

Public Law 21-025

Bill No. 140 (COR)

Date Became Law: May 17, 1991

Introduced by:

J.T. San Agustin
C.T.C. Gutierrez
J.P. Aguon
E.M. Espaldon
M.C. Ruth
M.D.A. Manibusan
D.L.G. Shimizu
A.C. Blaz
M.J. Reidy
E.P. Arriola
J.G. Bamba

M.Z. Bordallo
D.F. Brooks
H.D. Dierking
E.R. Duenas
P.C. Lujan
G. Mailloux
D. Parkinson
F.R. Santos
T.V.C. Tanaka
A.R. Unpingco

AN ACT TO REENACT THE INTENT OF SECTION 308 OF THE GUAM PENAL CODE BY ADDING 44.1, TO CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED, TO PROHIBIT THE SALE OF TOBACCO TO MINORS, AND TO MAKE A CORRECTION TO INCONSISTENT INCREMENT DATES AND SALARY STEP INCREASES FOR SOME EMPLOYEES OF THE DEPARTMENT OF REVENUE AND TAXATION.

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

Section 1. Legislative findings. Due to the public's increasing concern and the growth of public sentiment against the ill effects of tobacco smoking, regulations to curb or thwart such problems have become more important to the public in its fight against cancer. In response to such social concern, the Guam Penal Code prohibiting the sale of tobacco to minors will be most useful in the protection of public health and safety.

Section 2. A new 44.1 is added to Chapter 70 of Title 9, Guam Code Annotated, to reinstate the provisions of Section 308 of the Guam Penal Code, to read:

"44.1. Selling tobacco to minors. Every person, firm, or corporation which sells, or gives, or in any way furnishes, to another person who is in fact under the age of eighteen (18) years, any tobacco, any cigarette papers, or any other preparation of tobacco, is guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine for the first offense of not more than Two Hundred Fifty Dollars (\$250), for the second offense of not more than Five Hundred dollars (\$500), and for more than two (2) offenses, a fine of not more than One Thousand Dollars (\$1,000), and, in the case of a seller, the revocation of any licenses authorizing sales."

Section 3. Required reimbursement from Revenue and Taxation employees. Notwithstanding any other provision of law, rule or regulation, employees within the Department

of Revenue and Taxation who were reallocated/reassigned by the May 7, 1985 'Creation of New Classes of Positions, Reassignment of Pay Ranges, and Abolition of Existing Classes of Positions' study, shall retain their salary rate (pay range and step) as designed in their Notification of Personnel Action on or about January of 1990, and shall retain all rights and privileges pursuant thereto.