



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guahan
155 Hessler Street
Hagåtña, Guam 96910

OCT 28 2010

2010 NOV -4 AM 10:01

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 179-30 (COR) "AN ACT TO ADD A NEW §1514 TO ARTICLE 5 OF CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A LIMITED OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP AN EDUCATIONAL CULTURAL FACILITY," which was signed into law on August 14, 2010 as **Public Law 30-179**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guahan
Governor of Guahan

Attachment: copy of Bill

30-10-6911
10/29/10
12r

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 179-30 (COR), "AN ACT TO ADD A NEW §1514 TO ARTICLE 5 OF CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A LIMITED OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP AN EDUCATIONAL CULTURAL FACILITY", was on the 13th day of August, 2010, duly and regularly passed.



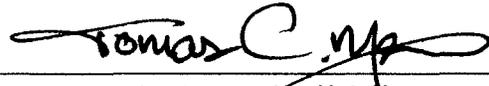
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 13 day of Aug, 2010, at 5:30 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date:

8/14/10

Public Law No.

30-179

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 179-30 (COR)

As substituted by the Committee on Economic Development, Health & Human Services, and Judiciary; further substituted by the Committee on Rules; and amended on the Floor.

Introduced by:

B. J.F. Cruz
R. J. Respicio
T. R. Muña Barnes
F. F. Blas, Jr.
Judith P. Guthertz, DPA
Telo Taitague
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
E. J.B. Calvo
J. V. Espaldon
Adolpho B. Palacios, Sr.
v. c. pangelinan
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW §1514 TO ARTICLE 5 OF CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A LIMITED OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP AN EDUCATIONAL CULTURAL FACILITY.

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

2 **Section 1.** A new §1514 is hereby *added* to Article 5 of Chapter 1 of Title
3 5, Guam Code Annotated, to read as follows:

1 **“§1514. Authorization to Borrow For the Purpose of**
2 **Acquiring, Constructing and Equipping an Educational Cultural**
3 **Facility.**

4 (a) Authorization to Borrow. *I Maga’lahen Guåhan* is authorized
5 to borrow on behalf of the government of Guam, including by the issuance
6 of limited obligation notes or debt, as provided in this Section, in an
7 aggregate principal amount *not to exceed* Twenty-five Million Dollars
8 (\$25,000,000) for the purpose of paying for:

9 (1) the costs of the acquisition, construction and equipping of
10 an educational facility that reflects a sense of Guam and the
11 *Chamorro* culture and will be the permanent home for the
12 preservation and continuance of the Chamorro people; provides for
13 the display of artifacts and historical documents; stimulates
14 community involvement; fosters research and conveys the results of
15 research to the public primarily through the medium of public
16 exhibits, demonstrations, lectures, public programs and publications
17 using the theme: *I Hinanao-ta*, the journey of the *Chamorro* people;

18 (2) the preservation and restoration of the *Plaza de España*
19 and other structures within the Plaza as important field facilities in the
20 continuing cultural education of Guam’s school children, residents,
21 and visitors; and

22 (3) funding necessary reserves and paying expenses incurred
23 in connection with the issuance of such debt *not* already included in
24 an existing appropriation for, or the regular budget of any government
25 agency or instrumentality or public corporation providing any service
26 in connection with the issuance of such debt; provided, however, that
27 such debt may *not* be issued in an amount that would cause a violation

1 of the debt limitation provisions of 48 USC 1423a (§11 of the Organic
2 Act of Guam).

3 (b) Terms and Conditions Determined by Certificate. The terms
4 and conditions of the debt *shall* be as determined by *I Maga'lahaen Guåhan*
5 by the execution of a certificate authorizing the issuance of the debt upon or
6 prior to the issuance of the debt; provided, however, that such terms and
7 conditions *shall* be consistent with this Section, and that the debt *shall*
8 mature *not later than* the date thirty (30) years after its date of issuance and
9 *shall* bear interest at such rates and be sold for such price or prices as *shall*
10 result in a yield to the holders of the debt *not* exceeding five percent (5%)
11 per annum.

12 (c) Valid and Binding. The debt authorized by this Section *shall*
13 constitute the valid and binding limited obligation of the government of
14 Guam payable from and secured by a pledge of the revenues derived from
15 the Tourist Attraction Fund. The government of Guam pledges revenues
16 described in Subsection (d) of this Section for the punctual payment of both
17 principal of and interest on the debt and covenants that there *shall* be
18 collected annually in the same manner and at the same time as government
19 revenue for other purposes is collected, such sum as is required to pay the
20 principal of and interest on the debt. There are hereby appropriated from the
21 Tourist Attraction Fund such sums as may be necessary in each year to equal
22 the amount of money necessary to pay the principal and interest on such
23 debt. All officers charged by law with any duty in the collection of the
24 revenues of the government from which debt service on the debt will be
25 payable *shall* do every lawful thing necessary to collect such sum. The
26 validity of any such debt *shall not* be affected by the validity or regularity of
27 any proceedings for the expenditure of the proceeds of the debt.

1 (d) Pledge of Revenues. All or any part of the revenues constituting
2 the Tourist Attraction Fund created by § 30107 of Title 11 GCA, Chapter 30
3 may be pledged to secure the repayment of any debt or debts created under
4 this § 1514 and pay costs incurred in the creation of such debts, subject to
5 any previously created lien on or pledge of such revenues. Any pledge made
6 to secure the debt or debts *shall* be valid and binding from the time the
7 pledge is made. The revenues pledged and thereafter received by the
8 government of Guam or by any trustee, depository or custodian *shall* be
9 deposited in a separate account and *shall* be immediately subject to the lien
10 of such pledge without physical delivery thereof or further act, and the lien
11 of such pledge *shall* be valid and binding against all parties having claims of
12 any kind in tort, contract or otherwise, against the government of Guam,
13 such trustee, depository or custodian, irrespective of whether the parties
14 have notice thereof. The certificate by which such pledge is created need *not*
15 be recorded. All revenues pledged are hereby continuously appropriated for
16 the purpose for which they have been pledged.

17 (e) Waiver of Immunity. Notwithstanding any substantive or
18 procedural provision of Chapter 6 of Title 5, Guam Code Annotated, the
19 government of Guam waives immunity from any suit or action in contract on
20 the debt, but *does not* waive sovereign immunity as to the personal liability
21 of elected officials and employees of the government of Guam.

22 (f) No Personal Liability. *No* employee or elected official of the
23 government of Guam shall be individually or personally liable for the
24 payment of any amounts due on any debt issued under this Section, or for
25 any other liability arising in connection with the debt; provided, however,
26 that nothing in this Section shall relieve any employee or elected official
27 from the performance of any ministerial duty required by law.

1 (g) Form of Debt; Covenants; Appointment of Fiduciaries. The
2 technical form and language of the debt, including provisions for execution,
3 exchange, transfer, registration, paying agency, lost or mutilated debt,
4 negotiability, cancellation and other terms or conditions not inconsistent
5 with this Section *shall* be as specified in the certificate executed by *I*
6 *Maga'lalen Guåhan* authorizing the issuance of the debt. The certificate
7 *shall* appoint one (1) or more trustees, co-trustees or other fiduciaries
8 authorized to receive and hold in trust the proceeds of the debt and other
9 moneys relating thereto, to protect the rights of holders of the debt and to
10 perform such other duties as may be specified in the certificate. *I*
11 *Maga'lalen Guåhan* is also authorized to execute, on behalf of the
12 government of Guam, any appropriate agreements, certificates or other
13 instruments relating to the debt and the sale of debt.

14 (h) Use of Proceeds from the Sale of the Debt. The proceeds of the
15 debt *shall* be used and are hereby appropriated to:

16 (1) pay for the costs of the acquisition, construction and
17 equipping of an educational cultural facility;

18 (2) pay for Five Million Dollars (\$5,000,000) towards the
19 costs of the preservation and restoration of the *Plaza de España*, and
20 other structures within the *Plaza*;

21 (3) establish necessary reserves;

22 (4) pay expenses relating to the authorization, sale and
23 issuance of the debt, including, without limitation, printing costs,
24 costs of reproducing documents, legal, financial advisory and
25 accounting fees and charges and other costs, charges and fees in
26 connection with the issuance, sale and delivery of the debt; and

1 (5) fund capitalized interest on the debt for a period *not*
2 *exceeding* twenty-four (24) months.

3 The educational cultural facility *shall* include facilities designed to
4 assist in furthering the preservation, education and presentation of Guam's
5 culture, heritage and history.

6 (i) Permitted Investments. The proceeds of the debt and any
7 moneys relating to the payment of such debt, may be invested in, but only in,
8 the types of investments permitted by the certificate pursuant to which such
9 debt is issued.

10 (j) Approval by the Guam Economic Development Authority.
11 §50103(k), Title 12, Guam Code Annotated, provides that agencies and
12 instrumentalities of the government of Guam *shall* issue debt and other
13 obligations *only* by means of and through the agency of the Guam Economic
14 Development Authority (GEDA). *No* debt authorized by this Section shall
15 be sold until the Board of Directors of GEDA has adopted a resolution
16 approving the sale of such issue.

17 (k) Approval of Voters *Not* Required. Notwithstanding §§17311
18 and 17312 of Title 17, Guam Code Annotated, the issuance of the debt
19 authorized by this Section *shall not* be required to be subject to the approval
20 of, or placed before, the voters of Guam.”

21 **Section 2. Approval of Debt.** *I Liheslaturan Guåhan*, pursuant to
22 §50103(k), Title 12, Guam Code Annotated, hereby approves the issuance and sale
23 by the government of Guam of debt in a principal amount *not to exceed* Twenty
24 Five Million Dollars (\$25,000,000) for the purposes set forth in §1514, Title 5,
25 Guam Code Annotated, provided that the conditions to the issuance of such debt
26 *shall* have been met, such debt have a final maturity date *not later than* thirty (30)
27 years after their date of issuance, bear interest at such rate and are sold for such

1 price or prices as *shall* result in a yield to the bondholders *not exceeding* five
2 percent (5%) per annum, and are issued and sold in the manner, for the purposes
3 and subject to the requirements and limitations provided in §1514, Title 5, Guam
4 Code Annotated.

5 **Section 3.** The location of the facility authorized herein *shall* be approved
6 by *I Liheslaturan Guåhan*.

