

*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
<b>395-32 (COR)</b>	Brant McCreadie	AN ACT TO AMEND §74108 OF CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CIVIL PENALTIES FOR SCRAP METAL BUSINESSES WHO FAIL TO PROPERLY FOLLOW REPORTING REQUIREMENTS AS PER GUAM LAW.	9/4/14 11:31 a.m.	09/04/14	Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations			<b>Fiscal Note Requested 9/5/14</b>



## 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)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
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Senator  
Michael F.Q. San Nicolas  
Member

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Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

September 5, 2014

VIA E-MAIL  
[joey.calvo@bbmr.guam.gov](mailto:joey.calvo@bbmr.guam.gov)

Jose S. Calvo  
Acting Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

**RE: Request for Fiscal Notes– Bill Nos. 394-32 (COR) and 395-32(COR)**

*Hafa Adai* Mr. Calvo:

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

Bill Nos.	Sponsors	Title
394-32 (COR)	B. J. F. Cruz	AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 4, CHAPTER 8, OF THE GUAM CODE ANNOTATED TO CREATE A NEW "HYBRID" RETIREMENT SYSTEM WITH MANDATORY PARTICIPATION BY GOVERNMENT OF GUAM EMPLOYEES HIRED AFTER DECEMBER 31, 2014; WITH OPTIONAL PARTICIPATION FOR DEFINED CONTRIBUTION RETIREMENT SYSTEM PARTICIPANTS WHO ELECT TO TRANSFER TO THE NEW HYBRID PLAN IN ACCORDANCE WITH REGULATIONS TO BE PROMULGATED.
395-32 (COR)	Brant McCreadie	AN ACT TO AMEND §74108 OF CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CIVIL PENALTIES FOR SCRAP METAL BUSINESSES WHO FAIL TO PROPERLY FOLLOW REPORTING REQUIREMENTS AS PER GUAM LAW.



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September 4, 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. 395-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 395-32(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

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

Bill No. 395-32(002)

Introduced by:

Brant McCreadie 

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**AN ACT TO *AMEND* §74108 OF CHAPTER 74, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE CIVIL PENALTIES FOR SCRAP METAL BUSINESSES WHO FAIL TO PROPERLY FOLLOW REPORTING REQUIREMENTS AS PER GUAM LAW.**

2014 SEP -4 AM 11:31 

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
3 Public Law 29-70 greatly increased the reporting requirements for scrap metal  
4 businesses in an effort to curb the rash of copper wire and other non-ferrous metals  
5 thefts occurring in our community. However, *I Liheslaturan Guåhan* further finds that  
6 scrap metal dealers have failed to properly maintain records of non-ferrous metal  
7 transactions. More stringent civil penalties are required to detract scrap metal  
8 businesses from failing to report all non-ferrous metal property purchases as required  
9 by Guam law.

10 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend §74108 of Chapter  
11 74, Title 11 Guam Code Annotated to increase the civil penalties for scrap metal  
12 businesses who fail to comply with reporting requirements.

13 **Section 2.** §74108 of Chapter 74, Title 11 Guam Code Annotated is hereby *amended*  
14 to read:

1           “§ 74108. Civil Penalties.

2           (a) ~~Each~~ The first violation of the requirements of this Chapter shall be  
3           punishable, upon conviction, by a fine of not more than ~~One~~ Twenty Thousand  
4           Dollars (\$20,000.00) and the suspension of a scrap metal business’ business  
5           license for a period of ninety (90) days.

6           (b) ~~Within two (2) years of being convicted of a violation of any of the~~  
7           ~~requirements of this Chapter, each subsequent~~ The second violation of the  
8           requirements of this Chapter shall be punishable, upon conviction, by a fine of  
9           not more than Two Twenty Thousand Dollars (\$20,000.00) and the suspension  
10          of a scrap metal business’ business license for a period of one year.

11          (c) The third violation of the requirements of this Chapter shall be  
12          punishable, upon conviction, by a permanent revocation of a scrap metal  
13          business’ business license.”

14          **Section 3. Effective Date.** This Act shall be effective immediately upon  
15          enactment.

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