

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
277-32 (COR)	Brant T. McCreadie	AN ACT TO ADD A NEW SECTION 3349 TO ARTICLE 3, CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DUTIES OF DRIVERS WHEN APPROACHING STATIONARY VEHICLES DISPLAYING EMERGENCY OR WARNING LIGHTS.	2/19/14 4:28 p.m.	02/20/14	Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations			Fiscal Note Requested 02/20/14  Fiscal Note Received 03/31/14



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

March 31, 2014

## Memorandum

**To:** Rennae Meno  
*Clerk of the Legislature*

**From:** Senator Rory J. Respicio  
*Majority Leader & Rules Chair*

**Subject:** Fiscal Notes / Waivers

2014 MAR 31 PM 12:06

*Hafa Adai!*

Attached please find the fiscal notes and waiver for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

### FISCAL NOTES:

Bill No. 263-32(COR)

Bill No. 266-32(COR)

Bill No. 276-32(COR)

Bill No. 277-32(COR)

Bill No. 286-32(COR)

### WAIVER:

Bill No. 292-32(COR)

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

*Si Yu'os ma'åse'!*

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VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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Member

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Aline Yamashita  
Member

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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

**EDDIE BAZA CALVO**  
GOVERNOR

**JOHN A. RIOS**  
DIRECTOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**JOSE S. CALVO**  
DEPUTY DIRECTOR

**MAR 28 2014**

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32<sup>nd</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 263-32(COR), 266-32(COR), 276-32(COR), 277-32(COR), 286-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 292-32(COR).

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

  
JOHN A. RIOS  
Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 277-32 (COR)**

**AN ACT TO ADD A NEW SECTION 3349 TO ARTICLE 3, CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DUTIES OF DRIVERS WHEN APPROACHING STATIONARY VEHICLES DISPLAYING EMERGENCY OR WARNING LIGHTS.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Guam Police Department	Dept./Agency Head: Fred E. Bordallo, Jr.
Department's General Fund (GF) appropriation(s) to date:	28,074,988
Department's Other Fund (Specify) appropriation(s) to date: Police Services Fund	658,784
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$28,733,772</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (P.L. 32-68)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Police Services Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / x / Yes      // No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? / x / Ref footnotes      // Yes      // No  
If no, what is the additional amount required? / x / Ref footnotes
- 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 IV Date: 2/26/14 Director: John A. Rios, Director Date: MAR 28 2014

Footnotes: see attachment for revenue generating provisions.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 277-32 (COR)**  
**(for revenue generating provisions)**

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Police Services Fund:	<u>1/</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total	1/	\$0	\$0	\$0	\$0

**Comments:**

1/ According to statistics provided by the Bureau of Statistics and Plans, Guam experienced a total of 6,604 traffic accidents in 2012. For illustrative purposes, assuming 50% of these accidents involves violations to Section 2 of Bill 27-32, a projected \$330K would be realized annually. Fiscal data is pending from the requested agencies as of these comments.

Table 15-04 . Offenses Reported, Guam: 2008 to 2012

Offenses	2012	2011	2010	2009	2008
Grand Total	10,226	8,994	9,756	9,590	8,156
Total, Part 1	5,054	4,443	4,465	3,176	3,316
Murder	5	10	3	5	1
Rape	280	229	198	201	154
Robbery	96	67	61	78	49
Aggravated Assault	257	327	199	191	330
Burglary	2,303	1,945	1,605	972	647
Larceny-Theft	1,651	1,631	2,120	1,497	1,960
Motor Vehicle Theft	454	218	269	217	155
Arson	8	16	10	15	20
Total, Part 2	5,172	4,551	5,291	6,414	4,840

Source: Guam Police Department, Government of Guam

Total, Part 2 includes misdemeanors and most other offenses not list in Part 1.

R = Revised

Table 15-05 . Offenses Reported, Guam: 2002 to 2007

Offenses	2007	2006	2005	2004R	2003 R	2002 R
Grand Total	10,534	11,191	11,872	11,426	12,594	10,548
Total, Part 1	4,511	4,587	5,039	5,136	4,318	4,004
Murder	1	11	7	9	8	2
Rape	208	180	151	161	219	172
Robbery	108	72	105	104	60	75
Aggravated Assault	117	147	125	190	207	222
Burglary	1,058	1,292	1,468	1,292	1,126	913
Larceny-Theft	2,792	2,639	2,851	3,053	2,459	2,391
Motor Vehicle Theft	211	213	315	311	231	221
Arson	16	33	17	16	8	8
Total, Part 2	6,023	6,604	6,833	6,290	8,276	6,544

Source: Guam Police Department, Government of Guam

Total, Part 2 includes misdemeanors and most other offenses not list in Part 1.