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2010 (SECOND) Regular Session

Date: 8/13/10

VOTING SHEET

5 Bill No. 179-30(COR)

Resolution No. _____

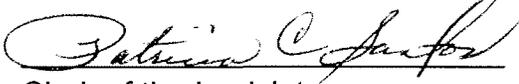
Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

15

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

2010 JUN 30 PM 2:47

WMM

June 24, 2010

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

Honorable Judith T. Won Pat
Speaker
I Mina' Trenta na Liheslaturan Guåhan
155 Hesler Place
Hagatña, Guam 96910

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

RE: Committee Report - Bill No. 179-30 (COR), as Substituted.

BENJAMIN J.F. CRUZ
VICE SPEAKER

Dear Speaker Won Pat:

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

Transmitted herewith is the **Committee Report on Bill No. 179-30 (COR)**; **“AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY.”** [~~AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY~~]”, sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes, and referred to the Committee on Economic Development, Health & Human Services, and Judiciary. Bill No. 179-30 (COR) was publicly heard on October 1, 2009.

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

Committee votes are as follows:

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

<u>6</u>	TO PASS
_____	NOT TO PASS
_____	ABSTAIN
<u>1</u>	TO REPORT OUT ONLY
_____	TO PLACE IN INACTIVE FILE

Respectfully,

SENATOR FRANK B AGUAN, JR.
Chairman

Attachment



SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina'Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



COMMITTEE REPORT ON

BILL NO. 179-30 (COR), as Substituted

(by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.)

Bill No. 179-30 (COR); “AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY.”

~~[AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY]~~



COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

238 Archbishop F.C. flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

June 24, 2010

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

MEMORANDUM

To: ALL MEMBERS
Committee on Economic Development, Health & Human Services, and Judiciary

From: SENATOR FRANK B. AGUON, JR.
Committee Chairperson

Subject: Committee Report on Bill No. 179-30 (COR), as Substituted.

Transmitted herewith for your consideration is the Committee Report on **Bill No. 179-30 (COR); "AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY."** [~~AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY~~]", sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative / Digest
- Copy of Substitute Bill No.179-30 (COR)
- Copy of Bill No.179-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 179-30 (COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!

Attachment



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
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 Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

COMMITTEE VOTING SHEET

Bill No. 179-30 (COR), as Substituted by the Committee — “AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY.”, sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.

~~[AN ACT TO ADD A NEW §51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY]~~

	SIGNATURE	TO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	PLACE IN INACTIVE FILE
FRANK B. AGUON, JR. Chairman		✓				
ADOLPHO B. PALACIOS, SR. Vice Chairman		✓				
BENJAMIN J.F. CRUZ Vice Speaker		✓				
TINA ROSE MUÑA BARNES Legislative Secretary		✓				
THOMAS C. ADA		✓				
JUDITH P. GUTHERTZ						
RORY J. RESPICIO		✓				
FRANK F. BLAS, JR.						
TELO TAITAGUE				✓		
RAY TENORIO						



**COMMITTEE ON ECONOMIC DEVELOPMENT,
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COMMITTEE REPORT DIGEST

Bill No. 179-30 (COR), as Substituted

I. OVERVIEW: The Committee on Economic Development, Health & Human Services, and Judiciary conducted a public hearing on October 1, 2009. The Hearing convened at 09:00 A.M. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **Bill No. 179-30 (COR)** — “AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY”, sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.

Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or e-mail to all senators on September 23, 2009, and all main media broadcasting outlets on September 24, 2009 (5-Day Notice), and again on September 28, 2009 (48-Hour Notice). Notices were published in the Marianas Variety on September 24, 2009, and in the Marianas Variety on September 29, 2010.

Senators Present

Senator Frank B. Aguon, Jr.	Chairperson
Adolpho Palacios	Vice-Chairperson
Senator Thomas C. Ada	Committee Member
Senator Ben Pangelinan	Senator
Senator Eddie Baza Calvo	Senator
Senator Matt Rector	Senator

The public hearing on Bill No. 179-30 (COR) was Called-to-Order at 09:40 A.M.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Anthony C. Blaz, Administrator, Guam Economic Development Agency; submitted written testimony to clarify the process of reprogramming bond proceeds.

Dr. Marilyn C. Salas, Board Co-chair, and Sylvia Flores, Board Secretary, Guam Museum Foundation, Inc.; submitted written testimony IN SUPPORT of Bill No. 179-30.

Chairman: There being no further testimony, or questions by Senators, Chairman Frank B. Aguon, Jr., declared the Bill duly heard, and adjourned the public hearing on Bill No. 179-30 (COR).

III. FINDINGS & RECOMMENDATIONS

The Committee finds that Bill No. 30-179 (COR) is one of many efforts over the years to construct a museum and convention center. The bill was written and introduced in response to representations made that the approval of a sizable loan from the U.S. Department of Agriculture for the construction a new landfill was imminent. Such a loan would allow for the reprogramming of funds authorized under Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated.

The Committee finds that, for many years, Guam's museum facilities have been inadequate and that much of Guam's collection of artifacts are being stored in substandard conditions. Attempts have been made over many years to establish a facility that would adequately store, exhibit, and preserve Guam's historical and cultural artifacts. Further, Guam lacks a facility where residents and visitors alike may learn of Guam's rich history, culture and heritage.

Such a facility is the vision behind the establishment of the Guam Museum Facilities Construction and Cultural Heritage Task Force. The Task Force, in coordination with *I Liheslaturan Guahan*, has worked diligently in planning for the construction of a new museum facility and has expressed its support for Bill No. 30-179.

The Committee further finds that, since the hearing on Bill No. 30-179, the Museum task Force has been negotiating with the U.S. Department of Agriculture in hopes of securing a loan in the amount of \$20 Million for the construction of a new museum facility. Among the conditions required by USDA prior to approval of such a loan is that the facility fall into an allowable category of authorized loans and that the government of Guam specifically authorize and commit funding for the loan repayment.

In the review of Bill No. 179-30 (COR), the Committee took due note of the presentation by Mr. Chris J. Kanazawa, Rural Development State Director for the Hawaii, Western Pacific and American Samoa, U.S. Department of Agricultural, which indicates the loan/grant application for Guam's proposed Institute of Cultural Heritage and Natural History (attached – see page 11). The amount of the loan/grant in the presentation is for \$25M. However, the aggregate amount has since been reduced with the loan portion now being \$20M, and the grant at approximately \$2M. At a meeting held on June 14, 2010 with Mr. Kanazawa, Mr. Joe Diego of the local USDA office, and members of the Museum Task Force, the primary sponsor of Bill No. 30-179 was informed by Mr. Kanazawa that, as USDA's funding source for the loan/grant comes from ARRA funds, action by the government of Guam authorizing the loan/grant must take place by early July 2010 in order to ensure reservation of the funds.

To comply with the former requirement, the task Force has expanded the scope of its project beyond the construction of a museum to a Guam Institute of Cultural Heritage and Natural History. The latter requirement is addressed herein through the substitution of Bill No. 179-30 (COR) to authorize *I Magalahaen Guahan* to borrow funds for the construction of a Guam Institute of Cultural Heritage and Natural History.

Substantive amendments were made to the Bill, at the request of the authors, inclusive of the title, which, as substituted, now reads:

“AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE

ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY.”

~~[AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY]~~

The Committee on Economic Development, Health & Human Services, and Judiciary, therefore, being cognizant that a cultural center is a vital component of the overall effort to preserve and protect Guam’s culture and heritage, substitutes Bill No. 30-179 in order to allow for the purposes stated herein, and hereby **reports out Bill No. 179-30 (COR), as Substituted by the Committee,** with the recommendation to PASS.

for

**I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session**

2009 JUL 17 PM 3:05 *mc*

Bill No. 30-179(COR)

Introduced by:

B.J.F. CRUZ
R.J. RESPICIO
T.R. MUÑA BARNES

AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY.

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

2 **Section 1.** A new § 51821 (a) is added to Article 8 of Chapter 51 of Title
3 10 of the Guam Code Annotated to read:

4 **"§ 51821 (a). Additional payments that shall be made out of**
5 **proceeds of bonds.** The amount of payments made from the proceeds of
6 grants and loans given to the government of Guam from the United
7 States Department of Agriculture for the purposes set out in § 51821 of
8 this Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated,
9 shall be subtracted from the amount authorized to be paid for the
10 purposes set out in the above cited § 51821, and instead these additional
11 bond proceeds shall be used for the following purposes:

1 (1.) acquisition, construction, operation and maintenance
2 of a multi-purpose cultural, convention and performing arts
3 center;

4 (2.) acquisition, construction, operation and maintenance
5 of a Guam museum facility.

o

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (Second) Regular Session

Bill No. 30-179 (COR)
As Substituted by the Committee on
Economic Development, Health
& Human Services, and Judiciary

Introduced by:

B.J.F. Cruz
R.J. Respicio
T.R. Muna Barnes

**AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF
TITLE 5, GUAM CODE ANNOTATED RELATIVE TO
OBTAINING A GENERAL OBLIGATION LOAN TO
ACQUIRE, CONSTRUCT AND EQUIP A GUAM
INSTITUTE OF CULTURAL HERITAGE AND
NATURAL HISTORY.**

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

2 **Section 1.** Section 1514 is hereby *added* to Title 5, Guam Code Annotated
3 to read as follows:

4 **“§1514. Authorization to Borrow For the Purpose of Acquiring,**
5 **Constructing and Equipping a Guam Institute of Cultural Heritage and**
6 **Natural History.**

7 (a) Authorization To Borrow. *I Maga'lahaen Guåhan* is authorized
8 to borrow on behalf of the government of Guam, including by the issuance
9 of general obligation notes or debt, as provided in this Section, in an
10 aggregate principal amount not to exceed Twenty Million Dollars
11 (\$20,000,000) for purpose of paying of the costs of the acquisition,
12 construction and equipping of a Guam Institute of Cultural Heritage and

1 Natural History, and, in addition, funding necessary reserves and paying
2 expenses incurred in connection with the issuance of such debt not already
3 included in an existing appropriation for or the regular budget of any
4 government agency or instrumentality or public corporation providing any
5 service in connection with the issuance of such debt; provided, however, that
6 such debt may not be issued in an amount that would cause a violation of the
7 debt limitation provisions of 48 USC 1423a (§11 of the Organic Act of
8 Guam).

9 (b) Terms and Conditions Determined by Certificate. The terms
10 and conditions of the debt shall be as determined by *I Maga'lahaen Guåhan*
11 by the execution of a certificate authorizing the issuance of the debt upon or
12 prior to the issuance of the debt; provided, however, that such terms and
13 conditions shall be consistent with this Section, and that the debt shall
14 mature not later than the date thirty (30) years after its date of issuance and
15 shall bear interest at such rates and be sold for such price or prices as shall
16 result in a yield to the holders of the debt not exceeding five percent (5%)
17 per annum.

