



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

SEP 17 2002

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspal Street
Hagåtña, Guam 96910

TO	
FROM	
DATE	9/17/02
TIME	2:58 PM

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 279 (COR) "AN ACT TO *REPEAL AND REENACT* § 3410 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER EIGHTEEN YEARS OF AGE" which I have **signed** into law as **Public Law No. 26-133**.

This legislation allows the use of adult public venues for the use of teen events. For example, dance clubs that normally cater to adults and serve alcoholic beverages are now permitted to use their establishments for teens, provided that certain conditions are met.

In order to provide for a "teen night", an establishment must not serve any amount of alcoholic beverages, must check all teens entering and confiscate any alcoholic beverages brought in, must ensure that no alcoholic beverages are consumed outside the premises, must remove all "lewd, pornographic pictures, objects and other paraphernalia not suitable for teens", must comply with all other statutes relative to minors, must provide identification marking for any individual including adults that enter to attend the "teen night", must provide for adequate chaperones, must acquire a business permit to conduct a "teen night", and must cover all pictures or other objects exclusively used for advertising alcohol or tobacco. Should any of these conditions not be followed, a penalty of \$500 and suspension of the establishment's business license for 3 months is applied.

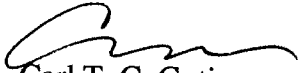
While this legislation allows a "teen night" to be held in establishments that are usually used by adults and restricted to teens, the terminology in this legislation appears vague in some instances and may lead to some difficulty in application. Additionally, the legislation restricts the entrance of anyone under the age of 18 from establishments that serve only beer. This change in the law is unrelated to "teen night". In the previous law, persons under the age of 18 could enter establishments that serve only beer, however could not consume the beer.

0928

Legislative Secretary
SB279;PL26-133
September, 2002
Page 2

Should the interpretation of this legislation run into difficulties as applied, the Legislature may want to revisit the subject at a later time.

Very truly yours,



Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
Speaker

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

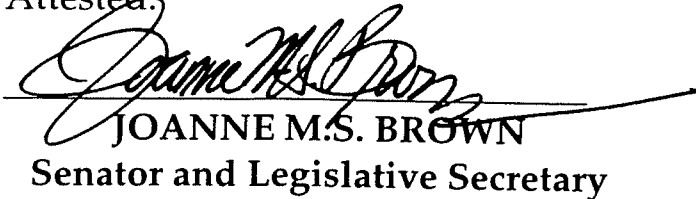
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 279 (COR), "AN ACT TO REPEAL AND REENACT § 3410 OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER EIGHTEEN YEARS OF AGE," was on the 4th day of September, 2002, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:



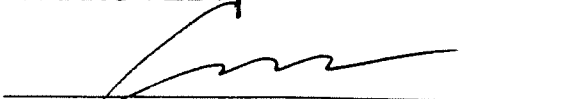
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 10 day of September, 2002,
at 5:35 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: 9-17-02

Public Law No. 26-133

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 279 (COR)

As substituted by the Author
and amended on the Floor.

Introduced by:

F. B. Aguon, Jr.
J. F. Ada
T. C. Ada
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
L. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
A. L.G. Santos
A. R. Unpingco
J. T. Won Pat

**AN ACT TO REPEAL AND REENACT § 3410 OF
TITLE 11 OF THE GUAM CODE ANNOTATED,
RELATIVE TO AUTHORIZING BUSINESS
ESTABLISHMENTS THAT SELL ALCOHOLIC
BEVERAGES TO HOST SOCIAL EVENTS FOR
PERSONS UNDER EIGHTEEN YEARS OF AGE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the availability of locales for teens to hold social events such as teen
4 nights are limited. Community Centers or Social Halls are some of the venues
5 which could be used by teens for events such as teen night, but they lack the
6 amenities that would make such events enjoyable and attractive for teens.
7 Our teens have used the teen nights and other teen events as fundraising
8 events in order to fund teen activities and worthwhile off-Guam events, such
9 as teen modeling competitions.

10 The dance clubs on Guam have all the amenities, such as sound systems,
11 properly designed dance floors and the right facilities to make teen events
12 enjoyable and successful. A major area of concern is the availability of
13 alcoholic beverages at the dance clubs. This is a very valid concern and
14 should be addressed. Allowing teens to hold events at dance clubs with the
15 proper controls should *not* be prohibited.

16 **Section 2.** Section 3410 of Article 4, Chapter 3, Division 1 of Title 11 of
17 the Guam Code Annotated is hereby *repealed and reenacted* to read as follows:

18 **"Section 3410. Entry Forbidden.**

19 (a) No person under eighteen (18) years of age shall enter
20 an establishment where alcoholic beverages are consumed, *unless*
21 such establishment is a public eating place, as defined in § 3118 of
22 this Code. Every person who violates this Section shall be guilty
23 of a petty misdemeanor.

1 **(b) Exemptions.** Establishments may open their doors
2 and allow for teen events; *provided*, that the following provisions
3 are adhered to:

4 (i) no beverages with any amount of alcoholic
5 content are sold during the events;

6 (ii) all teens entering the premises shall be checked
7 to ensure that no alcoholic beverages are brought into the
8 premises; any alcoholic beverage found shall be confiscated
9 on the spot;

10 (iii) the management of the establishment shall
11 ensure that, in addition to no alcoholic beverage being sold
12 or consumed in the establishment during the teen events,
13 that no alcoholic beverage is being consumed outside the
14 premises which is under the direct control or ownership of
15 the establishment;

16 (iv) the establishment must remove all lewd,
17 pornographic pictures, objects and other paraphernalia *not*
18 suitable for teens *prior* to opening its doors for teen events;

19 (v) the establishment must comply with *all* other
20 statutes governing the conduct of minors, who are defined
21 as anyone under the age of eighteen (18) years old;

22 (vi) the establishment must provide an identification
23 marking, i.e. stamp, on any individual who is attending or
24 participating in such teen events;

1 (vii) the establishment must provide for adequate
2 adult, i.e. personnel or chaperon, supervision and
3 surveillance of such events;

4 (viii) the establishment must acquire a business permit
5 for conducting such teen events from the Department of
6 Revenue and Taxation; such authorization may be included
7 in its existing business permit at no additional cost; *and*

8 (ix) the establishment must remove or cover all
9 pictures, objects and other related items *exclusively* for
10 advertising alcohol or tobacco products. The term
11 '*advertising*' for the purpose of this Section shall mean all
12 representations disseminated in any manner or by any
13 means, other than by labeling, for the purpose of inducing,
14 or which are likely to induce, directly or indirectly, the
15 purchase and consumption of alcohol or tobacco by minors.

