



EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

JUL 08 2013

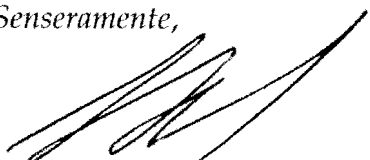
Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910


32-13-571  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 7/8/13  
Time 4:31  
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No.118-32 (COR) "AN ACT TO ADD NEW §§ 3123, 3124, 3124.1 AND 3125 TO ARTICLE 1; TO AMEND § 3207 AND ADD NEW §§ 3212.1, 3230, 3231 AND 3232 OF ARTICLE 2; AND TO AMEND §3613 OF ARTICLE 6, ALL OF CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED; AND TO ADD A NEW SUBSECTION (h) TO §2105, A NEW SUBSECTION (c) TO §2107, AND A NEW §2111, ALL OF CHAPTER 2, TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALCOHOL BEVERAGE CONTROL, AND TO BE KNOWN AS "THE RESPONSIBLE ALCOHOL SALES AND SERVICE ACT" which I signed into law on July 5, 2013 as Public Law 32-051.

*Senseramente,*

  
EDDIE BAZA CALVO  
*I Maga'lahaen Guåhan*  
Governor of Guam

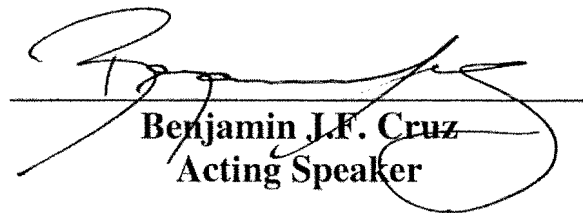
2013 JUL - 8 PM 4: 59  


Attachment: copy of Bill

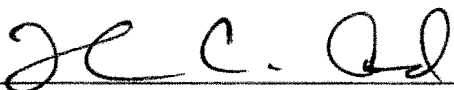
*I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

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

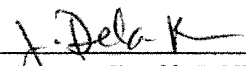
This is to certify that Substitute Bill No. 118-32 (COR), "AN ACT TO ADD NEW §§ 3123, 3124, 3124.1 AND 3125 TO ARTICLE 1; TO AMEND § 3207 AND ADD NEW §§ 3212.1, 3230, 3231 AND 3232 OF ARTICLE 2; AND TO AMEND §3613 OF ARTICLE 6, ALL OF CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED; AND TO ADD A NEW SUBSECTION (h) TO §2105, A NEW SUBSECTION (c) TO §2107, AND A NEW §2111, ALL OF CHAPTER 2, TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALCOHOL BEVERAGE CONTROL, AND TO BE KNOWN AS "THE RESPONSIBLE ALCOHOL SALES AND SERVICE ACT", was on the 24<sup>th</sup> day of June, 2013, duly and regularly passed.

  
Benjamin J.F. Cruz  
Acting Speaker

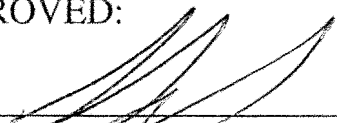
Attested:

  
Thomas C. Ada  
Acting Legislative Secretary

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This Act was received by *I Maga'lahen Guåhan* this 26<sup>th</sup> day of June,  
2013, at 3:00 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'lahen Guåhan*

Date: JUL 05 2013

Public Law No. 32-051

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
**2013 (FIRST) Regular Session**

**Bill No. 118-32 (COR)**

As substituted by the Committee on  
Aviation, Ground Transportation,  
Regulatory Concerns and Future Generations.

Introduced by:

Dennis G. Rodriguez, Jr.  
B. J.F. Cruz  
V. Anthony Ada  
Michael F. Q. San Nicolas  
Judith T. Won Pat, Ed.D.  
R. J. Respicio  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
T. C. Ada  
Frank B. Aguon, Jr.  
Chris M. Dueñas  
Michael T. Limtiaco  
Vicente (ben) C. Pangelinan  
Aline A. Yamashita, Ph.D.