18 (c) Valid and Binding. The debt authorized by this Section shall
19 constitute the valid and binding general obligation of the government of
20 Guam payable from and secured by a pledge of the revenues described in
21 Subsection (d) of this Section. The government of Guam pledges revenues
22 described in Subsection (d) of this Section for the punctual payment of both
23 principal of and interest on the debt and covenants that there shall be
24 collected annually in the same manner and at the same time as government
25 revenue for other purposes is collected, such sum as is required to pay the
26 principal of and interest on the debt. There are hereby appropriated from the

1 General Fund such sums as may be necessary in each year to equal the
2 amount of money necessary to pay the principal and interest on such debt.
3 All officers charged by law with any duty in the collection of the revenues of
4 the government from which debt service on the debt will be payable shall do
5 every lawful thing necessary to collect such sum. The validity of any such
6 debt shall not be affected by the validity or regularity of any proceedings for
7 the expenditure of the proceeds of the debt.

8 (d) Pledge of Section 30 Revenues. All or any part of the revenues
9 derived by the government of Guam under Section 30 of the Organic Act
10 may be pledged to secure the repayment of any debt or debts created under
11 this § 1514 and pay costs incurred in the creation of such debts, subject to
12 any previously created lien on or pledge of such revenues. Any pledge made
13 to secure the debt or debts shall be valid and binding from the time the
14 pledge is made. The revenues pledged and thereafter received by the
15 government of Guam or by any trustee, depository or custodian shall be
16 deposited in a separate account and shall be immediately subject to the lien
17 of such pledge without physical delivery thereof or further act, and the lien
18 of such pledge shall be valid and binding against all parties having claims of
19 any kind in tort, contract or otherwise, against the government of Guam,
20 such trustee, depository or custodian, irrespective of whether the parties
21 have notice thereof. The certificate by which such pledge is created need not
22 be recorded. All revenues pledged are hereby continuously appropriated for
23 the purpose for which they have been pledged.

24 (e) Additional General Obligation Debt. Nothing in this Section
25 shall be construed to prevent the government of Guam from issuing, after
26 appropriate enabling legislation, other general obligations of the government

1 on a parity with or subordinate to the debt authorized by this Section on such
2 terms as may be provided by the certificate pursuant to which the debt is
3 issued.

4 (f) Waiver of Immunity; Submission to Jurisdiction.
5 Notwithstanding any substantive or procedural provision of Chapter 6 of
6 Title 5, Guam Code Annotated, the government of Guam waives immunity
7 from any suit or action in contract on the debt, but does not waive sovereign
8 immunity as to the personal liability of elected officials and employees of
9 the government of Guam. The government hereby submits to the
10 jurisdiction of the Federal District Court for the District of Guam for
11 purposes of any such suit or action in contract on the debt.

12 (g) No Personal Liability. No employee or elected official of the
13 government of Guam shall be individually or personally liable for the
14 payment of any amounts due on any debt issued under this Section, or for
15 any other liability arising in connection with the debt; provided, however,
16 that nothing in this Section shall relieve any employee or elected official
17 from the performance of any ministerial duty required by law.

18 (h) Form of Debt; Covenants; Appointment of Fiduciaries. The
19 technical form and language of the debt, including provisions for execution,
20 exchange, transfer, registration, paying agency, lost or mutilated debt,
21 negotiability, cancellation and other terms or conditions not inconsistent
22 with this Section shall be as specified in the certificate executed by *I*
23 *Maga'lahañ Guåhan* authorizing the issuance of the debt. The certificate
24 shall appoint one or more trustees, co-trustees or other fiduciaries authorized
25 to receive and hold in trust the proceeds of the debt and other moneys
26 relating thereto, to protect the rights of holders of the debt and to perform

1 such other duties as may be specified in the certificate. *I Maga'laha*
2 *Guåhan* is also authorized to execute, on behalf of the government of Guam,
3 any appropriate agreements, certificates or other instruments relating to the
4 debt and the sale of debt.

5 (i) Use of Proceeds from the Sale of the Debt. The proceeds of the
6 debt shall be used and are hereby appropriated to (i) pay the costs of the
7 acquisition, construction and equipping of the Guam Institute of Cultural
8 Heritage and Natural History, (ii) establish necessary reserves, (iii) pay
9 expenses relating to the authorization, sale and issuance of the debt,
10 including, without limitation, printing costs, costs of reproducing
11 documents, legal, financial advisory and accounting fees and charges and
12 other costs, charges and fees in connection with the issuance, sale and
13 delivery of the debt, and (iv) fund capitalized interest on the debt for a
14 period not exceeding twenty-four (24) months.

15 The Guam Institute of Cultural Heritage and Natural History shall
16 include facilities designed to assist in furthering the preservation and
17 presentation of Guam's culture, heritage and history.

18 (j) Permitted Investments. The proceeds of the debt and any
19 moneys relating to the payment of such debt, may be invested in, but only in,
20 the types of investments permitted by the certificate pursuant to which such
21 debt is issued.

22 (k) Approval by Guam Economic Development and Commerce
23 Authority. §50103(k), Title 12, Guam Code Annotated, provides that
24 agencies and instrumentalities of the Government of Guam shall issue debt
25 and other obligations only by means of and through the agency of the Guam
26 Economic Development and Commerce Authority (“GEDCA”). No debt

1 authorized by this Section shall be sold until the board of directors of
2 GEDCA has adopted a resolution approving the sale of such issue.

3 (l) Approval of Voters Not Required. Notwithstanding §§17311 and
4 17312 of Title 17, Guam Code Annotated, the issuance of the debt
5 authorized by this Section shall not be required to be subject to the approval
6 of, or placed before, the voters of Guam.”

7 **Section 3. Approval of Debt.** *I Liheslaturan Guåhan* pursuant to
8 §50103(k), Title 12, Guam Code Annotated, hereby approves the issuance and sale
9 by the government of Guam of debt in a principal amount not to exceed Twenty
10 Million Dollars (\$20,000,000) for the purposes set forth in Section 1514, Title 5,
11 Guam Code Annotated, provided that the conditions to the issuance of such debt
12 shall have been met, such debt have a final maturity date not later than thirty (30)
13 years after their date of issuance, bear interest at such rate and are sold for such
14 price or prices as shall result in a yield to the bondholders not exceeding five
15 percent (5%) per annum, and are issued and sold in the manner, for the purposes
16 and subject to the requirements and limitations provided in Section 1514, Title 5,
17 Guam Code Annotated.



I MAGA' LAHEN GUAHA
GOVERNOR OF GUA
FELIX P. CAMACHO
I SEGUNDO NA MAGA' LAHEN GUAHA
LT. GOVERNOR OF GUA
MICHAEL W. CRUZ M.J.
ADMINISTRADOR
ADMINISTRACION
ANTHONY C. BLAZ

Aturidá Inadilánton Ikunumihan Guahan

Public Hearing Testimony of Anthony C. Blaz, Administrator
Guam Economic Development Authority (GEDA)
October 1, 2009

Bill No. 144-30 (COR)

An act relative to adding a new subsection (h) to §51821 of Article 8, Division 2, Chapter 51, Title 10 of the Guam Code Annotated, relative to the reallocation of funding proceeds from the 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam, subject to the approval of the Government of Guam Financing Loan Application with the U. S. Department of Agriculture.

Bill No. 179-30 (COR)

An act to add a new § 51821 (a) to Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam museum facility.

Bill No. 195-30 (COR)

An act to repeal and reenact §51821 of Article 8, of Chapter 51, Title 10 Guam Code Annotated relative to the use of proceeds of sale of bonds.

Hafa Adai Senator Frank B. Aguon, Jr., Chairperson, Committee on Economic Development, Health & Human Services, and Judiciary and fellow Senators. I am Anthony Blaz, Administrator of the Guam Economic Development Authority, here to provide written testimony on technical amendments in support of the reprogramming of bond proceeds.

I would like to first commend the author of Bill No. 144-30 on his steps to reprogram the bond proceeds from the 2009 Limited Obligation (Section 30) Bonds due to the recent award by the USDA of an \$88,536,000 loan and \$15,019,300 grant in support of the construction of the new landfill back in July 2009. This bill is most consistent with the current USDA terms in that the Ordot Landfill Closure must still be funded by bond proceeds in the amount of \$40,000,000 as estimated by the Receiver.

GEDA and the Governor's Office have had extensive communication with USDA in the last few weeks and are in the final stages of completing negotiations of terms and conditions for this loan/grant. Upon completion of the documents, we will then work with the Office of the Attorney General to appeal to the US District Court to accept this new funding source for the new landfill which will then allow the ability for the Government to reprogram the bond proceeds. Note that only until the Courts accept the USDA loan/grant funding source, will bond proceeds be available for reprogramming.

We would like to further affirm that as per bond and tax covenants, bond proceeds can only be appropriated to fund capital improvement projects. Any deviations to fund operating expenses, i.e. tax refunds, could not be funded with bond proceeds from the 2009 Limited Obligation (Section 30) bonds.

We further submit to the committee, additional comments that affirm these points from GEDA bond counsel, Stan Dirks, Orrick, Herrington and Sutcliffe.

Dang'kalo na si Yu'us ma'ase for the opportunity to provide testimony on these bills.

Put Respetu,



Anthony C. Blaz
Administrator



RECEIVED
10-27-09
J. Flores

October 19, 2009

The Honorable Frank Aguon, Jr.
Senator
Chairman Committee on Economic Development, Health and Judiciary
30th Guam Legislature
155 Hessler Place
Hagatna, Guam 96910

Hafa Adai Senator Aguon, Jr.:

We are humbled and appreciative of the legislature's continued actions and foresight in the promotion and preservation of Guam's history and culture through the museum., therefore on behalf of the Guam Museum Foundation, Inc, we are pleased to submit testimony in support of Bill 179, "An act to authorize the use of bond proceeds for the purpose of constructing a Guam Museum facility".

To value Guam's history, culture and arts, means to achieve tangible resources as you have stated in bill 179, your life long commitment is reaffirmed as bond proceeds are given to assist those whose mission is to focus on and develop the Guam Institute of Natural History and Cultural Heritage, the home of the Guam Museum.

It is a very critical time, especially as USDA representatives have provided guidance, time and resources to the staff and management of the Guam Museum Foundation, Inc.

