direct result of
5 the challenges that confronts DMV with the scheduling and the
6 conduct of the road tests for applicants, and the need for additional
7 personnel support or greater flexibility in the administration of the
8 driver's license program, such as providing for off-duty
9 examinations. Currently, the waiting period for a road test is at times
10 more than six (6) months.

11 Therefore, just as Public Law 30-140 was enacted for the
12 purpose of expediting the issuance of commercial motor vehicle
13 operators' licenses by way of providing for the off-duty conduct of
14 road tests on weekends and holidays, it is likewise appropriate that
15 these accommodations be made for non-commercial applicants
16 seeking a motor vehicle operators' license. It is the intent of *I*
17 *Liheslaturan Guahan* that the Department of Revenue & Taxation be
18 authorized to administer "off-duty" road examinations for Operators
19 License Endorsement "A" category licenses, and to enhance the
20 timeliness of the issuance of these licenses for the island community.

21 **Section 2. Off-Duty Road Examinations by the Motor Vehicle**
22 **Division for Individual Operators License.**

1 The Department of Revenue & Taxation Motor Vehicle Division
2 is hereby authorized to administer "off-duty" road examinations for
3 Operators License Endorsement "A" category licenses.

4 **Section 3. Inclusion of Operators License Endorsement A.**

5 Subsection (uu) of §1102 of Chapter 1, Title 16, Guam Code
6 Annotated, is hereby amended, to read as follows:

7 "(uu) *Services* means Operators License Endorsement A, and
8 Chauffeurs License Endorsement B, C, D and G road examinations."

9 **Section 4. Proposed Rules and Regulations.**

10 The Department of Revenue and Taxation shall promulgate
11 appropriate Rules and Regulations, if deemed necessary, to ensure
12 the compliance and timely implementation of the provisions
13 contained in this Act. Said Rules and Regulations shall take into
14 consideration the maximum administration of road tests, in
15 accordance with the Department's mandate, within regular
16 government operational hours. The Director of the Department shall
17 be responsible for the proper and effective administration of the off-
18 duty road examinations, and shall be the final approving authority in
19 the conduct of such off-duty road tests.

20 **Section 5. Effective Date.**

21 This Act shall be effective following the promulgation and
22 formal adoption of the program Rules and Regulations as highlighted
23 herein, or otherwise upon enactment.



Mina'trentai Umu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
 INSURANCE, RETIREMENT AND LAND**
 Tuesday, March 15, 2011
Bill No. 38
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
John Camacho			john.camacho@senate.guam.gov	✓	✓	✓
Marie Benito	DET		marbenito@radfax.guam.gov		✓	✓
And Blen	DET					



Dipáttamenton Kontribusion yan Adu'ána

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubethnamenton Guáhan

EDDIE BAZA CALVO, Governor Maga'láhi
RAY TENORIO, Lt. Governor Tifente Gubethnadora

JOHN P. CAMACHO, Director
Direktot
MARIE M. BENITO, Deputy Director
Segundo Direktot

March 15, 2011

The Honorable Senator Vicente (ben) Cabrera Pangelinan
Chairman of the Committee on Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement, and Land
324 W. Soledad St. Suite 100, Hagatna, Guam 96910

Re: Bill No. 38-31 entitled "An Act Relative to Facilitating the Timely Issuance of General Operators Drivers Licenses, Through the Allowance of Off-Duty Road Examinations for License Endorsement "A" Class Licenses, by Amending Subsection "uu" of §1102 of Chapter 1, Title 16, Guam Code Annotated"

Dear Senator Pangelinan,

The Department supports Bill 38-31's intention to address the growing demand for road test examinations which has resulted in waiting periods of up to six (6) months. There are two differences between this Bill and the current law. The first difference is how the road tests for the Operators license endorsement "A" and road tests for the Chauffeurs license endorsements are conducted. A road test for the Operators license endorsement takes fifteen to forty (15 to 40) minutes to proctor whereas a road test for the Chauffeurs license endorsement takes four to eight (4 to 8) hours, the full day for the applicant. The second difference is the current law provides how the compensation for the "off-duty examiners" will be computed and charged to the individual or company that needs the full day of testing. The fee charged for the chauffeur's road test is per examination and is as high as \$275 and is to be paid even if the applicant fails.