R = Revised

Table 15-06 . Traffic Accidents, Property and Violent Crimes Reported, Guam: 2002 to 2012

Year	Traffic Accidents	Fatalities		DUI Arrests	Uniform Crime Reporting Offenses	Crimes		Uniformed Officers
		Total	Alcohol-related			Violent	Property	
2012	6,604	16	7	441	10,053	464	4,417	313
2011	6,705	16	4	471	8,916	555	3,810	307
2010	7,165	13	5	680	9,632	461	4,004	310
2009	6,911	12	4	927	9,590	475	2,670	310
2008	6,964	8	4	629	8,156	534	2,782	313
2007	9,162	25	9	731	10,534	434	4,077	309
2006	6,250	13	5	836	11,191	410	4,177	319
2005	6,587	17	8	817	11,872	388	4,651	318
2004 R	6,561	14	6	538	11,426	432	4,672	275
2003 R	6,762	23	7	694	12,594	449	3,827	255
2002 R	6,615	11	6	972	10,548	405	3,533	273

Source: Guam Police Department, Government of Guam

DUI = Drinking under the influence of alcohol.

R = Revised



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February 20, 2014

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

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

**From: Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 277-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 277-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

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

*Si Yu'os Ma'åse!*

Attachment



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Member

February 20, 2014

VIA E-MAIL

[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

**John A. Rios**  
**Director**  
**Bureau of Budget & Management Research**  
**P.O. Box 2950**  
**Hagåtña, Guam 96910**

**RE: Request for Fiscal Notes– Bill Nos. 275-32 (COR) through 277-32(COR)**

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature



<b>Bill Nos.</b>	<b>Sponsors</b>	<b>Title</b>
<b>275-32(COR)</b>	D. G. Rodriguez, Jr.	AN ACT TO ENSURE THE SACTITY OF THE MEDICAL PEER REVIEW PROCESS AT THE GUAM MEMORIAL HOSPITAL AUTHORITY , BY <i>AMENDING</i> SUBSECTION (n) OF §80109, CHAPTER 80, TITLE 10, GUAM CODE ANNOTATED.
<b>276-32 (COR)</b>	Michael T. Limtiaco	AN ACT TO ELIMINATE THE SETTING OF SENATORS' SALARIES AS A PERCENTAGE OF THE SALARY PAID TO THE JUDGES OF THE SUPERIOR COURT OF GUAM.
<b>277-32 (COR)</b>	Brant T. McCreadie	AN ACT TO ADD A NEW SECTION 3349 TO ARTICLE 3, CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DUTIES OF DRIVERS WHEN APPROACHING STATIONARY VEHICLES DISPLAYING EMERGENCY OR WARNING LIGHTS.

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

Bill No. 277-32 (012)

Introduced by:

Brant T. McCreadie

**AN ACT TO ADD A NEW SECTION 3349 TO ARTICLE 3, CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DUTIES OF DRIVERS WHEN APPROACHING STATIONARY VEHICLES DISPLAYING EMERGENCY OR WARNING LIGHTS.**

2014 FEB 19 PM 4:28

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that forty-eight (48) states have enacted “Move Over” laws. “Move Over” laws require motorists to change lanes and give safe clearance to vehicles on the side of the road that are responding to traffic stops or emergencies. If drivers are unable to change lanes or the width of the roads prohibit the execution of a lane change, they must slow to predetermined speed below the posted limit. Law enforcement officers are generally empowered to issue citations if these regulations are not followed.

*I Liheslaturan Guåhan* understands the dangers faced by law enforcement officers and the safety issues presented to emergency responders, tow truck operators and other related personnel as they respond to roadside situations. Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure roadside conditions are made safer for individuals and vehicles involved with responding to roadside situations including, but not limited to, traffic stops and accidents by requiring motorists to exercise caution when approaching stationary vehicles.

1           **Section 2.** A new Section 3349 is hereby added to Article 3, Chapter 3, Title 16  
2 of the Guam Code Annotated to read:

3           “§3349. Duties of Driver When Approaching Stationary Vehicles  
4 Displaying Emergency or Warning Lights.”

5           (1) When an authorized emergency vehicle is stationary and making use  
6 of emergency flashing lights for the purpose of performing duties in accordance  
7 with Title 10 of the Guam Code Annotated, or a tow truck is stationary and  
8 making the use of emergency flashing lights for the purpose of providing  
9 services or performing duties in accordance with Chapter 12, Title 16 of the  
10 Guam Code Annotated, the driver of an approaching vehicle shall vacate, in no  
11 less than one hundred (100) feet before approaching said emergency vehicle or  
12 tow truck, the lane closest to it when driving on a public road or highway with  
13 two or more lanes. If such movement cannot be safely accomplished, the driver  
14 shall reduce speed to no more than ten (10) miles per hour until the driver has  
15 passed at least fifty (50) feet from the emergency vehicle or tow truck, unless  
16 otherwise directed by a peace officer.

17           (2) Any individual violating this Section shall be guilty of an infraction,  
18 punishable by a fine of one hundred dollars (\$100.00). All monies collected  
19 under this Section shall be deposited into the Police Services Fund.

20           (3) The Guam Police Department shall be responsible for providing an  
21 educational awareness campaign informing the public of the provisions of this  
22 Section.

23           (4) This Section does not relieve the driver of an authorized emergency  
24 vehicle or tow truck from the duty to drive with due regard for the safety of all  
25 persons and vehicles using public roads and highways.”

1           **Section 3. Enactment.** The provisions of this Act shall become effective  
2 immediately upon enactment.

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