**AN ACT TO ADD NEW §§ 3123, 3124, 3124.1 AND 3125 TO ARTICLE 1; TO AMEND § 3207 AND ADD NEW §§ 3212.1, 3230, 3231 AND 3232 OF ARTICLE 2; AND TO AMEND §3613 OF ARTICLE 6, ALL OF CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED; AND TO ADD A NEW SUBSECTION (h) TO §2105, A NEW SUBSECTION (c) TO §2107, AND A NEW §2111, ALL OF CHAPTER 2, TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALCOHOL BEVERAGE CONTROL, AND TO BE KNOWN AS "THE RESPONSIBLE ALCOHOL SALES AND SERVICE ACT."**

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

2           **Section 1. Legislative Findings and Intent.** *I Mina'Trentai Dos Na*  
3 *Liheslaturan Guåhan* finds that hundreds of bars, clubs, stores and restaurants  
4 across the island engage in the sale and service of alcoholic beverages thousands of  
5 times a day. For the individuals and corporations that hold these licenses the sale of  
6 alcoholic beverages can be a very lucrative business. These license holders also  
7 play a key role in the hospitality and retailing sectors of Guam's economy,  
8 providing jobs for our people and tax revenue for the government.

9           The privilege to sell alcoholic beverages also comes with certain  
10 responsibilities, including adherence to the rules and regulations the government  
11 enacts to protect the health and safety of all who live and visit here.

12           *I Mina'Trentai Dos Na Liheslaturan Guåhan* also finds that there is  
13 abundant statistical and anecdotal evidence pointing to unacceptably high levels of  
14 criminal and societal problems that can be traced to the irresponsible sale, service,  
15 and consumption of alcoholic beverages.

16           This evidence includes arrest data provided by GPD and the published  
17 results of unannounced and undercover enforcement actions conducted by ABC  
18 that shows there are many employees, both those who are licensed by ABC and  
19 those who are not ABC licensed, who routinely ignore, willfully violate, or fail to  
20 understand their legal responsibilities when serving or selling alcoholic beverages.

21           High on the list of complaints are service to minors, after hour sales, and  
22 sales to intoxicated individuals at both on-premises and off-premises licensed  
23 establishments.

24           *I Mina'Trentai Dos Na Liheslaturan Guåhan* finds further that there is  
25 growing public impatience with people who consume alcoholic beverages outside  
26 off-premise licensed stores and other public places where the consumption of  
27 alcoholic beverages is prohibited at all hours of the night and day.

1            *I Mina'Trentai Dos Na Liheslaturan Guåhan* finds that there is also great  
2 public concern about persistent problems such as drunk drivers who injure and/or  
3 kill people on our roadways; intoxicated individuals involved in assaults, fights,  
4 stabbings, shootings or other crimes, and underage drinking; including instances  
5 where these problems can be traced back to the irresponsible sale and service of  
6 alcoholic beverages.

7            There have been many efforts to combat these problems from both the  
8 public and private sectors of the community, but yet these problems still negatively  
9 impact the quality of life for those who live here and tarnish our island's reputation  
10 in the eyes of Guam's visitors.

11           *I Mina'Trentai Dos Na Liheslaturan Guåhan* finds that generally these  
12 alcohol enforcement programs overlook the importance of the proper education  
13 and training of point of sale employees, both servers and sellers, their supervisors  
14 and managers.

15           It is the intent of *I Mina'Trentai Dos Na Liheslaturan Guåhan* to provide for  
16 the proper education and training of point of sale employees, both servers and  
17 sellers, their supervisors and managers, by joining the dozens of other U.S. states  
18 that mandate responsible server/seller training for workers who serve or sell  
19 alcoholic beverages, their supervisors, and managers.

20           It is the intent of *I Mina'Trentai Dos Na Liheslaturan Guåhan* to ensure that  
21 those licensed to serve or sell alcoholic beverages to the public, in particular  
22 holders of Class 4, 5, 6, 7, 9, 10, 11, and 12 ABC Licenses, have in their employ  
23 servers and sellers appropriately trained to comply with Guam's ABC laws.

24           Under the law, employees who serve or sell alcoholic beverages have legally  
25 mandated responsibilities, including, but not limited to, preventing the sale of  
26 alcoholic beverages to persons under 21 years of age; recognizing falsified

1 identification documents; denial of service to an intoxicated or unruly person; and  
2 the enforcement of hours of service and sale of alcoholic beverages.