16 (c) In addition to any other penalty allowed by law, a
17 violation of the provisions of this Section shall have as an
18 additional penalty a Five Hundred Dollar (\$500.00) fine, and
19 suspension of the establishment's business license for a *minimum*
20 of three (3) months."

MINA BENTE SAIS NA LIHESLATURAN GUAHAN
2002 (SECOND) REGULAR SESSION

Bill No. 279(COR)

Introduced by:

F. B. Aguon, Jr.

MARK FORZES

*A.R. UNPINGCO
L.A. Leon Guerrero
J.C.P.
L.R. KESTER*

AN ACT RELATIVE TO SUPPORTING OUR ISLAND'S YOUTH IN THEIR PARTICIPATION IN POSITIVE SOCIAL GATHERINGS BY AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE WITH ADEQUATE SUPERVISION AND CONTROL MEASURES BY ADDING A NEW SUBSECTION 25308.1(a) TO SECTION 25308.1 OF THE GOVERNMENT CODE OF GUAM.

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

2 **Section 1.** Legislative findings/Intent. The Liheslaturan Guahan
3 finds that the availability of locales for teens to hold social events such as
4 teen nights are limited. Community Centers or Social Halls are some of the
5 venues which could be used by teens for events such as teen night but they
6 lack the amenities that would make such events enjoyable and attractive for
7 teens. Our teens have used the teen nights and other teen events as
8 fundraising events in order to fund teen activities and worthwhile off-island
9 events such as teen modeling competitions. The dance clubs on Guam have
10 all the amenities such as sound systems, properly designed dance floors and
11 the right facilities to make teen events enjoyable and successful.

12 A major area of concern is the availability of alcoholic beverages at the
13 dance clubs. This is a very valid concern and should be addressed. Allowing
14 teens to hold events at dance clubs with the proper controls should not be
15 prohibited.

1 **Section 2.** A new Subsection 25308.1(a) is hereby added to Section
2 25308.1 of the Government Code of Guam to read as follows:

3 **“26308.1(a) Entry Forbidden - Exemptions.**

4 Establishments may open their doors and allow for teen events
5 provided that the following provisions are adhered to:

6 (i). No beverages with any amount of alcoholic content are
7 sold during the events.

8 (ii). All teens entering the premises shall be checked to ensure
9 that no alcoholic beverages are brought into the premises.
10 Any alcoholic beverage found shall be confiscated on the
11 spot.

12 (iii). The management of the establishment shall ensure that, in
13 addition to no alcoholic beverage is sold or consumed in
14 the establishment during the teen events, no alcoholic
15 beverage is being consumed outside the premise which is
16 under the direct control or ownership of the establishment.

17 (iv). No person over the age of 18 shall be allowed entry
18 during teen events such as teen nights unless the person is
19 a bonafide chaperon, parent of a participating teen, or
20 employee of the establishment.

21 (v) The establishment must remove all lewd, pornographic
22 pictures, objects and other paraphernalia not suitable for
23 teens prior to opening its doors for teen events.

24 (vi) The establishment must comply with all other statutes
25 governing the conduct of minors defined as anyone under
26 the age of 19.

1
2
3
4
5
6
7
8
9
10
11

- (vii) The establishment must provide an identification marking, i.e. stamp, on any individual who is attending or participating in such teen events.
- (viii) The establishment must provide for adequate adult, i.e. personnel or chaperon, supervision and surveillance of such events.
- (ix) The establishment must acquire a business permit for conducting such teen events from the Department of Revenue and Taxation. Such authorization may be included in its existing business permit at no additional cost.”

Date: June 26, 2002

Senator Kaleo Moylan
Chair - Committee on Ways & Means
777 Route 4 Suite 16B
Sinajana Mall Phase II
Sinajana, Guam 96926

Hafa Adai Senator Moylan,

I am a recent graduate from Chief Gadao Academy of Art Science and Chamoru culture and a recipient of the IFIL scholarship program. In my high school year I was highly involved in my student body and government programs. I served as a Maga' haga (woman chief) and was president for my class. I also sat as a senator in the First Legislature for the "City of Gadao" and was elected my junior year as the Governor. I now sit on the board of the matua council and alumni association for Chief Gadao Academy. I also volunteer my time as a cultural and program coordinator at Gadao Preschool and Daycare and every Saturday I sing for our elders at Saint Dominic's home care.

The reason that I am in agreement for bill 207 is for the following reasons: I believe that these "Teen Night" events is a way for our community to promote safe and secure fun away from drugs, alcohol, and yes as you may not believe it our streets that are becoming dangerous. It is also a way for our youth to give back to the community. Lastly, we must look at what beneficial for our youth for they are our future.

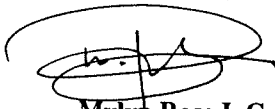
You may think how can we promote safe and secure fun when these events are held at adult recreational facilities. When such events are held at these facilities it is easier for us to control the individuals that may enter the establishment and monitor what is going on. The reason that such an events coexist in such a facility is mainly because of the ambiance; the right sound systems, dance floors, and lighting that makes these events become more enjoyable.

When we give our youth the opportunity to attend these events. It will allow them to grow into responsible and trustworthy young adults. This also allows our teens to break out of their usual village comfort zones and become acquainted with our culturally diverse young community.

Another reason is the fact that these Teen Nights cost money. It will encourage our young community of 14-17 year olds wanting to find jobs so that they may participate in such events. This allows them to be part of our economic growth by, generating money back into the economy.

I encourage our parents, leaders, and business to come out and see how such events are hosted. For the most part I am not here to fight against the system and how it works, but to make it realize that our young community has so much to offer. As I mentioned earlier when you hold someone accountable for there actions they tend to become more aware of the privilege that is bestowed upon them. This will eventually allow them to become more responsible for the actions that reality holds us too. So I ask you my leaders, our leaders to think carefully about the decision you are about to make that will benefit not mine, yours but the future of our island. Further more I would like to leave you, our leaders with one last thought. Wouldn't it be beneficial if we could create a recreational facility where such events will be strictly for the use of our youth?

Saina Ma'ase,



Mylyn Rose I. Cruz
(671) 477-4888

CC: Senator Frank Blas Aguon, Jr.