If the goal of Bill 38-31 is to charge applicants for operators road tests, then it is foreseen the Department will require identifying the examiner who will work off-duty, calculate the examiner's pay for a full eight (8) hour day (This is due to §3102.2 (a) (1) and (2) of Article 1 of Chapter 3, Title 16, GCA which states: for the first hour or fraction thereof, a rate of three (3) times the examiner's hourly wage and one and a half (1½) times each hour thereafter) and divide this figure by 14 applicants (The average number of applicants scheduled for each examiner). If the examiner's hourly wage is \$9.32 per hour, the computation will be as follows:

The first hour:	$\$9.32 \times 3 \times 1 \text{ hour}$	= \$ 27.96
The second through eighth hour:	$9.32 \times 1 \frac{1}{2} \times 7 \text{ hours}$	= <u>97.86</u>
		\$ 125.82
Divided by		<u>14 applicants</u>
Fee to be charged per applicant pass or fail:		\$ 8.99

This would just be the minimum fee charged. More than half the staff has over ten years with the Department, so the fee will be higher most of the time. This will be a time-consuming process, but more importantly, it will result in differing fees for each of the applicants. The fee may range from \$8.99 one day to \$11.57 (\$12 hourly wage) another day. Some applicants may be willing to pay for this test, but the majority will have an issue with



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DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guáhan

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RAY TENORIO, Lt. Governor Tifernte Gubetnadora

JOHN P. CAMACHO, Director
Direktor
MARIE M. BENITO, Deputy Director
Segundo Direktor

this. Because of the variation in fees, it may be best, instead, to identify funding to pay the overtime for the off-duty examiners. For the supervisor and his staff of eight (Counting one position recently vacated and two former personnel from other branches trained to conduct these road tests), overtime would cost under \$85,000 a year.

I would ask for a budget for overtime to be funded preferably by revenue generated through the Motor Vehicle Division operations. A source may be to require the revenue generated from the written testing to fund this. Currently, the branch generates \$23,000 a year from this service and this is from testing one day a week. If the staffing improves and this service is conducted two days more a week, then a total of \$69,000 can be realized. It may not fully cover the overtime for a full year. But the overtime expense is based on work to be performed every Saturday of the year and as the backlog is reduced, the need for this overtime should correspondingly be reduced requiring fewer Saturdays to be worked. With your help, other services could be addressed that experience some backlog, perhaps motorcycle road testing, or a popular request from the public is to have written testing offered on Saturdays.

Thank you again for this opportunity to provide input on Bill No. 38-31.

Sincerely,

John P. Camacho
Director

cc: Office of the Deputy Director

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 38-31 (COR)**

AN ACT RELATIVE TO FACILITATING THE TIMELY ISSUANCE OF GENERAL OPERATORS DRIVERS LICENSES, THROUGH THE ALLOWANCE OF OFF-DUTY ROAD EXAMINATIONS FOR LICENSE ENDORSEMENT "A" CLASS LICENSES, BY AMENDING SUBSECTION "(uu)" OF §1102 OF CHAPTER 1, TITLE 16, GUAM CODE ANNOTATED.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue & Taxation	Dept./Agency Head: John P. Camacho
Department's General Fund (GF) appropriation(s) to date:	9,318,618
Department's Other Fund (Specify) appropriation(s) to date: \$818,249 (Tax Collection Enhancement Fund) / \$1,585,109 (Better Public Service Fund)	2,403,358
Total Department/Agency Appropriation(s) to date:	\$11,721,976

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$535,231,228	\$0	\$535,231,228
FY 2011 Appro. (P.L. 30-235)	(\$535,242,693)	\$0	(\$535,242,693)
Sub-total:	(\$11,465)	\$0	(\$11,465)
Less appropriation in Bill	\$0	\$0	\$0
Total:	(\$11,465)	\$0	(\$11,465)