Si Yu'os Ma'ase,


Dr. Marilyn C. Salas
Co-Chairperson of the board of directors


Sylvia Flores
Secretary of the board of directors

Cc: Chairman of the Board of Directors and members of the Guam Museum task force

238 Archbishop Felixberto Flores Street • DNA Building 4th Floor, Suite 405A Hagatna, Guam 96910
P.O. Box 518 Hagatna, Guam 96932
T: 671-475-4634 F: 671-475-4636 C: 671-488-4634
Email: leona@guammuseum.com Website: www.guammuseum.com



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Chris J. Kanazawa
Rural Development State Director for the
Hawaii, Western Pacific and American Samoa
region
U.S. Department of Agriculture

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USDA RURAL DEVELOPMENT



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Guam

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to Capital and Credit for Rural Communities:

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Business

Community Facilities

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RURAL COMMUNITIES



“What Qualifies as a Rural Community?”

Maximum Population within Census Tracts
(maximum number depends on the program)

Area's Non-Metropolitan Household Median Income

Loans First and Grants Second



HOUSING PROGRAMS



Housing Programs Offer Grants, Loans and Guaranteed Loans For:

- Single Family Housing
- Housing Repairs & Rehabilitation
- Multi-Family Projects
- Self-Help Home Projects
- Rental Housing Projects



COMMUNITY PROGRAMS



Community Programs Offer Grants, Loans and Guaranteed Loans For:

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- Water and Environmental Projects
- Electric Projects
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Business Programs Offer Grants and Guaranteed Loans

For:

- Rural Business Startups and Expansions
- Rural Business Acquisitions
- Revolving Fund for Construction, Buildings, Plants, Infrastructure, Utilities
- Technical Assistance and Leadership Training
- Rural Cooperative Startups
- Energy Projects



CONTACT INFORMATION



Website: <http://www.rurdev.usda.gov>

Hawaii State Office

Timothy O'Connell, Assistant to the State Director

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Federal Building, Suite 311

Hilo, Hawaii 96720

(808) 933-8380

Guam Office

Joseph Diego, Area Director

First Hawaiian Bank Bldg., Suite 303

400 Route 8

Hagatna, GU 96910-2011

(671) 472-7361



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CURRENT ACTIVITIES



Guam Layon Landfill - \$103 Million Loan and Grant

Guam Wastewater Authority - \$39 Million Loan and Grant

Port Authority of Guam - \$50 Million Loan and Grant in Collaboration with a DoD \$50 Million Grant

Guam Community College - \$2.25 Million Loan and Grant

Guam Institute of Cultural Heritage and Natural History
(Library/Museum) - \$25 Million Loan and Grant

Sagan Bonita 56-Unit Affordable Housing Subdivision - \$15.3 Million in Collaboration with Guam Housing & Urban Renewal Authority



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July 22, 2009

MEMORANDUM

**To: Pat Santos
Clerk of the Legislature**

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

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

Subject: Referral of Bill Nos. 30-179 to 30-182 and 30-184

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 30-179 to 30-182 and 30-184.

Please ensure that the subject bills are referred, in my name, to the respective chairpersons, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2009 JUL 23 AM 10:41 AM

I Mina'Trenta Na Liheslaturan Guåhan

Bill Log Sheet

Page 1 of 2

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
30-179 (COR)	B. J.F. Cruz, R. J. Respicio, T. R. Muña Barnes	An act to add a new § 51821 (a) to Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated to authorize the use of excess bond proceeds for the purpose of constructing a Multi-Purpose Cultural, Convention and Performing Arts Center, and a Guam Museum Facility.	7-17-09 3:05 p.m.	7-22-09	Committee on Economic Development, Health & Human Services, & Judiciary			
30-180 (COR)	Matt Rector	An act to <i>repeal</i> and <i>reenact</i> § 6201 of 4 GCA Chapter 6 to grant a uniform pay increase of Ten Thousand Eight Hundred Eighty Dollars (\$10,880) to all classified public servants of the government of Guam.	7-17-09 4:42 p.m.	7-22-09	Committee on Labor, the Public Structure, Public Libraries, and Technology			
30-181 (COR)	Frank B. Aguon, Jr.	An act to <i>amend</i> Section 3160.1 of Title 7 Guam Code Annotated, relative to Superior Court Judges annual compensation adjustment.	7-20-09 10:10 a.m.	7-22-09	Committee on Economic Development, Health & Human Services, & Judiciary			

I Mina'Trenta Na Liheslaturan Guáhan

Bill Log Sheet

Page 2 of 2

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
30-182 (COR)	E. J. B. Calvo, Ray Tenorio, T. Taitague	An act to amend Section 6 of Public Law 21-14 enacted on April 20, 1991 identified as Lot No. 513, Merizo to reflect the new designated Lot No. 528-2, Municipality of Merizo.	7-20-09 11:04 a.m.	7-22-09	Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land			
30-184 (COR)	v. c. pangelinan	An act to add a new Section (i) Title 21, Chapter 75, §75108 and to add a new Section 21006.1 Title 3, Chapter 21 relative to the Decolonization Registry.	7-20-09 4:15 p.m.	7-22-09	Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs			



SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina'Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



September 23, 2009

MEMORANDUM

TO: Committee Members

FROM: Senator Frank B. Aguon, Jr.

SUBJECT: Public Hearing & Confirmation Hearing, Thursday, October 1, 2009, Guam Legislature Public Hearing Room.

Buenas yan Hafa Adai!

The Committee on Economic Development, Health & Human Services, and Judiciary will hold a public hearing on ten (10) legislative bills, as well as two (2) confirmation hearings, beginning at 09:00AM on Thursday, October 1, 2009, in the Guam Legislature Public Hearing Room.

The public hearing on legislative bills is broken into two (2) sessions, as follows:

1. 09:00 AM to 12:00 Noon
2. 5:00 PM to completion

The two (2) confirmation hearings will be conducted from 1:30 PM to 5:00 PM. The two (2) nominees are:

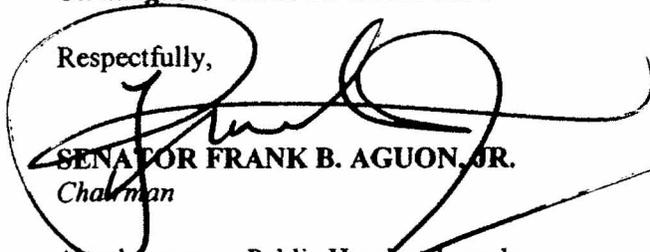
1. Lillian Perez-Posadas, appointed Member, Guam Memorial Hospital Authority Board of Trustees.
2. Alberto E. Tolentino, nominee, Magistrate Judge, Judiciary of Guam.

Please see the attached agenda for the respective times, and a list of the bills to be heard.

If you have any questions, please call my office. Thank you, and I look forward to your participation.

Un dangkolo' Na Si Yu'us Ma'ase'.

Respectfully,


SENATOR FRANK B. AGUON, JR.
Chairman

Attachment: Public Hearing Agenda
Cc: All Senators

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 ez2plez57@yahoo.com,
 elainevtll@gmail.com,
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 fterlaja@guamlegislature.org,
 fbtorres@judwonpat.com,
 rob.tupaz@gmail.com,
 joyunpingoo@gmail.com,
 tunsioq@guamlegislature.org,
 doc.wytenbechsantos@gmail.com

date Wed, Sep 23, 2009 at 2:20 PM
 subject Public Hearing & Confirmation Hearing Notice
 mailed-by gmail.com

Buenas yan Hafa Adai!

Please find attached, Notice of Public Hearing & Confirmation Hearing scheduled for Thursday, October 1st, 2009, Guam Legislature Public Hearing Room.

Thank you.
vfr,

Catherine I. Palacios
 Administrative Assistant
 Office of Senator Frank B. Aguon, Jr.
 30th Guam Legislature
 Committee on Economic Development,
 Health & Human Services and Judiciary
 232 Archbishop F.C. Flores Street
 DNA Building, Suite 701A
 Hagatna, Guam 96910
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SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina' Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



PRESS RELEASE

FOR IMMEDIATE RELEASE

September 24, 2009

NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings and in addition to the published notice in the Marianas Variety today, please let this serve as 5 days notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

DATE: Thursday, October 1, 2009
TIME: beginning at 9:00 am
PLACE: Guam Legislature Public Hearing Room

Please see attachment for listing of Bills and Appointments that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Ron Teehan, Committee Director at 969-1495/6.

#####

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Adventist Radio	565-2983
Harvest Radio	477-7136
Joy 92FM	477-4678

AGENDA
Public Hearing
Thursday, 2009.10.01

9:00 AM – 12:00 PM:

BILL NO. 30-144 (COR)

An act relative to adding a new Subsection (h) to §51821 of Article 2, Division 2, Chapter 51, Title 10 GCA, relative to the reallocation of funding proceeds from the 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam, subject to the approval of the Government of Guam Financing Loan Application with the U.S. Department of Agriculture.

BILL NO. 30-179 (COR)

An act to add a new §51821 (a) to Article 8, of Chapter 51 of Title 10 GCA to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.

BILL NO. 30-181 (COR)

An act to amend Section 3160.1 of Title 7 GCA, relative to Superior Court Judges annual compensation adjustment.

BILL NO. 30-195 (COR)

An act to repeal and re-enact §51821 of Article 8, of Chapter 51, Title 10 GCA, relative to the use of proceeds of sale of bonds.

BILL NO. 30-206 (LS)

An act to amend 18 GCA §36113, relative to the Right of Redemption.

BILL NO. 30-219 (LS)

An act to add a new Chapter 72 to 9 GCA relative to bias-motivated crimes.

BILL NO. 30-232 (COR)

An act to authorize DMHSA to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam *Permanent Injunction*.

1:30 PM – 5:00 PM - CONFIRMATION HEARINGS:

- APPOINTMENT OF LILLIAN PEREZ-POSADAS, Member, GMHA Board of Trustees.
- APPOINTMENT OF ALBERTO E. TOLENTINO as Magistrate Judge, Judiciary of Guam.

5:00 PM - COMPLETION:

BILL NO. 30-158 (COR)

An act to *amend* Sections 3101, 3104 and 3107 all of Chapter 3, Title 19 GCA, relative to the validity of marriage.

BILL NO. 30-185 (COR)

An act to add a new Chapter 16, Title 19 GCA; relative to Domestic Partnerships.

BILL NO. 30-212 (LS) – An act to add a new Chapter 16 to Division 1 of Title 19 GCA, relative to the establishment of Designated Beneficiary Agreements; and citing this Act as the “*Designated Beneficiary Agreement Act of 2009*”.