6/26/02 11:50 AM

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

May 21, 2002

The Honorable Carl T.C. Gutierrez
Maga'lahaen Guahan
R. J. Bordallo Governor's Complex
Agana, Guam 96932

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Governor Gutierrez:

This is to inform you that immediately after our discussion on the FY 2003 "Revenue Estimate" Hearing, the Committee on Ways and Means will conduct a public hearing on the following measures:

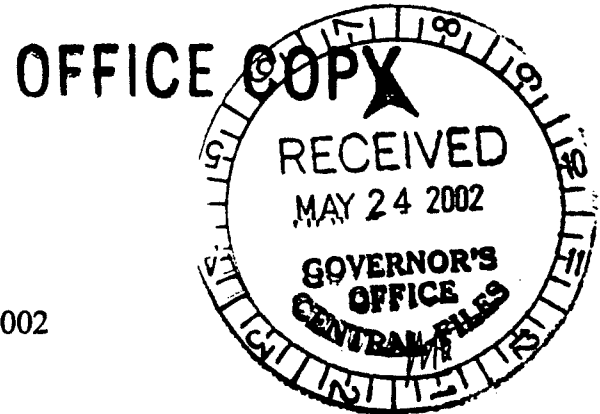
Bill No. 192 (LS), AN ACT TO APPROPRIATE \$2 MILLION TO THE GUAM VISITORS BUREAU FOR IMMEDIATE JAPAN MARKETING.

Bill No. 229 (LS), AN ACT TO AMEND ITEMS (e) AND (I) OF SECTION 51102 OF CHAPTER 51 OF TITLE 12, GUAM CODE ANNOTATED AND SECTION 5 OF PUBLIC LAW 26-58 REGARDING TECHNICAL CORRECTIONS AND OTHER CHANGES AND TO APPROPRIATE THE SUM OF \$225,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR POLICE VEHICLES.

Bill No. 235 (LS), AN ACT TO AMEND §3114 TO TITLE 16, §57103 TO TITLE 10, §4121 TO TITLE 4, AND §1107 TO TITLE 17, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT THE MONTH AND THE YEAR AN INDIVIDUAL TURNS THE LEGAL AGE TO PURCHASE ALCOHOLIC BEVERAGES BE PROMINENTLY DISPLAYED ON ALL IDENTIFICATION CARDS ISSUED BY THE GOVERNMENT OF GUAM TO INDIVIDUALS UNDER SUCH LEGAL AGE AT THE TIME THE IDENTIFICATION IS ISSUED.

Bill No. 258 (COR), AN ACT RELATIVE TO ASSISTING MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE STATIONED ON GUAM IN THE ACQUISITION OF A GUAM DRIVER'S LICENSE THROUGH ADDING A NEW SUBSECTION (C)(1.) TO §§3101.C OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED.

Bill No. 304 (COR), AN ACT TO AMEND CHAPTER 73 OF TITLE 5, GUAM CODE ANNOTATED TO REINSTATE THE CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES CHARGE.



Bill No. 328 (LS), AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR THE ARCHITECTURAL AND ENGINEERING DESIGN OF AN UNDERWATER WALL IN TALOFOFO BAY AND A SEAWALL IN INARAJAN BAY IN ORDER TO PREVENT FURTHER EROSION AT BOTH LOCATIONS.

As these measures directly affect the government of Guam, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of your Administration's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

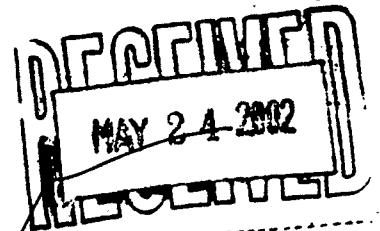
Sincerely,



KALEO S. MOYLAN

Enclosures:

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature



May 21, 2002

OFFICE COPY

Mr. Paul D. Leon Guerrero
Director
Bureau of Budget and Management Research
R. J. Bordallo Governor's Complex
Hagåtña, Guam 96932

Re: Request for Fiscal Note

Dear Mr. Leon Guerrero:

Please find attached copies of Bill Nos. 192, 229, 235, 328 (LS), and Bill Nos. 258 and 304 (COR), have been scheduled for public hearing on Wednesday, May 29, 2002. Pursuant to the provisions of Chapter 9, of Title 2 of the Guam Code Annotated, a fiscal note is being requested.

As these measures affect the government of Guam, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of BBMR's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Attachments:

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

May 22, 2002

Mr. George V. Cruz
Director,
Department of Revenue and Taxation
Tiyan, Guam 96932

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Mr. Cruz:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill Nos. 258 and 235 directly impacts your department, the Committee would appreciate receiving fifteen (15) copies of your position statement and/or documents relating to the subject matter prior to the start of the hearing.

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:



Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

May 22, 2002

OFFICE COPY

Mr. Ed Untalan
Administrator
Guam Economic Development Authority
Tamuning, Guam 96932

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Mr. Untalan:

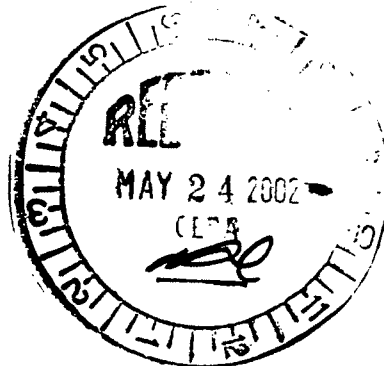
This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill No. 229 directly impacts the government of Guam, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:



Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

May 22, 2002

OFFICE COPY

Mr. James Nelson
General Manager
Guam Visitors Bureau
Tamuning, Guam 96932

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Mr. Nelson:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill No. 192 directly impacts GVB, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.

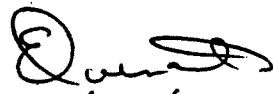
A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:

cc: Chairman, Guam Visitors Bureau

Rec'd: 
5/24/02

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

May 22, 2002

OFFICE COPY

Honorable Franklin Taitague
Mayor
Municipality of Inarajan
Inarajan, Guam 96910

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Mayor Taitague:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill No. 328 directly impacts your community, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,



KALEO S. MOYLAN

Enclosures:

Rev'd. v/fre/02
Jo Ann Agnew

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

May 22, 2002

OFFICE COPY

Honorable Anthony Leon Guerrero
Mayor
Municipality of Talofofo
Talofofo, Guam 96910

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Mayor Leon Guerrero:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill No. 328 directly impacts your community, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.