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
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? / x / Yes / / No
- Is amount appropriated adequate to fund the intent of the appropriation? / x / N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ / x / N/A
- Does the Bill establish a new program/agency? / / Yes / x / No
If yes, will the program duplicate existing programs/agencies? / x / N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes / x / No
- Will the enactment of this Bill require new physical facilities? / / Yes / x / No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / x / Yes / / No
/ x / Requested agency comments not received by due date / / Other: _____

Analyst: Michael M. Aflague, B&M Analyst, BBMR Date: 2/4/11 Director: Benita A. Mangiona, Acting Director FEB 08 2011

2/4/11

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



COMMITTEE ON RULES

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

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January 20, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 38-31 (COR) through 40-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 37-31 (COR) through 40-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, 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

2011 JAN 20 PM 4:01

I Mina'trentai Umu Na Liheslaturan Gu'ahan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsors)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee/Office Referred
38-31 (COR)	A.B. Palacios, Sr.	An Act Relative to Facilitating the Timely Issuance of General Operators Drivers Licenses, Through the Allowance of Off-Duty Road Examinations for License Endorsement "A" Class Licenses, By Amending Subsection "(u)" of §1102 of Chapter 1, Title 16, Guam Code Annotated.	1/19/11 3:05 p.m.	1/20/2011		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

March 8, 2011

Memorandum

To: All Senators
From: Senator Vicente (ben) Cabrera Pangelinan
Re: Public Hearing Notice – FIRST 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 **9:00am, Tuesday, March 15, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Bill No. 25-31 (COR): An Act to provide relief to those businesses and their employees impacted by road construction projects at busy intersections throughout Guam.

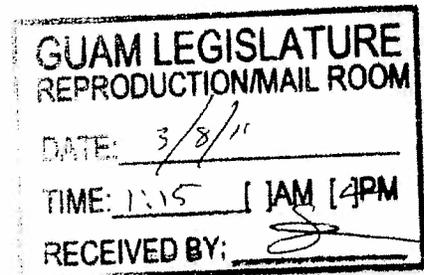
Bill No. 38-31 (COR): An Act Relative to facilitating the timely issuance of General Operators Drivers Licenses, through the allowance of off-duty road examinations for License Endorsement "A" Class Licenses, by Amending Subsection "(u)" of §1102 of Chapter 1, Title 16, Guam Code Annotated.

Bill No. 82-31 (COR): An Act to amend Section 1107(E) of Chapter 1, Division 1, Title 11 of the Guam Code Annotated relative to authorizing the Department of Revenue and Taxation to hire necessary personnel for the Passport Division.

Bill No. 103-31 (COR): An Act to reprogram \$36,673,370 from Object Class 111 and 113 from the Guam Department of Education FY2011 Budget to Object Class 450 for ongoing and continuing capital expenditure projects.

Resolution No. 12: Relative to expressing the sense of *I Liheslaturan Guahan's* expenditure priority of Compact Impact Act Funds for Fiscal Year 2012 to *I Maga'lahaen Guahan* and to the Secretary of Interior to support capital improvement projects and operations of various impacted government agencies and departments.

cc: Tom Unsiong, Sergeant-at-Arms
Clerks Office
MIS
Protocol



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

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

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cc Audrey Ward <audrey@judiwonpat.com>, Joshua Tenorio <joshua.tenorio@senatorbjcruz.com>, chelsea@tinamunabarnes.com, Elaine Tajalle <elainevtll@gmail.com>, Robert Tupaz <rob.tupaz@gmail.com>, Cyrus Luhr <cyrus@senatorada.org>, pjtcruz@yahoo.com, Joseph Anthony Mesngon <jmesngon.senatordrodriguez@gmail.com>, Mary Fejeran <maryfejeran@gmail.com>, tanya4families@gmail.com, Peter Leon Guerrero <peterig@gmail.com>, "Michael D. Carlson" <mcarlson@ite.net>, razelgonzales@gmail.com, chechsantos@gmail.com, Yong Pak <yong@guamlegislature.org>, Carissa Pangelinan <cpangelinan@gmail.com>, sgtarms@guamlegislature.com, Tom Unsiog <tunsiog@guamlegislature.org>

