

**MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
2007 (FIRST) Regular Session**

Bill No. 64(EC)
Introduced by:

A. B. PALACIOS, SR. 

AN ACT RELATIVE TO ADJUSTING THE ALCOHOLIC BEVERAGE LICENSE FEES ASSESSED TO BUSINESS ESTABLISHMENTS AND OTHERS, AND DIRECTING THAT THE ADDITIONAL FINANCIAL RESOURCES GENERATED BE APPLIED TO SUPPORT THE COMPLIANCE AND REGULATORY CAPABILITY OF ENFORCEMENT OFFICIALS OF THE ALCOHOLIC BEVERAGE CONTROL BOARD WITHIN THE DEPARTMENT OF REVENUE AND TAXATION; THROUGH AMENDING §3207 OF CHAPTER 3, ARTICLE 2, TITLE 11, GUAM CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

1 *I Liheslaturan Guåhan* finds that many of the license fees associated with
2 the sale of alcoholic beverages by businesses and other establishments were
3 established more than 40 years ago. These fees have never been adjusted to
4 reflect increasing costs associated with providing the service and with
5 maintaining proper enforcement of the operational provisions in law. For
6 many years now, key representatives from the Department of Revenue and
7 Taxation and the Alcoholic Beverage Control Board have reviewed existing
8 license fees that are being applied for the sale of alcoholic beverages and have
9 recommended that these fees be adjusted to more accurately reflect the costs
10 associated with providing the necessary compliance and regulatory review.
11 In recent discussions with members of the Alcoholic Beverage Control Board
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1 and with compliance inspectors with the Department of Revenue and
2 Taxation it has been acknowledged that these license fees should be adjusted
3 to better reflect existing costs of providing such services, and in providing
4 necessary resources for proper and timely compliance inspections of all
5 existing businesses, and temporary licensed concessionaires.

6 Therefore, this provision would adjust the existing license fees that are
7 paid annually by businesses and others in the sale of alcoholic beverages, to
8 include both on-sale and off-sale premises. The additional financial resources
9 collected as a result of the adjustment in the license fees would be required to
10 be re-directed to the Department of Revenue and Taxation, through the
11 Alcoholic Beverage Control Board, for the expressed usage of enhancing
12 compliance and regulatory activities.

13 **Section 2. §3207 of Chapter 3, Article 2, Title 11, Guam Code**
14 **Annotated, is hereby amended to read as follows:**

15 **“§3207. Licenses: Classes and Fees.**

16 The Board is authorized to issue the following classes and kinds of
17 licenses at the following fees:

18	Class 1.	Manufacturer’s License	\$100.00	<u>\$200.00</u>	per year
19	Class 2.	Agent’s Licenses	\$250.00	<u>\$500.00</u>	per year
20	Class 3.	Wholesale Dealer’s License	\$500.00	<u>\$1,000.00</u>	per year
21	Class 4.	Retail Dealer’s License			
22		Beer	\$150.00	<u>\$300.00</u>	per year
23		General	\$500.00	<u>\$1,000.00</u>	per year

1	Wine	\$150.00	<u>\$300.00</u>	per year
2	Waiter/Waitress	\$ 5.00	<u>\$ 15.00</u>	per dba
3	Manager/Assist. Mgr.	\$ 5.00	<u>\$ 25.00</u>	per dba
4	Class 5. Retail Dealer's Off-Sale License			
5	Beer	\$ 50.00	<u>\$100.00</u>	per year
6	General	\$500.00	<u>\$1,000.00</u>	per year
7	Class 6. Special Alcoholic Licenses	\$ 25.00	<u>\$ 50.00</u>	per year
8	Class 7. Temporary Beer License	\$ 10.00	<u>\$100.00</u>	per year
9	Class 8. Public Warehousemen's License	\$ 25.00	<u>\$ 50.00</u>	per year
10	Class 9. Club License	\$250.00	<u>\$500.00</u>	per year
11	Class 10. Temporary General License	\$ 10.00	<u>\$100.00</u>	per day
12	Class 11. Microbrewery-Pub Restaurant	\$1,000.00	<u>\$1,500.00</u>	per year"

Section 3. Applicability of Funds Generated to Support Alcoholic Beverage Control Board Compliance and Regulatory Activities.

All funds generated as a result of the license fee adjustments provided in Section 2 of this Act shall be appropriated annually by I Liheslaturan Guahan and re-directed to the Department of Revenue and Taxation for the express use by the Alcoholic Beverage Board and its assigned personnel for compliance and regulatory activities. The Chairman of the Alcoholic Beverage Control Board, in consultation with the Director of the Department of Revenue and Taxation, shall present in the Department's annual budgetary submission to I Liheslaturan Guahan the sums highlighted herein from the adjustment in fees, with emphasis for the funds to be directed for alcoholic beverage license enforcement and other regulatory activities.