A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,



KALEO S. MOYLAN

Enclosures:

Roud. 5/24/02

Juan Agnew

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

May 22, 2002

OFFICE COPY

Mr. Jess Garcia
Director
Department of Public Works
Tamuning, Guam 96932



Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Mr. Garcia:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill Nos. 229 and 328 directly impacts your department, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

May 22, 2002

OFFICE COPY

Ms. T. Ann Perez
General Manager
Guam Power Authority
Tamuning, Guam 96932

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Ms. Perez:

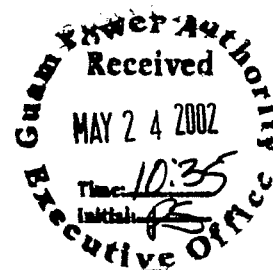
This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill No. 229 directly impacts the government of Guam, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:

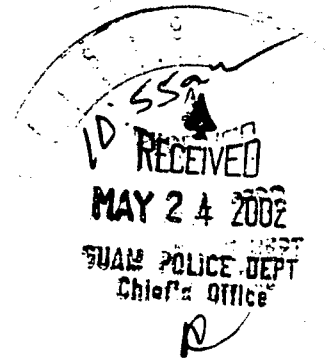


Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

May 22, 2002

OFFICE COPY

Mr. Ed Kabina
Chief of Police
Guam Police Department
Tiyan, Guam 96932



Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Chief Kabina:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill No. 235 directly impacts your department, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

May 22, 2002

Mr. John Quinata
Director
Department of Customs and Quarantine
Tiyán, Guam 96921



OFFICE COPY

Re: Committee Public Hearing: Wednesday, May 29, 2002

Dear Mr. Quinata:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Wednesday, May 29, 2002 commencing at 9:30 a.m. in the Legislative Session Hall. As Bill No. 304 directly impacts your department, the Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing.

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

May 28, 2002

MEMORANDUM

To: All Members, Committee on Ways and Means

From The Chairperson,

Subject: Reminder Notice Committee Public Hearing, Wednesday, May 29, 2002

This is to inform you that the Committee on Ways and Means will conduct a Public Hearing on Wednesday, May 29, 2002, at 9:30 a.m., in the Legislative Session Hall. A copy of the legislation and hearing Agenda is attached for your review.

Thank you for your time and I look forward to your attendance and participation.


KALEO S. MOYLAN

Attachment:

cc: All Senators
Clerk of Legislature
Protocol
Media

Senator Kaleo S. Moylan, Chairman
Committee on Ways and Means

Legislative Public Hearing

9:30 a.m., Wednesday, May 29, 2002

AMENDED A G E N D A

- I. Call to Order:**
- II. Announcement & Introduction of Members:**

III. Revenue 2003 Discussion:

- (a) Revenue Tracking –FY 2002.
- (b) Revenue Estimate – FY 2003.
- (c) Other, Financial Information.

IV. Legislative Measures:

Bill No. 192 (LS), AN ACT TO APPROPRIATE \$2 MILLION TO THE GUAM VISITORS BUREAU FOR IMMEDIATE JAPAN MARKETING.

Bill No. 195(LS), AN ACT TO APPROPRIATE ONE MILLION DOLLARS (\$1,000,000.00) FOR THE GUAM VISITORS' BUREAU TO BE USED AS INCENTIVE BONUSES FOR TOUR AGENCIES

Bill No. 229 (LS), AN ACT TO *AMEND* ITEMS (e) AND (I) OF SECTION 51102 OF CHAPTER 51 OF TITLE 12, GUAM CODE ANNOTATED AND SECTION 5 OF PUBLIC LAW 26-58 REGARDING TECHNICAL CORRECTIONS AND OTHER CHANGES AND TO APPROPRIATE THE SUM OF \$225,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR POLICE VEHICLES.

Bill No. 235 (LS), AN ACT TO AMEND §3114 TO TITLE 16, §57103 TO TITLE 10, §4121 TO TITLE 4, AND §1107 TO TITLE 17, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT THE MONTH AND THE YEAR AN INDIVIDUAL TURNS THE LEGAL AGE TO PURCHASE ALCOHOLIC BEVERAGES BE PROMINENTLY DISPLAYED ON ALL IDENTIFICATION CARDS ISSUED BY THE GOVERNMENT OF GUAM TO INDIVIDUALS UNDER SUCH LEGAL AGE AT THE TIME THE IDENTIFICATION IS ISSUED.

Bill No. 258 (COR), AN ACT RELATIVE TO ASSISTING MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE STATIONED ON GUAM IN THE ACQUISITION OF A GUAM DRIVER'S LICENSE THROUGH ADDING

The Hearing will take place at the Guam Legislature's Session Hall.
Individuals requiring special accommodations, auxiliary aids or services are asked to contact the
Office of Senator Kaleo S. Moylan at 472-3342.

A NEW SUBSECTION (C)(1.) TO §§3101.C OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED.

Bill No. 279 (COR), AN ACT RELATIVE TO SUPPORTING OUR ISLAND'S YOUTH IN THEIR PARTICIPATION IN POSITIVE SOCIAL GATHERINGS BY AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE WITH ADEQUATE SUPERVISION AND CONTROL MEASURES BY ADDING A NEW SUBSECTION 25308.1(a) TO SECTION 25308.1 OF THE GOVERNMENT CODE OF GUAM.

Bill No. 304 (COR), AN ACT TO AMEND CHAPTER 73 OF TITTLE 5, GUAM CODE ANNOTATED TO REINSTATE THE CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES CHARGE.

Bill No. 328 (LS), AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR THE ARCHITECTURAL AND ENGINEERING DESIGN OF AN UNDERWATER WALL IN TALOFOFO BAY AND A SEAWALL IN INARAJAN BAY IN ORDER TO PREVENT FURTHER EROSION AT BOTH LOCATIONS.

V. **Remarks and Requests:**

VI. **Adjournment:**

**The Hearing will take place at the Guam Legislature's Session Hall.
Individuals requiring special accommodations, auxiliary aids or services are asked to contact the
Office of Senator Kaleo S. Moylan at 472-3342.**

To: Marianas Variety May 21, 2002
ATTN; Joy

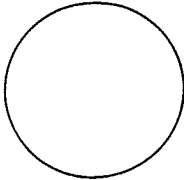
Fax: 648-2007 Tel: 649-4950

From: James Castro; Tel: 472-3342/3

Sub.: Ad Size 1/8 Page (2 col x 5) Please run ad for Thursday, May 23
and Tuesday, May 28, 2002 editions.