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Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice - FIRST NOTICE

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at 9:00am, Tuesday, March 15, 2011 at the Guam Legislature's Public Hearing Room. The following is on the agenda:

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--
Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
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date Tue, Mar 8, 2011 at 2:54 PM

subject Public Hearing - First Notice

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Office of Senator Vicente (ben) Cabrera Pangelinan will hold a hearing on Tuesday, March 15 beginning at 9:00am in the Guam Legislature Public Hearing Room. The agenda is as follows:

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Máttes, gi diha 15 gi Mátso na mes, 2011 (Tuesday, March 15, 2011)

Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan (Guam Legislature Public Hearing Room)

Alas 9 gi ega'an (9:00 AM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

Bill No. 25-31 (COR): An Act to provide relief to those businesses and their employees impacted by road construction projects at busy intersections throughout Guam.

Bill No. 38-31 (COR): An Act Relative to facilitating the timely issuance of General Operators Drivers Licenses, through the allowance of off-duty road examinations for License Endorsement "A" Class Licenses, by Amending Subsection "(u)" of §1102 of Chapter 1, Title 16, Guam Code Annotated.

Bill No. 82-31 (COR): An Act to amend Section 1107(E) of Chapter 1, Division 1, Title 11 of the Guam Code Annotated relative to authorizing the Department of Revenue and Taxation to hire necessary personnel for the Passport Division.

Bill No. 103-31 (COR): An Act to reprogram \$36,673,370 from Object Class 111 and 113 from the Guam Department of Education FY2011 Budget to Object Class 450 for ongoing and continuing capital expenditure projects.

Resolution (Resolution)

Resolution No. 12-31 (COR): Relative to expressing the sense of I Liheslaturan Guáhan's expediture priority of Compact Impact Act Funds for Fiscal Year 2012 to 1 Maga lahen Guahan and to the Secretary of Interior to support capital improvement projects and operations of various impacted government agencies and departments.

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Office of Senator Vicente (ben) Cabrera Pangelinan will hold a hearing on
Tuesday, March 15 beginning at 9:00am in the Guam Legislature Public Hearin=
g
Room. The agenda is as follows:

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*

INEKUNGOK PUPBLEKO

(PUBLIC HEARING)

**

*gi M**=E5**ttes, gi diha 15 gi M**=E5**tso na** mes, 2011*

(Tuesday, March 15, 2011)

**

Ku=E5tton Inekungok Pupbleko gi I Liheslaturan Gu=E5han

(Guam Legislature Public Hearing Room)

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Alas 9 gi ega=92an

of residents have turned up or because their workplace has back on Christchurch, raising questions over the city's future. City officials estimate The key question is how



**1 Mina' Trentai Unu Na Lihelaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "Ben" Cabrera Pangelinan
Office of the People**

**MEKUNGOK PUPLEKO
(PUBLIC HEARING)**

gi Matae, gi dila 15 gi Matae names, 2011
(Tuesday, March 15, 2011)

**Kuaiton Inekungok Pupleko gi 1 Lihelaturan Guahan
(Guam Legislature Public Hearing Room)**

Mas 9 gi age'an
(9:30 AM)

**TAREHA
(AGENDA)**

**Prinsipal Silha
(bills)**

Bill No. 25-31 (COR): An Act to provide relief to those businesses and their employees impact by road construction projects at busy intersections throughout Guam.
Bill No. 36-31 (COR): An Act Relative to facilitating the timely issuance of General Operators Drivers Licenses, through the allowance of off-duty road examination for License Endorsement "A" Class Licenses, by Amending Subsection "(j)" of 5102 of Chapter 1, Title 16, Guam Code Annotated.
Bill No. 82-31 (COR): An Act to amend Section 1107(E) of Chapter 1, Division 1, Title 11 of the Guam Code Annotated relative to authorizing the Department of Revenue and Taxation to hire necessary personnel for the Passport Division.
Bill No. 103-31 (COR): An Act to reprogram \$36,673,370 from Object Class 11 and 113 from the Guam Department of Education FY2011 Budget to Object Class 450 for ongoing and continuing capital expenditure projects.