3 The Legislature recognizes that these employees are being asked to fill a  
4 vitally important role in keeping our island safe, and the transactions they conduct  
5 can have extraordinary and even tragic consequences at the point of sale and  
6 beyond, yet there is no standardized classroom training to help them understand  
7 and execute their responsibilities or keep them mindful of the key role they play in  
8 the upholding of community standards related to the service and sale of alcoholic  
9 beverages.

10 It is the intent of *I Mina'Trentai Dos Na Liheslaturan Guåhan* for  
11 standardized server/seller classroom training to be widely available and easily  
12 accessible for employees who serve or sell alcoholic beverages, and for that  
13 training to be a requirement for obtaining an ABC Alcohol Employee License.

14 **Section 2.** New §§3123, 3124, 3124.1 and 3125 are *added* to Article 1 of  
15 Chapter 3, Title 11, Guam Code Annotated, to read:

16 “§ 3123. **Alcohol Employee.** *Alcohol employee* means a person  
17 employed by any on-sale or off-sale licensee who sells or serves alcoholic  
18 beverages, or who supervises others who sell or serve alcoholic beverages.  
19 This includes, but is *not* limited to, bartenders, waitresses, waiters, hostesses,  
20 hosts, cashiers, checkout clerks, supervisors, and managers of licensees who  
21 are holders of Class 4, 5, 6, 7, 9, 10, 11, and 12 ABC Licenses.

22 § 3124. **Alcohol Server/Seller Training Program.** *Alcohol*  
23 *server/seller training program* means a classroom only educational program  
24 offered by a non-profit organization, an entity of the government of Guam, a  
25 community college, or a university that has been approved by the  
26 Administrator under regulations promulgated by the Board. Such regulations  
27 *shall* include, but *not* be limited to, the content of the program, certification

1 of instructors of the program, and testing and methods of presentation, and  
2 as further provided pursuant to 3 GAR Chapter 2 [Alcoholic Beverage  
3 Control Board]. The Board, in drafting such regulations, *shall* consult with  
4 community stakeholders and *shall* comply with the Administrative  
5 Adjudication Act.

6 **§ 3124.1. Delegation of Authority.**

7 (a) The Administrator, with the approval of the Board, may enter  
8 into an agreement with a non-profit organization, community college, or  
9 university with an authorized program to conduct an Alcohol Server/Seller  
10 Training program on behalf of the Board, to include:

11 (1) verification of qualifications;

12 (2) the collection of fees for application and licensure, as  
13 provided pursuant to §3207 of this Chapter, on behalf of the Board,  
14 notwithstanding 3 GAR §2101(d), which *shall not* be applicable in  
15 this instance;

16 (3) the issuance of a Guam Alcohol Beverage Control  
17 Alcohol Employee license on behalf of the Board; and

18 (4) the accounting and remittance of requisite fees collected  
19 for application and licensure, the full sum of which *shall* be paid to  
20 the Alcoholic Beverage Compliance Fees and Fines Fund, must be  
21 used to promote the compliance and enforcement of liquor laws; the  
22 act of which *shall* be deemed compliant with Title 11 Guam Code  
23 Annotated, Chapter 3, §3515.

24 (b) Prior to remitting the fees collected pursuant to this Section to  
25 the Alcoholic Beverage Compliance Fees and Fines Fund, the authorized  
26 non-profit organization, community college, or university *shall* deduct and

1 retain from the fees collected the cost for tuition for the Alcohol  
2 Server/Seller Training program.

3 § 3125. **Manager.** All Class 4 on-sale establishments *shall* have a  
4 duly registered manager or assistant manager on the premises, in the absence  
5 of the licensee, and during the hours from 7:00 p.m. daily until closing.”

6 **Section 3.** §3207 of Article 2, Chapter 3, Title 11, Guam Code Annotated, is  
7 *amended* to read:

8 “§ 3207. **Licenses: Classes and Fees.** The Board is authorized to  
9 issue the following classes and kinds of licenses at the following fees:

|    |  |                     |
|----|--|---------------------|
| 10 | Class 1. Manufacturer’s license            | \$100.00 per year   |
| 11 | Class 2. Agent’s license                   | \$250.00 per year   |
| 12 | Class 3. Wholesale dealer’s license        | \$1,000.00 per year |
| 13 | Class 4. Retail dealer’s on-sale license:  |                     |
| 14 | Beer                                       | \$300.00 per year   |
| 15 | General                                    | \$1,000.00 per year |
| 16 | Wine                                       | \$300.00 per year   |
| 17 | Manager/Assistant Manager                  | \$60.00 per 3 years |
| 18 | Alcohol Employee                           | \$60.00 per 3 years |
| 19 | Class 5. Retail dealer’s off-sale license: |                     |
| 20 | Beer                                       | \$200.00 per year   |
| 21 | General                                    | \$1,000.00 per year |
| 22 | Alcohol Employee                           | \$60.00 per 3 years |
| 23 |  |                     |
| 24 | Class 6. Special Alcoholic license         | \$25.00 per year    |
| 25 | Alcohol Employee                           | \$60.00 per 3 years |
| 26 | Class 7. Temporary beer license            | \$ 20.00 per day    |
| 27 | but not to exceed                          | \$100.00 per event  |



|    |  |                     |
|----|--|---------------------|
| 1  | Alcohol Employee   | \$60.00 per 3 years |
| 2  |  |                     |
| 3  | Class 8. Public warehousemen's license                           | \$50.00 per year    |
| 4  | Class 9. Club license  | \$500.00 per year   |
| 5  | Alcohol Employee   | \$60.00 per 3 years |
| 6  | Class 10. Temporary general license \$ 50.00 per day, but not to |                     |
| 7  | exceed \$100.00 per event  |                     |
| 8  | Alcohol Employee   | \$60.00 per 3 years |
| 9  | Class 11. Microbrewery-pub restaurant license                    | \$1,000.00 per year |
| 10 | Alcohol Employee   | \$60.00 per 3 years |
| 11 | Class 12. Mobile License:  |                     |
| 12 | (a) Limousine Service – per vehicle                              | \$ 750.00 per year  |
| 13 | (b) Charter Vehicle (Vans) – per vehicle                         |                     |
| 14 | Up to ten passengers   | \$500.00 per year   |
| 15 | (c) Charter Vehicle (Vans) - per vehicle                         |                     |
| 16 | More than ten passengers   | \$750.00 per year   |
| 17 | (d) Buses -per vehicle   | \$1,000.00 per year |
| 18 | (e) Alcohol Employee   | \$60.00 per 3 years |
| 19 | Class 13. Alcohol Server/Seller training program                 | \$200.00 per year.” |

20 **Section 4.** A new §3212.1 is *added* to Article 2, Chapter 3, Title 11, Guam  
21 Code Annotated, to read:

22 “§ 3212.1. **Alcohol Employee License, Term and Portability.**  
23 *Except* as otherwise provided for a violation, as provided pursuant to this  
24 Chapter, the License for an Alcohol Employee *shall*:  
25 (a) be valid for a term of three years;  
26 (b) be portable to additional or other premises;

1 (c) be in the possession of the employee at all times when  
2 performing any duties involving the service or sale of any class of alcohol,  
3 as provided for and defined pursuant to Article 1 of this Chapter;

4 (d) include the declaration that the holder has completed an ABC  
5 Board approved Alcohol Server/Seller Training Program; and

6 (e) be issued by the Alcohol Server/Seller training program.”

7 **Section 5.** New §§3230, 3231 and 3232 are *added* to Article 2 of Chapter 3,  
8 Title 11, Guam Code Annotated, to read:

9 **“§ 3230. Alcohol Employee License.**

10 (a) An Alcohol Employee License *shall* be required for all persons  
11 who sell or serve, supervise or manage those who sell or serve alcoholic  
12 beverages for holders of Class 4, 5, 6, 7, 9, 10, 11, and 12 ABC Licenses.

13 (b) A Temporary Alcohol Employee License may be issued to an  
14 employee who has registered for an ABC Board approved Alcohol  
15 Server/Seller Training Program. The Temporary Alcohol Employee License  
16 expires in thirty days or when the Alcohol Employee License is issued,  
17 whichever is sooner.

18 (c) A dated receipt from an ABC Board approved Alcohol  
19 Server/Seller Training Program indicating enrollment and the scheduled  
20 date, time, and location of training *shall* be considered a Temporary Alcohol  
21 Employee License. The receipt *shall* also state, “Temporary Alcohol  
22 Employee License”, and *shall* contain the notation that the temporary license  
23 *shall* expire within thirty days of issuance.