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

**Senator Kaleo S. Moylan, Chairman
Committee on Ways and Means**



**Public Hearing
9:30 a.m., Wednesday, May 29, 2002**

A G E N D A

9:30 a.m. at the Legislative Session Hall to discuss "Revenue Estimates" for Fiscal Year 2003. And **Bill No. 192 (LS)**, AN ACT TO APPROPRIATE \$2 MILLION TO THE GUAM VISITORS BUREAU FOR IMMEDIATE JAPAN MARKETING. **Bill No. 229 (LS)**, AN ACT TO AMEND ITEMS (e) AND (I) OF SECTION 51102 OF CHAPTER 51 OF TITLE 12, GUAM CODE ANNOTATED AND SECTION 5 OF PUBLIC LAW 26-58 REGARDING TECHNICAL CORRECTIONS AND OTHER CHANGES AND TO APPROPRIATE THE SUM OF \$225,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR POLICE VEHICLES. **Bill No. 235 (LS)**, AN ACT TO AMEND §3114 TO TITLE 16, §57103 TO TITLE 10, §4121 TO TITLE 4, AND §1107 TO TITLE 17, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT THE MONTH AND THE YEAR AN INDIVIDUAL TURNS THE LEGAL AGE TO PURCHASE ALCOHOLIC BEVERAGES BE PROMINENTLY DISPLAYED ON ALL IDENTIFICATION CARDS ISSUED BY THE GOVERNMENT OF GUAM TO INDIVIDUALS UNDER SUCH LEGAL AGE AT THE TIME THE IDENTIFICATION IS ISSUED. **Bill No. 258 (COR)**, AN ACT RELATIVE TO ASSISTING MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE STATIONED ON GUAM IN THE ACQUISITION OF A GUAM DRIVER'S LICENSE THROUGH ADDING A NEW SUBSECTION (C)(1.) TO §§3101.C OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED. **Bill No. 304 (COR)**, AN ACT TO AMEND CHAPTER 73 OF TITTLE 5, GUAM CODE ANNOTATED TO REINSTATE THE CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES CHARGE. **Bill No. 328 (LS)**, AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR THE ARCHITECTURAL AND ENGINEERING DESIGN OF AN UNDERWATER WALL IN TALOFOFO BAY AND A SEAWALL IN INARAJAN BAY IN ORDER TO PREVENT FURTHER EROSION AT BOTH LOCATIONS.

The Hearing will take place at the Guam Legislature Session Hall located at Hagåtña. Individuals requiring special accommodations, auxiliary aids or services are asked to contact the office of Senator Kaleo S. Moylan at 472-3342.

Confirmation Report - Memory Send

Date & Time: May-21-2002 03:27pm
Tel line : +671 4723440
Machine ID : SENATOR KALEO MOYLAN

Job number : 601
Date & Time : May-21 03:26pm
To : 6482007
Number of pages : 001
Start time : May-21 03:26pm
End time : May-21 03:27pm
Pages sent : 001
Status : OK

Job number : 601

*** SEND SUCCESSFUL ***

To: Marianas Variety May 21, 2002
ATTN; Joy
Fax: 648-2007 Tel: 649-4950
From: James Castro; Tel: 472-3342/3
Sub.: Ad Size 1/8 Page (2 col x 5) Please run ad for Thursday, May 23 and
Tuesday, May 28, 2002 editions.

MINA'BENTE SAIS NA LIHESLATURAN GUAHAN
Senator Kaleo S. Moylan, Chairman
Committee on Ways and Means

Public Hearing
9:30 a.m., Wednesday, May 29, 2002

A G E N D A

"Revenue Estimates" for Fiscal Year 2003. Followed by Bill No. 192 (LS), AN ACT TO APPROPRIATE \$2 MILLION TO THE GUAM VISITORS BUREAU FOR IMMEDIATE JAPAN MARKETING. Bill No. 229 (LS), AN ACT TO AMEND ITEMS (e) AND (f) OF SECTION 51102 OF CHAPTER 51 OF TITLE 12, GUAM CODE ANNOTATED AND SECTION 5 OF PUBLIC LAW 26-58 REGARDING TECHNICAL CORRECTIONS AND OTHER CHANGES AND TO APPROPRIATE THE SUM OF \$225,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR POLICE VEHICLES. Bill No. 235 (LS), AN ACT TO AMEND §3114 TO TITLE 16, §57103 TO TITLE 10, §4121 TO TITLE 4, AND §1107 TO TITLE 17, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT THE MONTH AND THE YEAR AN INDIVIDUAL TURNS THE LEGAL AGE TO PURCHASE ALCOHOLIC BEVERAGES BE PROMINENTLY DISPLAYED ON ALL IDENTIFICATION CARDS ISSUED BY THE GOVERNMENT OF GUAM TO INDIVIDUALS UNDER SUCH LEGAL AGE AT THE TIME THE IDENTIFICATION IS ISSUED. Bill No. 258 (COR), AN ACT RELATIVE TO ASSISTING MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE STATIONED ON GUAM IN THE ACQUISITION OF A GUAM DRIVER'S LICENSE THROUGH ADDING A NEW SUBSECTION (C)(1.) TO §§3101.C OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED. Bill No. 304 (COR), AN ACT TO AMEND CHAPTER 73 OF TITLE 5, GUAM CODE ANNOTATED TO REINSTATE THE CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES CHARGE. Bill No. 328 (LS), AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR THE ARCHITECTURAL AND ENGINEERING DESIGN OF AN UNDERWATER WALL IN TALOFOFO BAY AND A SEAWALL IN INARAJAN BAY IN ORDER TO PREVENT FURTHER EROSION AT BOTH LOCATIONS. The Hearing will take place at the Guam Legislature Session Hall located at Hagåtña. Individuals requiring special accommodations, auxiliary aids or services are asked to contact the office of Senator Kaleo S. Moylan at 472-3342.

**Committee on Ways and Means:
FY 2003 Revenue Hearing**

Wednesday, May 29, 2002, 9:30 a.m. at the Legislative Session Hall to discuss "Revenue Estimates" for Fiscal Year 2003.

Bill No. 192 (LS), AN ACT TO APPROPRIATE \$2 MILLION TO THE GUAM VISITORS BUREAU FOR IMMEDIATE JAPAN MARKETING. **Bill No. 229 (LS)**, AN ACT TO AMEND ITEMS (e) AND (l) OF SECTION 51102 OF CHAPTER 51 OF TITLE 12, GUAM CODE ANNOTATED AND SECTION 5 OF PUBLIC LAW 26-58 REGARDING TECHNICAL CORRECTIONS AND OTHER CHANGES AND TO APPROPRIATE THE SUM OF \$225,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR POLICE VEHICLES. **Bill No. 235 (LS)**, AN ACT TO AMEND §3114 TO TITLE 16, §57103 TO TITLE 10, §4121 TO TITLE 4, AND §1107 TO TITLE 17, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT THE MONTH AND THE YEAR AN INDIVIDUAL TURNS THE LEGAL AGE TO PURCHASE ALCOHOLIC BEVERAGES BE PROMINENTLY DISPLAYED ON ALL IDENTIFICATION CARDS ISSUED BY THE GOVERNMENT OF GUAM TO INDIVIDUALS UNDER SUCH LEGAL AGE AT THE TIME THE IDENTIFICATION IS ISSUED. **Bill No. 258 (COR)**, AN ACT RELATIVE TO ASSISTING MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE STATIONED ON GUAM IN THE ACQUISITION OF A GUAM DRIVER'S LICENSE THROUGH ADDING A NEW SUBSECTION (C)(1.) TO §§3101.C OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED. **Bill No. 304 (COR)**, AN ACT TO AMEND CHAPTER 73 OF TITLE 5, GUAM CODE ANNOTATED TO REINSTATE THE CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES CHARGE. **Bill No. 328 (LS)**, AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR THE ARCHITECTURAL AND ENGINEERING DESIGN OF AN UNDERWATER WALL IN TALOFOFO BAY AND A SEAWALL IN INARAJAN BAY IN ORDER TO PREVENT FURTHER EROSION AT BOTH LOCATIONS.