**Resolution
(Resolutions)**

Resolution No. 12-31 (COR): Relative to expressing the sense of Lihelaturan Guahan's expenditure priority of Compact Impact Act Funds for Fiscal Year 2012 to the Secretary of Interior to support capital improvement projects and operations of various impacted government agencies and departments.

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before the Feb. 22 tremor razed it to the ground, killing dozens. "I was always intending to but this has just made that resolve to move all the more strong."

The shallow, 6.3-magnitude quake devastated the South Island's bustling tourist gateway, reducing two major office buildings to rubble, leaving a large hotel tilting and causing parts of the iconic Christchurch Cathedral to crumble.

Estimates

Estimates are that the tremor – that killed at least 166 people – destroyed one-third of the buildings in central Christchurch and left 10,000 people homeless.

Mayor Bob Parker has warned it could be months before parts of the city reopen, and though the government has underwritten all employees' wages for six weeks in a bid to protect jobs, prospects for the CBD's 52,000 workers are uncertain.

"I know already that populations in other towns in the South Island have risen exponentially as people from here who have the ability to or have a holiday home or have a contact re-

Hundreds of Canterbury University students are being shipped to Australia to finish their studies while thousands of schoolchildren have enrolled elsewhere, some as far away as Auckland, after some local schools warned they could be closed for a year.

The quake, an aftershock of a 7.0-magnitude shudder on Sept. 4 which caused damage but no deaths, has left city businesses scrambling for office space in the suburbs, setting up in warehouses and homes.

Some companies had moved their servers into bunkers after the earlier quake, meaning staff can log in from home while the city remains in lockdown, but others have lost everything.

Meanwhile tens of thousands of residences are still without power or water, and a quarter of all homes will need some sort of repair work.

About 10,000 will need to be demolished – entire streets in some suburbs – and the rush is on to find parks and other land for temporary housing before the punishing southern winter sets in.

independent lawmakers in the 49-seat parliament.

HRRP lost one seat but has the support of an additional two independents, giving Tuilaepa control over 3 seats, a single seat increase according to preliminary results released Saturday. Samoan Electoral Commissioner Tanuvasa Meleisi Iaitolo Lemisio.

The main opposition Tautua Samoa Party increased its representation by two seats, to 13.

It had based its election campaign on accusations that the government mismanaged aid following the 2009 tsunami, which killed people, and did not do enough to help victims of the disaster.

It was the first election test for the opposition party which was formed by independent lawmakers in 2008.

The Electoral Commission said 90 percent of 76,000 registered voters the island nation of 192,000 people voted, some 100,000 up for hours before polling stations opened.

11:19 PM



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

March 13, 2011

Memorandum

To: All 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 **9:00am, Tuesday, March 15, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Bill No. 25-31 (COR): An Act to provide relief to those businesses and their employees impacted by road construction projects at busy intersections throughout Guam.

Bill No. 38-31 (COR): An Act Relative to facilitating the timely issuance of General Operators Drivers Licenses, through the allowance of off-duty road examinations for License Endorsement "A" Class Licenses, by Amending Subsection "(u)" of §1102 of Chapter 1, Title 16, Guam Code Annotated.

Bill No. 82-31 (COR): An Act to amend Section 1107(E) of Chapter 1, Division 1, Title 11 of the Guam Code Annotated relative to authorizing the Department of Revenue and Taxation to hire necessary personnel for the Passport Division.

Bill No. 103-31 (COR): An Act to reprogram \$36,673,370 from Object Class 111 and 113 from the Guam Department of Education FY2011 Budget to Object Class 450 for ongoing and continuing capital expenditure projects.