24 **§ 3231. Manager License.** An Alcohol Beverage Control  
25 Manager License *shall* be required for all managers or assistant managers.  
26 Every manager must provide the Board and their employer with proof that  
27 the manager has successfully completed an ABC Board approved Alcohol

1 Server/Seller Training Program. Proof for the employer *shall* be satisfied by  
2 the possession of a valid Alcohol Beverage Control Manager or Assistant  
3 Manager License, which *shall* include the declaration, that the holder has  
4 completed an ABC Board approved “Alcohol Server/Seller Training  
5 Program.

6 **§ 3232. Alcohol Server/Seller Training Program License.** An  
7 Alcohol Server/Seller training program license *shall* be issued to alcohol  
8 server/seller training programs that have been approved by the  
9 administrator.”

10 **Section 6.** §3613 of Article 6, Chapter 3, Title 11, Guam Code  
11 Annotated, is *amended* to read:

12 **“§ 3613. Same: Hearing.**

13 (a) The Board, upon receipt of the report required in §3612, *shall*,  
14 as soon as practicable, hold a hearing on such report.

15 (b) The Board shall impose a penalty on a licensee found guilty of  
16 violating any of the provisions of this Chapter amounting to One Thousand  
17 Five Hundred Dollars (\$1,500.00) for the first offense; Two Thousand Five  
18 Hundred Dollars (\$2,500.00) for the second offense; and Three Thousand  
19 Five Hundred Dollars (\$3,500.00) for the third offense. For the fourth  
20 offense, the Board may impose a penalty of up to Ten Thousand Dollars  
21 (\$10,000.00), but *not less than* Five Thousand Dollars (\$5,000.00), and a  
22 forty-eight hour suspension for every subsequent offense. Contingent on the  
23 severity of any violation, the Board may use its discretion and suspend or  
24 revoke the license of any licensee found guilty of violating any of the  
25 provisions of this Chapter.

26 (c) In addition to the fines in Subsection (b) of this Section, the  
27 Board *shall* suspend, for a period of *not less than* thirty days and *no more*

1        *than* ninety days, the license of any licensee found guilty of violating §3413  
2 of this Chapter as a second offense. The Board *shall* revoke the license of  
3 any licensee found guilty of violating §3413 of this Chapter as a third  
4 offense.

5            (d) The Board *shall* suspend an Alcohol Employee’s license for  
6 seven days for a first offense of §3212.1(c) and (d), and/or §3230, of this  
7 Chapter; a suspension of an Alcohol Employee’s license for fourteen days  
8 and a One Hundred Fifty Dollar (\$150) fine for a second offense; and  
9 revocation of an Alcohol Employee’s license for the third offense.”

10        **Section 7.** A new Subsection (h) is *added* to §2105 of Chapter 2, Title 3,  
11 Guam Administrative Rules and Regulations, to read:

12            “(h) Class 4, 5, 6, 7, 9, 10, 11 and 12 ABC Licensees *shall not* hire  
13 or employ any employee that *does not* have a valid Alcohol Employee  
14 License from an approved Alcohol Server/Seller Training Program twelve  
15 months from the effective date of this Act, provided, however:

16            (1) that a current ABC License *shall* continue to be valid  
17 until expiration, but the licensee *shall* be required to have taken the  
18 Alcohol Server/Seller Training Program prior to license renewal.  
19 Further, the unexpired license *shall not* be portable, as provided  
20 pursuant to §3212.1(b) which only applies to a licensee who has  
21 passed an Alcohol Server/Seller Training Program.”

22        **Section 8.** A new Subsection (c) is *added* to §2107 of Chapter 2, Title 3,  
23 Guam Administrative Rules and Regulations, to read:

24            “(c) The Administrator *shall* approve classroom alcohol  
25 server/seller training programs that meet the regulations duly promulgated  
26 by the Board pursuant to 11 Guam Code Annotated §3124.”

1           **Section 9.** A new §2111 is *added* to Chapter 2, Title 3, Guam Administrative  
2 Rules and Regulations, to read:

3           “§ 2111.     **Responsibilities of Alcohol Server/Seller Training**  
4           **Programs.**

5           (a)     No alcohol server/seller training program will offer or conduct  
6 alcohol server/seller training classes until they have received written  
7 approval from the Administrator.