Individuals requiring special accommodations, auxiliary aids or services are asked to contact the Office of Senator Kaleo S. Moylan at 472-3342.





Committee on Ways and Means





Attendance Sheet

Wednesday, May 29, 2002




Bill No. 279 (COR)

AN ACT RELATIVE TO SUPPORTING OUR ISLAND'S YOUTH IN THEIR PARTICIPATION IN POSITIVE SOCIAL GATHERINGS BY AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE WITH ADEQUATE SUPERVISION AND CONTROL MEASURES BY ADDING A NEW SUBSECTION 25308.1(a) TO SECTION 25308.1 OF THE GOVERNMENT CODE OF GUAM.

	Present	Absent	Off-Island	Excused
Kaleo S. Moylan,		_____	_____	_____
Joanne M.S. Brown		_____	_____	_____
Antonio R. Unpingco	_____	_____	_____	_____
Felix P. Camacho	_____	_____	_____	_____
Mark C. Charfauros	_____	_____	_____	_____
Mark Forbes	_____	_____	_____	_____
Lawrence F. Kasperbauer		_____	_____	_____
Vicente C. Pangelinan		_____	_____	_____

	Present	Absent	Off-Island	Excused
Joseph F. Ada	_____	_____	_____	_____
Thomas C. Ada	_____	_____	_____	_____
Frank B. Aguon, Jr.		_____	_____	_____
Eddie B. Calvo		_____	_____	_____
Lou Leon Guerrero		_____	_____	_____
Angel L.G. Santos		_____	_____	_____
Judith T. Won Pat	_____	_____	_____	_____

Attending Staff

Bertha Duenas 	James P. Castro 	Tom Morrison _____
Henry Cruz _____	Paul Borja _____	Faith Mendiola _____
Fred M. Castro _____	Josie Mendiola 	John Dela Rosa _____
Jackie Suzuki _____	Briana San Nicolas _____	

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 9/4/02

VOTING SHEET

S Bill No. 279 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

6
9/4/02

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 279 (COR)

As substituted by the Author
and amended on the Floor.

*

Introduced by:

F. B. Aguon, Jr.
J. F. Ada
T. C. Ada
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
L. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
A. L.G. Santos
A. R. Unpingco
J. T. Won Pat

**AN ACT TO REPEAL AND REENACT § 3410 OF
TITLE 11 OF THE GUAM CODE ANNOTATED,
RELATIVE TO AUTHORIZING BUSINESS
ESTABLISHMENTS THAT SELL ALCOHOLIC
BEVERAGES TO HOST SOCIAL EVENTS FOR
PERSONS UNDER EIGHTEEN YEARS OF AGE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the availability of locales for teens to hold social events such as teen
4 nights are limited. Community Centers or Social Halls are some of the venues
5 which could be used by teens for events such as teen night, but they lack the
6 amenities that would make such events enjoyable and attractive for teens.
7 Our teens have used the teen nights and other teen events as fundraising
8 events in order to fund teen activities and worthwhile off-Guam events, such
9 as teen modeling competitions.

10 The dance clubs on Guam have all the amenities, such as sound systems,
11 properly designed dance floors and the right facilities to make teen events
12 enjoyable and successful. A major area of concern is the availability of
13 alcoholic beverages at the dance clubs. This is a very valid concern and
14 should be addressed. Allowing teens to hold events at dance clubs with the
15 proper controls should *not* be prohibited.

16 **Section 2.** Section 3410 of Article 4, Chapter 3, Division 1 of Title 11 of
17 the Guam Code Annotated is hereby *repealed and reenacted* to read as follows:

18 **"Section 3410. Entry Forbidden.**

19 (a) No person under eighteen (18) years of age shall enter
20 an establishment where alcoholic beverages, are consumed, *unless*
21 such establishment is a public eating place, as defined in § 3118 of
22 this Code. Every person who violates this Section shall be guilty
23 of a petty misdemeanor.

1 **(b) Exemptions.** Establishments may open their doors
2 and allow for teen events; *provided*, that the following provisions
3 are adhered to:

4 (i) no beverages with any amount of alcoholic
5 content are sold during the events;

6 (ii) all teens entering the premises shall be checked
7 to ensure that no alcoholic beverages are brought into the
8 premises; any alcoholic beverage found shall be confiscated
9 on the spot;

10 (iii) the management of the establishment shall
11 ensure that, in addition to no alcoholic beverage being sold
12 or consumed in the establishment during the teen events,
13 that no alcoholic beverage is being consumed outside the
14 premises which is under the direct control or ownership of
15 the establishment;

16 (iv) the establishment must remove all lewd,
17 pornographic pictures, objects and other paraphernalia *not*
18 suitable for teens *prior* to opening its doors for teen events;

19 (v) the establishment must comply with *all* other
20 statutes governing the conduct of minors, who are defined
21 as anyone under the age of eighteen (18) years old;

22 (vi) the establishment must provide an identification
23 marking, i.e. stamp, on any individual who is attending or
24 participating in such teen events;

1 (vii) the establishment must provide for adequate
2 adult, i.e. personnel or chaperon, supervision and
3 surveillance of such events;

4 (viii) the establishment must acquire a business permit
5 for conducting such teen events from the Department of
6 Revenue and Taxation; such authorization may be included
7 in its existing business permit at no additional cost; *and*

8 (ix) the establishment must remove or cover all
9 pictures, objects and other related items *exclusively* for
10 advertising alcohol or tobacco products. The term
11 '*advertising*' for the purpose of this Section shall mean all
12 representations disseminated in any manner or by any
13 means, other than by labeling, for the purpose of inducing,
14 or which are likely to induce, directly or indirectly, the
15 purchase and consumption of alcohol or tobacco by minors.

16 (c) In addition to any other penalty allowed by law, a
17 violation of the provisions of this Section shall have as an
18 additional penalty a Five Hundred Dollar (\$500.00) fine, and
19 suspension of the establishment's business license for a *minimum*
20 of three (3) months."