PRESS RELEASE Inbox X

from **Frances Lizama** <lizama.frances@gmail.com>
to "KUAM - MATANANE, Sabrina" <sabrina@kuam.com>,
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kstokish@gmail.com,
kprg@guam.net

date Thu, Sep 24, 2009 at 10:35 AM
subject PRESS RELEASE
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TO ALL:

Hafa Adai. Please see attached Press Release reference to Notice of Public Hearing scheduled for Oct. 1, 2009, conducted by the Comm. on Economic Development, Health & Human Services, and Judiciary.

Should you have any questions, or for more information, please don't hesitate to contact Mr. Ron Teehan, Commit

--
FRANCES S. LIZAMA
Chief of Staff
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature
Committee on Economic Development,
Health & Human Services, and Judiciary
238 Archbishop F.C. Flores St.
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Sep 21	4:30PM	Fax Sent	6475334	0:54	2	OK
Sep 22	9:28AM	Received	4723510	0:19	1	OK
			6714723589			
Sep 22	12:07PM	Received	4723510	0:19	1	OK
			6714723589			
Sep 22	12:39PM	Received	671 472 3459	0:23	1	OK
			6714723459			
Sep 22	2:27PM	Fax Sent	6482007	1:14	2	OK
Sep 22	2:37PM	Fax Sent	6492007	0:00	0	No document
Sep 22	2:40PM	Fax Sent	6492007	3:03	8	OK
Sep 22	2:46PM	Fax Sent	6482007	5:12	13	OK
Sep 22	4:00PM	Received	4723510	0:29	2	OK
			6714723589			
Sep 22	4:22PM	Received	6714754636	0:48	1	OK
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Sep 23	2:07PM	Received	6482007	0:33	1	OK
			6716482007			
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Sep 23	5:04PM	Fax Sent	6428050	5:13	14	OK
Sep 24	10:44AM	Fax Sent	6379870 - KUAM	0:54	2	OK
Sep 24	10:45AM	Fax Sent	4773982 - K-57 / POWER98	0:51	2	OK
Sep 24	10:47AM	Fax Sent	4773079 - PDN	1:24	2	OK
Sep 24	10:50AM	Fax Sent	4770793 - PNC NEWS	0:50	2	OK
Sep 24	10:52AM	Fax Sent	6482007 - MARIANAS VARIETY	1:05	2	OK
Sep 24	10:54AM	Fax Sent	4772240	0:53	1	Error 350
Sep 24	10:55AM	Fax Sent	4727663 - HIT RADIO 100	0:51	2	OK
Sep 24	10:57AM	Fax Sent	4776411 - K-STEREO / KISH	1:14	2	OK
Sep 24	10:59AM	Fax Sent	7342958 - KPRG NEWS	0:52	2	OK
Sep 24	11:01AM	Fax Sent	7343476	1:03	1	Error 346
Sep 24	11:03AM	Fax Sent	5652983 - ADVENTIST RADIO	2:36	2	OK
Sep 24	11:06AM	Fax Sent	4777136 - HARVEST RADIO	1:07	2	OK
Sep 24	11:08AM	Fax Sent	4774678 - JOY 92 FM	0:56	2	OK
Sep 24	11:11AM	Fax Sent	7345483	0:46	0	Cancel
Sep 24	11:20AM	Fax Sent	7343476 - KGTF	1:12	2	OK
Sep 24	1:00PM	Received	477 2522	0:25	1	OK
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 HEALTH & HUMAN SERVICES, AND JUDICIARY
 1 Mesa Treata Na Lihelieturua Gathaa - 30th Guam Legislature
 238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna, Guam 96910
 Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguionfrank@gmail.com

NOTICE OF PUBLIC HEARING
THURSDAY, OCTOBER 01, 2009 9:00 AM
GUAM LEGISLATURE PUBLIC HEARING ROOM

2:00AM - 12:00 PM:
BILL NO. 30-144 (COR) - Relative to adding a new Subsect. (h) to §1821 of Art. 8, Div. 2, Ch. 51, 10GCA, relative to reallocation of funding proceeds from 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam.
BILL NO. 30-179 (COR) - To add a new § 51821 (e) to Art. 8, Ch. 51, 10GCA to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.
BILL NO. 30-181 (COR) - To amend Sect. 3160 I, 7GCA, relative to Superior Court Judges Annual Compensation Adjustment
BILL NO. 30-195 (COR) - To repeal and reenact §1821, Art. 8, Ch. 51, 10GCA relative to the use of proceeds of sales of bonds.
BILL NO. 30-206 (LS) - To amend 18GCA §36113, relative to the right of redemption.
BILL NO. 30-219 (LS) - To add a new Ch. 72 to 9GCA relative to bias-motivated crimes.
BILL NO. 30-232 (COR) - To authorize DMHSA to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam *Permanenti Injunction*.
1:30 PM - 5:00 PM - CONFIRMATION HEARINGS:
 • APPOINTMENT OF LILLIAN PEREZ-POSADAS, Member, GMHA Board of Trustees.
 • APPOINTMENT OF ALBERTO E. TOLENTINO as Magistrate Judge, Judiciary of Guam.
5:00 PM:
BILL NO. 30-158 (COR) - To amend Sect. 3101, 3104 and 3107 all of Ch. 3, 19GCA, relative to validity of marriage.
BILL NO. 30-185 (COR) - To add a new Ch. 16, 19GCA, relative to Domestic Partnerships.
BILL NO. 30-212 (LS) - To add a new Ch. 16 to Div. 1, 19GCA relative to establishment of Designated Beneficiary Agreements; and citing this act as "Designated Beneficiary Agreement Act of 2009".
 To view full text of Bills & Appointments, visit the Guam Legislature website at www.guamlegislator.com. If written testimonies are to be presented, the Committee requests copies be submitted 1 day prior to hearing date to OFC. OF SEN. FRANK B. AGUION, JR., 238 ARCHBISHOP F.C. FLORES ST., DNA BLDG., STE. 701A, HAGATNA, GU 96910, email: aguionfrank@gmail.com, or fax to 969-1497. Individuals requiring special accommodations/services, or for more information, please contact Ron Teekah at 969-1495/6.

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SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina'Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



September 28, 2009

MEMORANDUM

TO: Committee Members

FROM: Senator Frank B. Aguon, Jr.

SUBJECT: SECOND NOTICE; Public Hearing / Confirmation Hearing, Thursday, October 1, 2009, Guam Legislature Public Hearing Room.

Buenas yan Hafa Adai!

The Committee on Economic Development, Health & Human Services, and Judiciary will hold a public hearing on ten (10) legislative bills, as well as two (2) confirmation hearings, beginning at 09:00AM on Thursday, October 1, 2009, in the Guam Legislature Public Hearing Room.

The public hearing on legislative bills is broken into two (2) sessions, as follows:

1. 09:00 AM to 12:00 Noon
2. 5:00 PM to completion

The two (2) confirmation hearings will be conducted from 1:30 PM to 5:00 PM. The two (2) nominees are:

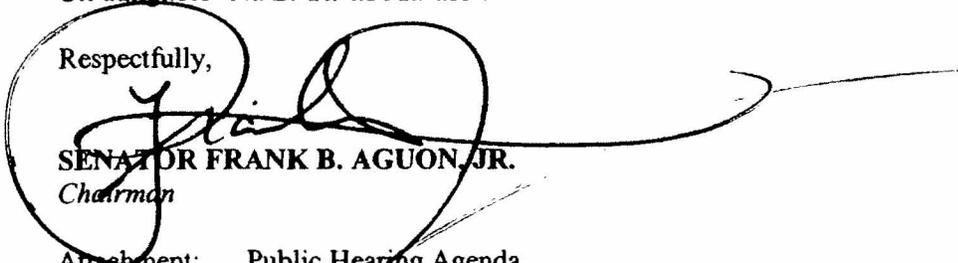
1. Lillian Perez-Posadas, appointed Member, Guam Memorial Hospital Authority Board of Trustees.
2. Alberto E. Tolentino, nominee, Magistrate Judge, Judiciary of Guam.

Please see the attached agenda for the respective times, and a list of the bills to be heard.

If you have any questions, please call my office. Thank you, and I look forward to your participation.

Un dangkolo' Na Si Yu'us Ma'ase'.

Respectfully,


SENATOR FRANK B. AGUON, JR.
Chairman

Attachment: Public Hearing Agenda
Cc: All Senators

2ND NOTICE - Public Hearing 2009.10.01 Inbox x

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from Frances Lizama <lizama.frances@gmail.com>
to "SEN. ADA, Thomas C." <tom@senatorada.org>,
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"MATERNE, Nieves" <nieves@guamlegislature.org>

date Mon, Sep 28, 2009 at 5:15 PM
subject 2ND NOTICE - Public Hearing 2009.10.01
mailed-by gmail.com

TO ALL:

Please see attached 2nd Notice of Public Hearing from Senator Frank Aguon, Jr. Should you have any questions, please don't hesitate to contact Ron Teehan from our office. Thank you.

—
FRANCES S. LIZAMA
Chief of Staff
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature
Committee on Economic Development,
Health & Human Services, and Judiciary
238 Archbishop F.C. Flores St.
DNA Bldg (old PDN), Suite 701A
Hagatna, Guam 96910
Tel: 671.969.1495/6
Fax: 671.969.1497

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SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina' Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



PRESS RELEASE

FOR IMMEDIATE RELEASE

September 28, 2009

NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings and in addition to the published notice in the Marianas Variety today, please let this serve as 2 days notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

DATE: Thursday, October 1, 2009
TIME: beginning at 9:00 am
PLACE: Guam Legislature Public Hearing Room

Please see attachment for listing of Bills and Appointments that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Ron Teehan, Committee Director at 969-1495/6.

#####

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SECOND NOTICE - Public Hearing - October 1, 2009 Inbox X

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"SUALOG, Bryan - PDN" <bcsualog@guampdn.com>,
"TAITANO, Zita - MarVariety" <zytaitano@gmail.com>,
"TYQUIENGCO, Josh - SPB" <jtyquiengco@spbguam.com>,
"WATANABE, Masako - Guam Gannett" <mwatanabe@guam.gannett.com>

date Mon, Sep 28, 2009 at 2:15 PM

subject SECOND NOTICE - Public Hearing - October 1, 2009

mailed-by gmail.com

TO ALL:

Please see attached Second Notice of Public Hearing along with P.H. Agenda which is scheduled for Thursday, Oct. 1, 2009 and will be conducted by the Committee on Economic Development, Health & Human Services, and Judiciary.