Resolution No. 12: Relative to expressing the sense of *I Liheslaturan Guahan's* expenditure priority of Compact Impact Act Funds for Fiscal Year 2012 to *I Maga'lahaen Guahan* and to the Secretary of Interior to support capital improvement projects and operations of various impacted government agencies and departments.

cc: Tom Unsiong, Sergeant-at-Arms
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Hafa Ada,
The Office of Senator Vicente (ben) Cabrera Pangelinan will be conducting a public hearing on Tuesday, March 15, 2011 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

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(Guam Legislature Public Hearing Room)*

*Alas 9 gi ega'an
(9:00 AM)*

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(Bills)**

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(Resolution)

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I Mina' Trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "Ben" Cabrera Pangelinan
Office of the People

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Måttes, gi diha 15 gi Måtso na mes, 2011 (Tuesday, March 15, 2011)

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

Alas 9 gi ega'an (9:00 AM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

Bill No. 25-31 (COR): An Act to provide relief to those businesses and their employees impacted by road construction projects at busy intersections throughout Guam.

Bill No. 38-31 (COR): An Act Relative to facilitating the timely issuance of General Operators Drivers Licenses, through the allowance of off-duty road examinations for License Endorsement "A" Class Licenses, by Amending Subsection "(u)" of §a41102 of Chapter 1, Title 16, Guam Code Annotated.

Bill No. 82-31 (COR): An Act to amend Section 1107(E) of Chapter 1, Division 1, Title 11 of the Guam Code Annotated relative to authorizing the Department of Revenue and Taxation to hire necessary personnel for the Passport Division.

Bill No. 103-31 (COR): An Act to reprogram \$36,673,370 from Object Class 111 and 113 from the Guam Department of Education FY2011 Budget to Object Class 450 for ongoing and continuing capital expenditure projects.

Resolusion (Resolution)

Resolution No. 12-31 (COR): Relative to expressing the sense of I Liheslaturan Guahan's expediture priority of Compact Impact Act Funds for Fiscal Year 2012 to I Maga lahen Guahan and to the Secretary of Interior to support capital improvement projects and operations of various impacted government agencies and departments.

Yanggen un nisisita espesiét na selbisio put fabot ágang i lfinan Senadot ben pangelinan gi 473-4236/7, i-mel si senbenp@guam.net, patsino halom gi i uepsait gi www.senbenp.com. Este na nutisiu inapási nu i fendon gubetnamento.

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**I Mina'Trentai Unu Na
Lihselaturan Guahan**

THIRTY-FIRST GUAM LEGISLATURE

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

***INEKUNGOK PUPBLEKO
(PUBLIC HEARING)***

***gi Måttes, gi diha 15 gi Måtso na mes, 2011
(Tuesday, March 15, 2011)***

***Kuåtton Inekungok Pupleko gi I Lihselaturan Guahan
(Guam Legislature Public Hearing Room)***

***Alas 9 gi ega'an
(9:00 AM)***

***TAREHA
(AGENDA)***

***Priniponi Siha
(Bills)***

Bill No. 25-31 (COR) – Introduced by Senator Tony Ada: An Act to provide relief to those businesses and their employees impacted by road construction projects at busy intersections throughout Guam.

Bill No. 38-31 (COR) – Introduced by Senator Adolpho Palacios: An Act Relative to facilitating the timely issuance of General Operators Drivers Licenses, through the allowance of off-duty road examinations for License Endorsement "A" Class Licenses, by Amending Subsection "(u)" of §1102 of Chapter 1, Title 16, Guam Code Annotated.

Bill No. 82-31 (COR) – Introduced by Senator Mana Taijeron: An Act to amend Section 1107(E) of Chapter 1, Division 1, Title 11 of the Guam Code Annotated relative to authorizing the Department of Revenue and Taxation to hire necessary personnel for the Passport Division.

Bill No. 103-31 (COR) – Introduced by Senator Vicente Pangelinan: An Act to reprogram \$36,673,370 from Object Class 111 and 113 from the Guam Department of Education FY2011 Budget to Object Class 450 for ongoing and continuing capital expenditure projects.

Resolution
(Resolution)

Resolution No. 12-31 (COR) – Introduced by Senator Vicente Pangelinan: Relative to expressing the sense of *I Liheslaturan Guåhan*'s expediture priority of Compact Impact Act Funds for Fiscal Year 2012 to I Maga lahen Guahan and to the Secretary of Interior to support capital improvement projects and operations of various impacted government agencies and departments.