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

August 9, 2002

Honorable Antonio R. Unpingco
Speaker
Mina'Bente Sais Na Liheslaturan Guåhan
Hagåtña, Guam 96910

VIA: Chairperson, Committee on Rules, General Government Operations,
Reorganization and Reform and Federal, Foreign and General Affairs

Dear Mr. Speaker:

The Committee on Ways and Means, to which was referred Bill No. 279 (COR) "AN ACT TO *REPEAL AND REENACT* SECTION 3410 OF ARTICLE 4, CHAPTER 3, DIVISION OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE," has had the same under consideration, and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes are as follows:

<u>-7-</u>	To Do Pass
<u>-0-</u>	Not to Pass
<u>-0-</u>	To Report Out
<u>-0-</u>	Abstain
<u>-0-</u>	Inactive File

A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Thank you,


KALEO S. MOYLAN
Chairperson

Enclosure:



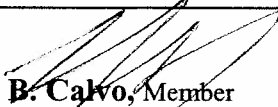
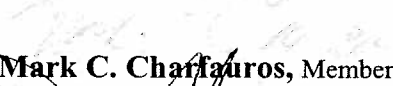
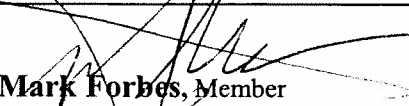


Committee on Ways and Means

Vote Sheet on

Bill No. 279 (COR)

As substituted by the Author.e

AN ACT TO REPEAL AND REENACT SECTION 3410 OF ARTICLE 4, CHAPTER 3, DIVISION OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE.

COMMITTEE MEMBER	TO DO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
 Kaleo S. Moylan, Chairperson	✓				
Joanne M.S. Brown, Vice Chairperson					
 Antonio R. Unpingco, Speaker & Ex-Officio	✓				
 Eddie B. Calvo, Member	✓				
Felix P. Camacho, Member					
 Mark C. Chaffauros, Member					
 Mark Forbes, Member	✓				
 Lawrence F. Kasperbauer, Member	✗				
 Vicente C. Pangelinan, Member	✓				

***Committee on Ways and Means
Report On***

Bill No. 279(COR)

As substituted by the Author.

AN ACT TO REPEAL AND REENACT SECTION 3410 OF ARTICLE 4, CHAPTER 3, DIVISION OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE.

PUBLIC HEARING:

The Committee on Ways and Means, to which was referred Bill No. 279 (COR) "AN ACT TO REPEAL AND REENACT SECTION 3410 OF ARTICLE 4, CHAPTER 3, DIVISION OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE," conducted a public hearing on Wednesday, May 29, 2002, at the Guam Legislature Session Hall. Senator Kaleo S. Moylan, Chairperson of the Committee on Ways and Means, convened the hearing at 9:30 a.m. In attendance were Senators Lawrence F. Kasperbauer, Tom C. Ada, Vicente C. Pangelinan and Lou A. Leon Guerrero.

TESTIMONY:

The author of the legislation, Senator Frank B. Aguon, Jr., testified in support of Bill 279 (COR). According to Senator Aguon the availability of places for teens to hold social events such as teen nights are limited. He went on to say that community centers or social halls are some of the venues which could be used however, they lack the amenities that would make such events enjoyable and attractive for teens. He concluded his remarks saying that absent these facilities, every effort should be made to allow teens to hold events at dance clubs with the proper controls should be prohibited.

There being no further witnesses, the Chairman adjourned the hearing on Bill No 279 (COR).

PROFILE, FINDINGS AND RECOMMENDATION

Brief Title: "Hosting of Social Events for Persons under the age of 19 years."
Date Introduced: Friday, March 1, 2002
Main Sponsor: Senator F. B. Aguon, Jr.

Committee Referral: From the Committee on Rules, Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs to the Committee on Ways and Means.

Public Hearing: Wednesday, May 29, 2002, 9:30 a.m. at the Legislative Session Hall.

Official Title: AN ACT TO *REPEAL AND REENACT* SECTION 3410 OF ARTICLE 4, CHAPTER 3, DIVISION OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE.

Fiscal Note: Pursuant to the provisions of Chapter 9, Title 2 of the Guam Code Annotated, a request for a fiscal note on Bill No. 279 (COR) was made to BBMR on Tuesday, May 21, 2002.

Recommendation: To do pass.

A Closer Look and Findings

A closer look reveals that the availability of locales for teens to hold social events such as teen nights are limited. Community Centers or Social Halls are some of the venues which could be used by teens for events such as teen night but they lack the amenities that would make such events enjoyable and attractive for teens. Guam's teens have used the teen nights and other teen events as fundraising events in order to fund teen activities and worthwhile off-island events such as teen modeling competitions.

The dance clubs on Guam have all the amenities such as sound systems, properly designed dance floors and the right facilities to make teen events enjoyable and successful. A major area of concern is the availability of alcoholic beverages at the dance clubs. This is a very valid concern and should be addressed. Allowing teens to hold events at dance clubs with the proper controls should not be prohibited.

Section Analysis

Section 1. Legislative Findings/Intent.

Section 2. Repeal and reenact Section 3410 of Article 4, Chapter 3, Division 1 of Title 11 of the Guam Code Annotated. A closer look at Section 3410 provides that "no person under eighteen (18) years of age shall enter an establishment where alcoholic beverages, except beer, are consumed, unless such establishment is a public eating place as defined in §3118 of this Code. Every person who violates this Section shall be guilty of a petty misdemeanor."

A closer look at Section 3410 (b) entitled "Exemptions" provides that establishments may open their doors and allow for teen events provided that the following provisions are adhered to:

(i) No beverages with any amount of alcoholic content are sold during the events.

(ii) All teens entering the premises shall be checked to ensure that no alcoholic beverages are brought into the premises. Any alcoholic beverage found shall be confiscated on the spot.

(iii) The management of the establishment shall ensure that, in addition to no alcoholic beverage is sold or consumed in the establishment during the teen events, no alcoholic beverage is being consumed outside the premise which is under the direct control or ownership of the establishment.

(iv) No person over the age of 18 shall be allowed entry during teen events such as teen nights unless the person is a bonafide chaperon, parent of a participating teen, or employee of the establishment.

(v) The establishment must remove all lewd, pornographic pictures, objects and other paraphernalia not suitable for teens prior to opening its doors for teen events.

(vi) The establishment must comply with all other statutes governing the conduct of minors defined as anyone under the age of 19.

(vii) The establishment must provide an identification marking, i.e. stamp, on any individual who is attending or participating in such teen events.