Should you have any questions, please don't hesitate to contact Mr. Ron Teehan, Committee Director from our office. Thank you.

FRANCES S. LIZAMA
Chief of Staff
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature
Committee on Economic Development,
Health & Human Services, and Judiciary
238 Archbishop F.C. Flores St.
DNA Bldg (old PDN), Suite 701A
Hagatna, Guam 96910
Tel: 671.969.1495/6
Fax: 671.969.1497

 2009.10.01 - PH - 2nd Notice.docx
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Last 30 Transactions

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Sep 24	1:45PM	Received	477 2522 6714772522	0:34	2	OK
Sep 24	3:19PM	Fax Sent	4723400	1:01	1	OK
Sep 25	9:28AM	Fax Sent	12022249412	1:49	3	OK
Sep 25	11:30AM	Fax Sent	6490145	5:13	14	OK
Sep 25	11:58AM	Received	4723510 6714723589	0:19	1	OK
Sep 25	2:16PM	Fax Sent	4774826	0:51	2	OK
Sep 25	3:08PM	Received	4723510 6714723589	0:28	2	OK
Sep 27	12:50PM	Received	4723510 6714723589	0:30	2	OK
Sep 27	8:19PM	Received	4723510 6714723589	0:30	2	OK
Sep 28	8:10AM	Received	6716483166 6716483166	0:24	1	OK
Sep 28	8:33AM	Received	6714734236	0:45	0	No fax
Sep 28	2:19PM	Fax Sent	6379870 - KUAM	0:57	2	OK
Sep 28	2:21PM	Fax Sent	4773982	1:27	1	Error 350
Sep 28	2:24PM	Fax Sent	4773982	1:21	1	Error 350
Sep 28	2:28PM	Fax Sent	4773079 - PDN	1:31	2	OK
Sep 28	2:30PM	Fax Sent	4770793 - PNC NEWS	0:54	2	OK
Sep 28	2:32PM	Fax Sent	6482007 - MARIANAS VARIETY	1:13	2	OK
Sep 28	2:35PM	Fax Sent	4727663 - HIT RADIO 100	0:52	2	OK
Sep 28	2:37PM	Fax Sent	4776411 - K-STEREO / KISH	1:20	2	OK
Sep 28	2:40PM	Fax Sent	7342958 - KPRG NEWS	0:51	2	OK
Sep 28	2:42PM	Fax Sent	7343476 - KGTF	1:13	2	OK
Sep 28	2:50PM	Fax Sent	5652983 - ADVENTIST RADIO	2:25	2	OK
Sep 28	2:54PM	Fax Sent	4777136 - HARVEST RADIO	1:09	2	OK
Sep 28	2:56PM	Fax Sent	4774678 *	0:17	0	Cancel
Sep 28	2:57PM	Fax Sent	4774678 *	0:19	0	Cancel
Sep 28	2:58PM	Fax Sent	4777343476	0:17	0	Cancel
Sep 28	2:59PM	Fax Sent	7343476	1:12	2	OK
Sep 28	3:01PM	Fax Sent	4773982 - K-57 / POWER 98	0:51	2	OK
Sep 28	3:11PM	Fax Sent	4774678 *	0:19	0	Cancel
Sep 28	3:14PM	Fax Sent	4774678 *	0:13	0	Cancel

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SENATOR FRANK B. AGUON, JR., *Chairman*
COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY
T Mima' Treinta Na Libeslatayan Guåhan • 30th Guam Legislature
231 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagåtña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguonfrank@gmail.com

NOTICE OF PUBLIC HEARING
THURSDAY, OCTOBER 01, 2009 9:00 AM
GUAM LEGISLATURE PUBLIC HEARING ROOM

9:00AM-12:00PM:

BILL NO. 30-144 (COR) - Relative to adding a new Subsect. (h) to §51821 of Art. 8, Div. 2, Ch. 51, 10GCA, relative to reallocation of funding proceeds from 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam.

BILL NO. 30-179 (COR) - To add a new §51821 (a) to Art. 8, Ch. 51, 10GCA to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.

BILL NO. 30-181 (COR) - To amend Sect. 3160.1, 7GCA, relative to Superior Court Judges Annual Compensation Adjustment.

BILL NO. 30-195 (COR) - To repeal and reenact §51821 of Art. 8, Ch. 51, 10GCA relative to the use of proceeds of sales of bonds.

BILL NO. 30-206 (LS) - To amend 19GCA §36113, relative to the right of redemption.

BILL NO. 30-219 (LS) - To add a new Ch. 72 to 9GCA relative to bias-motivated crimes.

BILL NO. 30-232 (COR) - To authorize DMHSA to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam Permanent Injunction.

1:00 PM - 5:00 PM - CONFIRMATION HEARINGS:

• **APPOINTMENT OF LILLIAN PEREZ-POSADAS**, Member, GMHA Board of Trustees.

• **APPOINTMENT OF ALBERTO E. TOLENTINO** as Magistrate Judge, Judiciary of Guam.

5:00 PM:

BILL NO. 30-158 (COR) - To amend Sect. 3101, 3104 and 3107 all of Ch. 3, 19GCA, relative to validity of marriage.

BILL NO. 30-185 (COR) - To add a new Ch. 16, 19GCA, relative to Domestic Partnerships.

BILL NO. 30-212 (LS) - To add a new Ch. 16 to Div. 1, 19GCA relative to establishment of Designated Beneficiary Agreements; and citing this act as "Designated Beneficiary Agreement Act of 2009".

To view full text of Bills & Appointments, visit the Guam Legislature website at www.guamlegislat.gov. If written testimonies are to be presented, the Committee requests copies be submitted 1 day prior to hearing date to OFC. OF SEN. FRANK B. AGUON, JR., 231 ARCHBISHOP F.C. FLORES ST., DNA BLDG., STE. 701A, HAGATNA, GU 96910, email aguonfrank@gmail.com, or fax to 969-1497. Individuals requiring special accommodations/services, or for more information, please contact Ron Tachan at 969-1495/6.

THIS AD WAS PAID FOR BY GOVERNMENT FUNDS



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**
I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

AGENDA

THURSDAY, OCTOBER 01, 2009

GUAM LEGISLATURE PUBLIC HEARING ROOM

9:00 AM – 12:00 PM:

- **BILL NO. 144-30 (COR) – FRANK B. AGUON, JR., A.B. PALACIOS, SR.**
An act relative to adding a new Subsection (h) to §51821 of Article 8, Division 2, Chapter 51, Title 10 of the Guam Code Annotated, relative to the reallocation of funding proceeds from the 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam, subject to the approval of the government of Guam financing loan application with the U.S. Department of Agriculture.
- **BILL NO. 30-179 (COR) – B.J.F. CRUZ, R.J. RESPICIO, T.R. MUNA BARNES**
An act to add a new §51821 (a) to Article 8, of Chapter 51 of Title 10 Guam Code Annotated to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.
- **BILL NO. 30-181 (COR) – FRANK B. AGUON, JR.**
An act to amend Section 3160.1 of Title 7 Guam Code Annotated, relative to Superior Court Judges annual compensation adjustment.
- **BILL NO. 30-195 (COR) – V.C. PANGELINAN**
An act to repeal and re-enact §51821 of Article 8, of Chapter 51, Title 10 Guam Code Annotated, relative to the use of proceeds of sale of bonds.
- **BILL NO. 30-206 (LS) – B.J.F. CRUZ**
An act to amend 18 GCA §36113, relative to the Right of Redemption.
- **BILL NO. 30-219 (LS) – E.J.B. CALVO, RAY TENORIO, B.J.F. CRUZ**
An act to add a new Chapter 72 to 9 GCA relative to bias-motivated crimes.
- **BILL NO. 30-232 (COR) – FRANK B. AGUON, JR.**
An act to authorize Department of Mental Health and Substance Abuse to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam *Permanent Injunction*.

1:30 PM – 5:00 PM:

- **APPOINTMENT OF LILLIAN PEREZ-POSADAS** to serve as a member of the GHMA Board of Trustees.
- **APPOINTMENT OF ALBERTO E. TOLENTINO** as Magistrate Judge, Judiciary of Guam

5:00 PM – COMPLETION:

- **BILL NO. 30-158 (COR) – F.F. BLAS, JR., T.R. MUNA BARNES**
An act to *amend* Sections 3101, 3104 and 3107 all of Chapter 3, Title 19 of the Guam Code Annotated, relative to the validity of marriage.
- **BILL NO. 30-185 (COR) – B.J.F. CRUZ**
An act to add a new Chapter 16, Title 19 Guam Code Annotated, relative to Domestic Partnerships.
- **BILL NO. 30-212 (LS) – J.V. ESPALDON, F.F. BLAS, JR., T.C. ADA**
An act to add a new Chapter 16 to Division 1 of Title 19, Guam Code Annotated, relative to the establishment of Designated Beneficiary Agreements; and citing this Act as the "*Designated Beneficiary Agreement Act of 2009*".



COMMITTEE ON RULES

I Mina'Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

**SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON**

**MAJORITY
MEMBERS:**

**Judith T. Won Pat
SPEAKER**

**Benjamin J. F. Cruz
VICE SPEAKER**

**Tina Rose Muña Barnes
LEGISLATIVE SECRETARY**

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**Vicente C. Pangelinan
SENATOR**

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

July 15, 2010

MEMORANDUM

To: Patricia C. Santos
Clerk of the Legislature

From: Rory J. Respicio
Chairperson, Committee on Rules

**Subject: Supplement to Committee Report
on Substitute Bill No. 179-30 (COR)**

Hafa Adai!

Transmitted herewith is Bill No. 179-30 (COR) As Substituted by the Committee on Economic Development and Further Substituted by the Committee on Rules.

Please attach this document as a "Supplement" to the Committee Report on SBill No. 179-30 (COR). Please make the appropriate indication in your records and forward to MIS for posting on our website.

Si Yu'os ma'åse'!

cc: Senator Frank B. Aguon, Jr., Chairperson, Committee on Econ. Dev.
Vice Speaker Benjamin J.F. Cruz, Sponsor, Bill No. 179

2010 JUL 15 PM 3:59
MIM



COMMITTEE ON RULES

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

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SENATOR**

**MINORITY
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**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

July 15, 2010

The Honorable Judith T. Won Pat, Ed.D.
I Mina' Trenta na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

RE: SBill No. 179-30 (COR) Further Substituted by COR

Hafa Adai Speaker Won Pat:

Substitute Bill No. 179-30 (COR) – "An Act to Add a New §1514 to Chapter 1 of Title 5, Guam Code Annotated, Relative to Obtaining a General Obligation Loan to Acquire, Construct and Equip a Guam Institute Of Cultural Heritage And Natural History" – was reported out on June 30, 2010 by the Committee on Economic Development, Health & Human Services, and the Judiciary.