Yanggen un nisisita espesiât na setbisio put fabot âgang i Ifisinin Senadot ben pangelinan gi 473-4236/7, i-mel si senbenp@guam.net , patsino hâlom gi i uepsait gi www.senbenp.com. Este na nutisiu inapâsi nu i fendon gubetnamento.

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

Bill No. 38-31(COR)

Introduced by:

ADOLPHO B. PALACIOS, SR. 

AN ACT RELATIVE TO FACILITATING THE
TIMELY ISSUANCE OF GENERAL OPERATORS
DRIVERS LICENSES, THROUGH THE
ALLOWANCE OF OFF-DUTY ROAD
EXAMINATIONS FOR LICENSE
ENDORSEMENT "A" CLASS LICENSES, BY
AMENDING SUBSECTION "(uu)" OF §1102 OF
CHAPTER 1, TITLE 16, GUAM CODE
ANNOTATED.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2

3 Section 1. Legislative Findings and Intent:

4 *I Liheslaturan Guahan* finds that due to financial limitations of
5 the government of Guam in providing necessary personnel support,
6 the Division of Motor Vehicle of the Department of Revenue and
7 Taxation has been experiencing serious extended delays in
8 administering the road tests for individuals applying for a non-
9 commercial motor vehicle operators' license, and in meeting the
10 demand for providing these licenses.

11 Furthermore, as the island undergoes the military buildup
12 process, the need for these licenses will continue to increase as a
13 result of the anticipated growth in the overall population of Guam.

1 The *Liheslaturan Guahan* further finds that the Motor Vehicle Division
2 administers several hundred written tests every testing cycle, which
3 is conducted every few weeks. The backlog in the provision of the
4 non-commercial motor vehicle operators' license is a direct result of
5 the challenges that confronts DMV with the scheduling and the
6 conduct of the road tests for applicants, and the need for additional
7 personnel support or greater flexibility in the administration of the
8 driver's license program, such as providing for off-duty
9 examinations. Currently, the waiting period for a road test is at times
10 more than six (6) months.

11 Therefore, just as Public Law 30-140 was enacted for the
12 purpose of expediting the issuance of commercial motor vehicle
13 operators' licenses by way of providing for the off-duty conduct of
14 road tests on weekends and holidays, it is likewise appropriate that
15 these accommodations be made for non-commercial applicants
16 seeking a motor vehicle operators' license. It is the intent of *I*
17 *Liheslaturan Guahan* that the Department of Revenue & Taxation be
18 authorized to administer "off-duty" road examinations for Operators
19 License Endorsement "A" category licenses, and to enhance the
20 timeliness of the issuance of these licenses for the island community.

21 **Section 2. Off-Duty Road Examinations by the Motor Vehicle**
22 **Division for Individual Operators License.**

1 The Department of Revenue & Taxation Motor Vehicle Division
2 is hereby authorized to administer "off-duty" road examinations for
3 Operators License Endorsement "A" category licenses.

4 **Section 3. Inclusion of Operators License Endorsement A.**

5 Subsection (uu) of §1102 of Chapter 1, Title 16, Guam Code
6 Annotated, is hereby amended, to read as follows:

7 "(uu) *Services* means Operators License Endorsement A, and
8 Chauffeurs License Endorsement B, C, D and G road examinations."

9 **Section 4. Proposed Rules and Regulations.**

10 The Department of Revenue and Taxation shall promulgate
11 appropriate Rules and Regulations, if deemed necessary, to ensure
12 the compliance and timely implementation of the provisions
13 contained in this Act. Said Rules and Regulations shall take into
14 consideration the maximum administration of road tests, in
15 accordance with the Department's mandate, within regular
16 government operational hours. The Director of the Department shall
17 be responsible for the proper and effective administration of the off-
18 duty road examinations, and shall be the final approving authority in
19 the conduct of such off-duty road tests.

20 **Section 5. Effective Date.**

21 This Act shall be effective following the promulgation and
22 formal adoption of the program Rules and Regulations as highlighted
23 herein, or otherwise upon enactment.