(viii) The establishment must provide for adequate adult, i.e. personnel or chaperon, supervision and surveillance of such events.

(ix) The establishment must acquire a business permit for conducting such teen events from the Department of Revenue and Taxation. Such authorization may be included in its existing business permit at no additional cost.

RECOMMENDATION:

The Committee on Ways and Means, to which was referred Bill No. 279 (COR), "AN ACT TO *REPEAL AND REENACT* SECTION 3410 OF ARTICLE 4, CHAPTER 3, DIVISION OF TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING BUSINESS ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES TO HOST SOCIAL EVENTS FOR PERSONS UNDER NINETEEN YEARS OF AGE," recommends that the legislation, as substituted, be passed by *I Liheslaturan Guåhan*.

2nd
8/14/02

3rd
8/14/02

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) REGULAR SESSION**

Bill No. 279 (COR)

As substituted by the Author.

Introduced by:

F. B. Aguon, Jr.

**AN ACT TO REPEAL AND REENACT SECTION 3410
OF ARTICLE 4, CHAPTER 3, DIVISION OF TITLE
11 OF THE GUAM CODE ANNOTATED, RELATIVE
TO AUTHORIZING BUSINESS ESTABLISHMENTS
THAT SELL ALCOHOLIC BEVERAGES TO HOST
SOCIAL EVENTS FOR PERSONS UNDER
NINETEEN YEARS OF AGE.**

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

2 **Section 1. Legislative findings/Intent.** *I Liheslaturan Guåhan* finds that
3 the availability of locales for teens to hold social events such as teen nights are
4 limited. Community Centers or Social Halls are some of the venues which could be
5 used by teens for events such as teen night but they lack the amenities that would
6 make such events enjoyable and attractive for teens. Our teens have used the teen
7 nights and other teen events as fundraising events in order to fund teen activities and
8 worthwhile off-island events such as teen modeling competitions. The dance clubs on
9 Guam have all the amenities such as sound systems, properly designed dance floors
10 and the right facilities to make teen events enjoyable and successful. A major area of
11 concern is the availability of alcoholic beverages at the dance clubs. This is a very

1 valid concern and should be addressed. Allowing teens to hold events at dance clubs
2 with the proper controls should not be prohibited.

3 **Section 2.** Section 3410 of Article 4, Chapter 3, Division 1 of Title 11 of the
4 Guam Code Annotated is hereby repealed and reenacted to read as follows:

5 **“Section 3410. Entry Forbidden.** (a) No person under
6 eighteen (18) years of age shall enter an establishment where alcoholic
7 beverages ~~[except beer]~~ are consumed, unless such establishment is a public
8 eating place as defined in §3118 of this Code. Every person who violates this
9 Section shall be guilty of a petty misdemeanor.

10 **(b) Exemptions.** Establishments may open their doors and allow
11 for teen events provided that the following provisions are adhered to:

12 (i) No beverages with any amount of alcoholic content are sold
13 during the events.

14 (ii) All teens entering the premises shall be checked to ensure
15 that no alcoholic beverages are brought into the premises. Any alcoholic
16 beverage found shall be confiscated on the spot.

17 (iii) The management of the establishment shall ensure that, in
18 addition to no alcoholic beverage is sold or consumed in the
19 establishment during the teen events, no alcoholic beverage is being
20 consumed outside the premise which is under the direct control or
21 ownership of the establishment.

22 ~~[(iv) No person over the age of 18 shall be allowed entry during~~
23 ~~teen events such as teen nights unless the person is a bonafide chaperon,~~
24 ~~parent of a participating teen, or employee of the establishment.”]~~

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 279

ARU

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 2, lines 22 to 24, delete subsection (iv)

(Below only for Clerk of Legislature's use and processing))

Date 8/14, 2002

Floor Amendment No. 1 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

[Signature] Ass't. Amend. Clerk

Engrossment Staff

I MINA'BENTE SAIS NA LIHESLATURAN GUAHAN

FLOOR AMENDMENTS/CHANGES

S Bill No. 279

TCA

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 2. line 7, delete ", except beer,"

(Below only for Clerk of Legislature's use and processing))

Date 8/14, 2002

Floor Amendment No. 2 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

JCA

AUTHOR OF AMENDMENT

Concur (initial)

ms
Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk
____ Engrossment Staff

TCA FA3
1/8/1

2

(v) The establishment must remove all lewd, pornographic pictures, objects and other paraphernalia not suitable for teens prior to opening its doors for teen events.

MCC FA5
4

(vi) The establishment must comply with all other statutes governing the conduct of minors defined as anyone under the age of 18.

(vii) The establishment must provide an identification marking, i.e. stamp, on any individual who is attending or participating in such teen events.

(viii) The establishment must provide for adequate adult, i.e. personnel or chaperon, supervision and surveillance of such events.

(ix) The establishment must acquire a business permit for conducting such teen events from the Department of Revenue and Taxation. Such authorization may be included in its existing business permit at no additional cost."

12 FA 6
2/13 M

14
MCC FA4
M (b)

(x)

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

S Bill No. 279

MCC

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

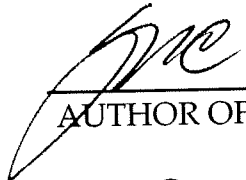
p 3, line 5, change "19" to read "18"

(Below only for Clerk of Legislature's use and processing)

Date 8/14, 2002
Floor Amendment No. 5 of a total of _____ changes on above Bill.
Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____
Amendment Failed: _____
Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED



AUTHOR OF AMENDMENT
Concur (initial)

 _____ Clerk of Legislature
_____ Speaker

Ass't. Amend. Clerk
Engrossment Staff

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES
Bill No. 279

Senator Proposing Amendment: vcp

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

Add a new item (x) to Section 3410(b) of Article 4 of Chapter 3 of Division 1 of Title 1, Guam Code Annotated to read as follows:

vcp
“(x) The establishment must remove or cover all pictures, objects and other related items exclusively for advertising alcohol or tobacco products. The term advertising for the purpose of this Section shall mean all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase *and consumption* of alcohol or tobacco by minors.”

(Below only for Clerk of Legislature's use and processing)

Date: August 14, 2002

Floor Amendment No. 6 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____

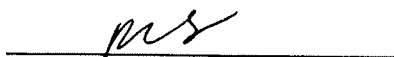
Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED


AUTHOR OF AMENDMENT

Concur (initial)


Clerk of Legislature

Speaker

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

S Bill No. 279

TCA

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 3, delete lines 1 to 3 & renumber accordingly.

(Below only for Clerk of Legislature's use and processing))

Date 8/14, 2002

Floor Amendment No. 3 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____

Amendment Failed:

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk

Engrossment Staff