After additional information was provided to The Committee on Rules, the Committee adopted the attached substitute version, with the majority of the Committee voting "to pass." This Committee hereby reports out Substitute Bill No. 179-30 (COR) As Further Substituted by the Committee on Rules for consideration by *I Mina' Trenta na Liheslaturan Guåhan*.

Committee votes are as follows:

<u>8</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Very Truly Yours,

Rory J. Respicio
Chairperson



COMMITTEE ON RULES

I Mina'Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

Committee Voting Sheet

Bill No. 179-30(COR) – “An Act to Add a New §1514 to Chapter 1 of Title 5, Guam Code Annotated Relative to Obtaining a General Obligation Loan to Acquire, Construct and Equip a Guam Institute of Cultural Heritage and Natural History” – As Substituted by the Committee on Economic Development and Further Substituted by the Committee on Rules.

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
SENATOR RORY J. RESPICIO Chairperson		7/15/10				
SENATOR JUDITH P. GUTHERTZ Vice-Chairperson		7/15/10				
SPEAKER JUDITH T. WON PAT, Ed.D. Member		7/14/10				
VICE-SPEAKER BENJAMIN J.F. CRUZ Member		7/14/10				
LEGISLATIVE SECRETARY TINA ROSE MUÑA BARNES Member		7/15/10				
SENATOR THOMAS C. ADA Member		7/14/10				
SENATOR FRANK B. AGUON, JR. Member						
SENATOR ADOLPHO B. PALACIOS Member		7/14/10				
SENATOR VICENTE C. PANGELINAN Member						
SENATOR FRANK F. BLAS, JR. Minority Member						
SENATOR JAMES V. ESPALDON Minority Member						



COMMITTEE ON RULES

I Mina'Trenta na Liheslaturan Guåhan • 30th Guam Legislature

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**SENATOR
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**Thomas C. Ada
SENATOR**

**Frank B. Aguon, Jr.
SENATOR**

**Adolpho B. Palacios, Sr.
SENATOR**

**Vicente C. Pangelinan
SENATOR**

**Matthew Rector
SENATOR**

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

July 14, 2010

MEMORANDUM

To: All Members
Committee on Rules

From: Senator Rory J. Respicio
Chairperson

Subject: SBill No. 179-30 (COR)

Hafa Adai!

Substituted Bill No. 179-30 (COR) – "An Act to Add a New §1514 to Chapter 1 of Title 5, Guam Code Annotated, Relative to Obtaining a General Obligation Loan to Acquire, Construct and Equip a Guam Institute Of Cultural Heritage And Natural History" – was reported out on June 30, 2010 by the Committee on Economic Development, Health & Human Services, and the Judiciary.

Substitute Bill No. 179 identifies Section 30 funds as the funding source for repayment of the loan authorized by the bill for the purpose of constructing a Guam Institute of Cultural Heritage and Natural History.

A drawback in the pledge of these funds is that payments to Guam by the federal government are based on estimates of what may be due. This has resulted in the government of Guam having to reimburse overpayments.

Since the time this bill was reported out, discussions continued between members of the Guam Museum Foundation, officials from the U.S. Department of Agriculture and the bill's primary sponsor. Discussions centered on acceptable and available sources of funding for debt service, loan term options, and availability of USDA funding for loans.

Concurrent to the above, the chairman of *I Liheslatura's* Committee on Tourism, also the bill's primary sponsor, conducted a further analysis of

Sen RJR Memo to All COR Members
Re: Sub Bill 179-30 (COR)
July 14, 2010
Page 2 of 2

the projected revenue stream into the Tourist Attraction Fund, the Fund's uses, and the viability of the Fund as a source for debt service for the proposed USDA museum construction loan. The chairman, being aware that the governor's executive budget submission calls for appropriations to the Mayors Council of Guam, the Department of Education and funding for the Department of Parks and Recreation beyond what is needed for restroom maintenance, believes that the TAF can be used for payment of the museum loan if the TAF is not used for purposes extraneous to visitor attraction.

Accordingly, the bill's sponsor has proposed a further substituted version of Bill 179 which reflects a change in the repayment source for the proposed loan from Section 30 funds to the TAF. This is attached for your review and consideration. Should the majority of our Committee support either the passage or the reporting out of this version, I will file this report accordingly for consideration by the Body.

Please review the enclosures and indicate your preferred action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'ãse'!

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (Second) Regular Session

Bill No. 30-179 (COR)

As Substituted by the Committee on
Economic Development, Health
& Human Services, and Judiciary;
And Further Substituted by The Committee on Rules

Introduced by:

B.J.F. Cruz
R.J. Respicio
T.R. Muna Barnes

**AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF
TITLE 5, GUAM CODE ANNOTATED RELATIVE TO
OBTAINING A GENERAL OBLIGATION LOAN TO
ACQUIRE, CONSTRUCT AND EQUIP A GUAM
INSTITUTE OF CULTURAL HERITAGE AND
NATURAL HISTORY.**

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

2 **Section 1.** Section 1514 is hereby *added* to Title 5, Guam Code Annotated
3 to read as follows:

4 **“§1514. Authorization to Borrow For the Purpose of Acquiring,**
5 **Constructing and Equipping a Guam Institute of Cultural Heritage and**
6 **Natural History.**

7 (a) Authorization To Borrow. *I Maga'lahen Guåhan* is authorized
8 to borrow on behalf of the government of Guam, including by the issuance
9 of general obligation notes or debt, as provided in this Section, in an
10 aggregate principal amount not to exceed Twenty Million Dollars
11 (\$20,000,000) for purpose of paying of the costs of the acquisition,
12 construction and equipping of a Guam Institute of Cultural Heritage and

1 Natural History, and, in addition, funding necessary reserves and paying
2 expenses incurred in connection with the issuance of such debt not already
3 included in an existing appropriation for or the regular budget of any
4 government agency or instrumentality or public corporation providing any
5 service in connection with the issuance of such debt; provided, however, that
6 such debt may not be issued in an amount that would cause a violation of the
7 debt limitation provisions of 48 USC 1423a (§11 of the Organic Act of
8 Guam).

9 (b) Terms and Conditions Determined by Certificate. The terms
10 and conditions of the debt shall be as determined by *I Maga'lahaen Guåhan*
11 by the execution of a certificate authorizing the issuance of the debt upon or
12 prior to the issuance of the debt; provided, however, that such terms and
13 conditions shall be consistent with this Section, and that the debt shall
14 mature not later than the date thirty (30) years after its date of issuance and
15 shall bear interest at such rates and be sold for such price or prices as shall
16 result in a yield to the holders of the debt not exceeding five percent (5%)
17 per annum.

18 (c) Valid and Binding. The debt authorized by this Section shall
19 constitute the valid and binding general obligation of the government of
20 Guam payable from and secured by a pledge of the revenues derived from
21 the Tourist Attraction Fund. The government of Guam pledges revenues
22 described in Subsection (d) of this Section for the punctual payment of both
23 principal of and interest on the debt and covenants that there shall be
24 collected annually in the same manner and at the same time as government
25 revenue for other purposes is collected, such sum as is required to pay the
26 principal of and interest on the debt. There are hereby appropriated from the

1 Tourist Attraction Fund such sums as may be necessary in each year to equal
2 the amount of money necessary to pay the principal and interest on such
3 debt. All officers charged by law with any duty in the collection of the
4 revenues of the government from which debt service on the debt will be
5 payable shall do every lawful thing necessary to collect such sum. The
6 validity of any such debt shall not be affected by the validity or regularity of
7 any proceedings for the expenditure of the proceeds of the debt.

8 (d) Pledge of Revenues. All or any part of the revenues constituting
9 the Tourist Attraction Fund created by § 30107 of 11 GCA Chapter 30 may
10 be pledged to secure the repayment of any debt or debts created under this §
11 1514 and pay costs incurred in the creation of such debts, subject to any
12 previously created lien on or pledge of such revenues. Any pledge made to
13 secure the debt or debts shall be valid and binding from the time the pledge
14 is made. The revenues pledged and thereafter received by the government of
15 Guam or by any trustee, depository or custodian shall be deposited in a
16 separate account and shall be immediately subject to the lien of such pledge
17 without physical delivery thereof or further act, and the lien of such pledge
18 shall be valid and binding against all parties having claims of any kind in
19 tort, contract or otherwise, against the government of Guam, such trustee,
20 depository or custodian, irrespective of whether the parties have notice
21 thereof. The certificate by which such pledge is created need not be
22 recorded. All revenues pledged are hereby continuously appropriated for the
23 purpose for which they have been pledged.

24 (e) Additional General Obligation Debt. Nothing in this Section
25 shall be construed to prevent the government of Guam from issuing, after
26 appropriate enabling legislation, other general obligations of the government

1 on a parity with or subordinate to the debt authorized by this Section on such
2 terms as may be provided by the certificate pursuant to which the debt is
3 issued.

4 (f) Waiver of Immunity; Submission to Jurisdiction.
5 Notwithstanding any substantive or procedural provision of Chapter 6 of
6 Title 5, Guam Code Annotated, the government of Guam waives immunity
7 from any suit or action in contract on the debt, but does not waive sovereign
8 immunity as to the personal liability of elected officials and employees of
9 the government of Guam. The government hereby submits to the
10 jurisdiction of the Federal District Court for the District of Guam for
11 purposes of any such suit or action in contract on the debt.

12 (g) No Personal Liability. No employee or elected official of the
13 government of Guam shall be individually or personally liable for the
14 payment of any amounts due on any debt issued under this Section, or for
15 any other liability arising in connection with the debt; provided, however,
16 that nothing in this Section shall relieve any employee or elected official
17 from the performance of any ministerial duty required by law.

18 (h) Form of Debt; Covenants; Appointment of Fiduciaries. The
19 technical form and language of the debt, including provisions for execution,
20 exchange, transfer, registration, paying agency, lost or mutilated debt,
21 negotiability, cancellation and other terms or conditions not inconsistent
22 with this Section shall be as specified in the certificate executed by *I*
23 *Maga'lahañ Guåhan* authorizing the issuance of the debt. The certificate
24 shall appoint one or more trustees, co-trustees or other fiduciaries authorized
25 to receive and hold in trust the proceeds of the debt and other moneys
26 relating thereto, to protect the rights of holders of the debt and to perform

1 such other duties as may be specified in the certificate. *I Maga'laha*
2 *Guåhan* is also authorized to execute, on behalf of the government of Guam,
3 any appropriate agreements, certificates or other instruments relating to the
4 debt and the sale of debt.