8           (b)     All alcohol server/seller training programs *shall* apply for  
9 approval from the Administrator by submitting their complete program,  
10 including instructor manuals, student manuals, videos and any other  
11 materials that are used for the program.

12           (c)     The curriculum of an alcohol server/seller training program  
13 *shall* include, at a minimum, all of the following topics:

14                   (1)     the ethics and responsibilities of serving alcoholic  
15 beverages;

16                   (2)     basic alcohol content among different types of drinks  
17 containing alcohol;

18                   (3)     the clinical effects of alcohol, including the identification  
19 of progressive stages of intoxication and the visible signs associated  
20 with each stage;

21                   (4)     variables associated with visible intoxication, including  
22 the rate of drinking, tolerance, weight, food consumption, gender, and  
23 use of other drugs;

24                   (5)     procedures for monitoring consumption, personal skills  
25 to prevent intoxication and intervention procedures;

1 (6) acceptable forms of personal identification, techniques  
2 for determining the validity of identification, and procedures for  
3 dealing with fraudulent identification;

4 (8) personal skills to assess the need to ask for identification  
5 based on appearance and company policy;

6 (9) the identification of potential third-party sales and  
7 furnishing of alcoholic beverages to minors by persons 21 years of  
8 age or over;

9 (10) the understanding of possible legal, civil, and  
10 administrative consequences of violations of this Act, the rules of the  
11 Board, and other pertinent laws;

12 (11) how to identify at place of employment spirits and other  
13 alcoholic beverage products *not* intended for resale or commercial  
14 distribution outside of military bases, and procedures for reporting  
15 these violations to the Board;

16 (12) the understanding of Guam laws pertaining to minors  
17 attempting to purchase, minors in possession, and third-party sales or  
18 furnishing of alcoholic beverages by adults to minors;

19 (13) knowledge of the legal hours of alcohol service and  
20 occupancy;

21 (14) identification of signs of prohibited activities, such as  
22 gambling, solicitation for prostitution, and drug sales; and

23 (15) any other pertinent laws as determined by the Board or  
24 Administrator.

25 (d) The alcohol server/seller training program *shall* administer a  
26 comprehensive examination to participants of the program, including  
27 individuals seeking certification as instructors within the program. The

1 examination *shall* thoroughly test the individual's knowledge and  
2 competency in the curriculum topics required by the Board. The minimum  
3 passing grade for the examination participants of the program *shall* be *not*  
4 *less than 75%*. For instructor certification, the passing grade *shall* be *not*  
5 *less than 85%*. All tests *shall* be approved by the Administrator.

6 (e) The alcohol server/seller training program *shall* issue an  
7 Alcohol Employee License to the student who successfully completes the  
8 program. Certification *shall* be valid for a term of three years.

9 (f) The alcohol server/seller training program *shall* issue an  
10 instructor certification card to all instructors that have been certified by the  
11 program that *shall* be valid for a term of three years, and *shall* notify the  
12 Board or Administrator. The alcohol server/seller training program *shall*  
13 immediately notify the Board or Administrator when an instructor is no  
14 longer certified by the program.

15 (g) The alcohol server/seller training program *shall* make available  
16 all records of students, instructors and certifications to the Board and the  
17 Administrator.

18 (h) The Administrator may rescind approval of any alcohol  
19 server/seller training program that fails to continue to meet these  
20 requirements or fails to pay the yearly fee set by the Board.

21 (i) The Administrator *shall not* approve online alcohol server/seller  
22 training programs.”

23 **Section 10. Effective Date.** This Act *shall* become effective upon  
24 enactment.

25 **Section 11. Phased Implementation for Enforcement.**

1 (a) The Board *shall* promulgate the requisite rules and regulations  
2 mandated pursuant to §3124 of Title 11, Guam Code Annotated, within one  
3 hundred fifty calendar days of the effective date of this Act.

4 (b) With the approval by the Administrator of a classroom alcohol  
5 server/seller training program, and the actual commencement of program  
6 availability, then the compliance, enforcement and penalty provisions of this Act  
7 *shall* become effective within twelve months of the effective date of this Act.

8 **Section 12. Severability.** *If* any provision of this Act or its application to  
9 any person or circumstance is found to be invalid or contrary to law, such  
10 invalidity *shall not* affect other provisions or applications of this Law which can be  
11 given effect without the invalid provisions or applications, and to this end the  
12 provisions of this Law are severable.