5 (i) Use of Proceeds from the Sale of the Debt. The proceeds of the
6 debt shall be used and are hereby appropriated to (i) pay the costs of the
7 acquisition, construction and equipping of the Guam Institute of Cultural
8 Heritage and Natural History, (ii) establish necessary reserves, (iii) pay
9 expenses relating to the authorization, sale and issuance of the debt,
10 including, without limitation, printing costs, costs of reproducing
11 documents, legal, financial advisory and accounting fees and charges and
12 other costs, charges and fees in connection with the issuance, sale and
13 delivery of the debt, and (iv) fund capitalized interest on the debt for a
14 period not exceeding twenty-four (24) months.

15 The Guam Institute of Cultural Heritage and Natural History shall
16 include facilities designed to assist in furthering the preservation and
17 presentation of Guam's culture, heritage and history.

18 (j) Permitted Investments. The proceeds of the debt and any
19 moneys relating to the payment of such debt, may be invested in, but only in,
20 the types of investments permitted by the certificate pursuant to which such
21 debt is issued.

22 (k) Approval by Guam Economic Development and Commerce
23 Authority. §50103(k), Title 12, Guam Code Annotated, provides that
24 agencies and instrumentalities of the Government of Guam shall issue debt
25 and other obligations only by means of and through the agency of the Guam
26 Economic Development and Commerce Authority (“GEDCA”). No debt

1 authorized by this Section shall be sold until the board of directors of
2 GEDCA has adopted a resolution approving the sale of such issue.

3 (l) Approval of Voters Not Required. Notwithstanding §§17311 and
4 17312 of Title 17, Guam Code Annotated, the issuance of the debt
5 authorized by this Section shall not be required to be subject to the approval
6 of, or placed before, the voters of Guam.”

7 **Section 3. Approval of Debt.** *I Liheslaturan Guåhan* pursuant to
8 §50103(k), Title 12, Guam Code Annotated, hereby approves the issuance and sale
9 by the government of Guam of debt in a principal amount not to exceed Twenty
10 Million Dollars (\$20,000,000) for the purposes set forth in Section 1514, Title 5,
11 Guam Code Annotated, provided that the conditions to the issuance of such debt
12 shall have been met, such debt have a final maturity date not later than thirty (30)
13 years after their date of issuance, bear interest at such rate and are sold for such
14 price or prices as shall result in a yield to the bondholders not exceeding five
15 percent (5%) per annum, and are issued and sold in the manner, for the purposes
16 and subject to the requirements and limitations provided in Section 1514, Title 5,
17 Guam Code Annotated.



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

2010 JUN 30 PM 2:47

WJM

June 24, 2010

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

Honorable Judith T. Won Pat
Speaker
I Mina' Trenta na Liheslaturan Guåhan
155 Hesler Place
Hagatña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report - Bill No. 179-30 (COR), as Substituted.

Dear Speaker Won Pat:

Transmitted herewith is the **Committee Report** on **Bill No. 179-30 (COR)**; **"AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY."** [~~AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY~~], sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes, and referred to the Committee on Economic Development, Health & Human Services, and Judiciary. Bill No. 179-30 (COR) was publicly heard on October 1, 2009.

Committee votes are as follows:

- 6 TO PASS
- _____ NOT TO PASS
- _____ ABSTAIN
- 1 TO REPORT OUT ONLY
- _____ TO PLACE IN INACTIVE FILE

Respectfully,

SENATOR FRANK B AGUAN, JR.
Chairman
Attachment



SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina'Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



COMMITTEE REPORT ON

BILL NO. 179-30 (COR), as Substituted

(by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.)

Bill No. 179-30 (COR); “AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY.”

~~[AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY]~~



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

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June 24, 2010

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

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SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

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LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

MEMORANDUM

To: ALL MEMBERS
Committee on Economic Development, Health & Human Services, and Judiciary

From: SENATOR FRANK B. AGUON, JR.
Committee Chairperson

Subject: Committee Report on Bill No. 179-30 (COR), as Substituted.

Transmitted herewith for your consideration is the Committee Report on **Bill No. 179-30 (COR)**; **"AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY."** [~~AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY~~]", sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative / Digest
- Copy of Substitute Bill No.179-30 (COR)
- Copy of Bill No.179-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 179-30 (COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!

Attachment



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature
 238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
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COMMITTEE VOTING SHEET

Bill No. 179-30 (COR), as Substituted by the Committee — “AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY.”, sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.

~~[AN ACT TO ADD A NEW §51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY]~~

	SIGNATURE	TO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	PLACE IN INACTIVE FILE
FRANK B. AGUON, JR. Chairman		✓				
ADOLPHO B. PALACIOS, SR. Vice Chairman		✓				
BENJAMIN J.F. CRUZ Vice Speaker		✓				
TINA ROSE MUÑA BARNES Legislative Secretary		✓				
THOMAS C. ADA		✓				
JUDITH P. GUTHERTZ						
RORY J. RESPICIO						
FRANK F. BLAS, JR.						
TELO TAITAGUE				✓		
RAY TENORIO						



**COMMITTEE ON ECONOMIC DEVELOPMENT,
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COMMITTEE REPORT DIGEST

Bill No. 179-30 (COR), as Substituted

I. OVERVIEW: The Committee on Economic Development, Health & Human Services, and Judiciary conducted a public hearing on October 1, 2009. The Hearing convened at 09:00 A.M. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **Bill No. 179-30 (COR)** — “AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY”, sponsored by Senator B.J.F. Cruz, Senator R.J. Respicio, and T.R. Muna Barnes.

Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or e-mail to all senators on September 23, 2009, and all main media broadcasting outlets on September 24, 2009 (5-Day Notice), and again on September 28, 2009 (48-Hour Notice). Notices were published in the *Marianas Variety* on September 24, 2009, and in the *Marianas Variety* on September 29, 2010.

Senators Present

Senator Frank B. Aguon, Jr.	Chairperson
Adolpho Palacios	Vice-Chairperson
Senator Thomas C. Ada	Committee Member
Senator Ben Pangelinan	Senator
Senator Eddie Baza Calvo	Senator
Senator Matt Rector	Senator

The public hearing on Bill No. 179-30 (COR) was Called-to-Order at 09:40 A.M.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Anthony C. Blaz, Administrator, Guam Economic Development Agency; submitted written testimony to clarify the process of reprogramming bond proceeds.

Dr. Marilyn C. Salas, Board Co-chair, and Sylvia Flores, Board Secretary, Guam Museum Foundation, Inc.; submitted written testimony IN SUPPORT of Bill No. 179-30.

Chairman: There being no further testimony, or questions by Senators, Chairman Frank B. Aguon, Jr., declared the Bill duly heard, and adjourned the public hearing on Bill No. 179-30 (COR).

III. FINDINGS & RECOMMENDATIONS

The Committee finds that Bill No. 30-179 (COR) is one of many efforts over the years to construct a museum and convention center. The bill was written and introduced in response to representations made that the approval of a sizable loan from the U.S. Department of Agriculture for the construction a new landfill was imminent. Such a loan would allow for the reprogramming of funds authorized under Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated.

The Committee finds that, for many years, Guam's museum facilities have been inadequate and that much of Guam's collection of artifacts are being stored in substandard conditions. Attempts have been made over many years to establish a facility that would adequately store, exhibit, and preserve Guam's historical and cultural artifacts. Further, Guam lacks a facility where residents and visitors alike may learn of Guam's rich history, culture and heritage.

Such a facility is the vision behind the establishment of the Guam Museum Facilities Construction and Cultural Heritage Task Force. The Task Force, in coordination with *I Liheslaturan Guahan*, has worked diligently in planning for the construction of a new museum facility and has expressed its support for Bill No. 30-179.

The Committee further finds that, since the hearing on Bill No. 30-179, the Museum task Force has been negotiating with the U.S. Department of Agriculture in hopes of securing a loan in the amount of \$20 Million for the construction of a new museum facility. Among the conditions required by USDA prior to approval of such a loan is that the facility fall into an allowable category of authorized loans and that the government of Guam specifically authorize and commit funding for the loan repayment.

In the review of Bill No. 179-30 (COR), the Committee took due note of the presentation by Mr. Chris J. Kanazawa, Rural Development State Director for the Hawaii, Western Pacific and American Samoa, U.S. Department of Agricultural, which indicates the loan/grant application for Guam's proposed Institute of Cultural Heritage and Natural History (attached – see page 11). The amount of the loan/grant in the presentation is for \$25M. However, the aggregate amount has since been reduced with the loan portion now being \$20M, and the grant at approximately \$2M. At a meeting held on June 14, 2010 with Mr. Kanazawa, Mr. Joe Diego of the local USDA office, and members of the Museum Task Force, the primary sponsor of Bill No. 30-179 was informed by Mr. Kanazawa that, as USDA's funding source for the loan/grant comes from ARRA funds, action by the government of Guam authorizing the loan/grant must take place by early July 2010 in order to ensure reservation of the funds.

To comply with the former requirement, the task Force has expanded the scope of its project beyond the construction of a museum to a Guam Institute of Cultural Heritage and Natural History. The latter requirement is addressed herein through the substitution of Bill No. 179-30 (COR) to authorize *I Magalahen Guahan* to borrow funds for the construction of a Guam Institute of Cultural Heritage and Natural History.

Substantive amendments were made to the Bill, at the request of the authors, inclusive of the title, which, as substituted, now reads:

“AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF TITLE 5, GUAM CODE

ANNOTATED, RELATIVE TO OBTAINING A GENERAL OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP A GUAM INSTITUTE OF CULTURAL HERITAGE AND NATURAL HISTORY.”

~~[AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY]~~

The Committee on Economic Development, Health & Human Services, and Judiciary, therefore, being cognizant that a cultural center is a vital component of the overall effort to preserve and protect Guam’s culture and heritage, substitutes Bill No. 30-179 in order to allow for the purposes stated herein, and hereby **reports out Bill No. 179-30 (COR), as Substituted by the Committee,** with the recommendation to PASS.

for

**I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session**

2009 JUL 17 PM 3:05 *me*

Bill No. 30-179(COR)

Introduced by:

B.J.F. CRUZ
R.J. RESPICIO
T.R. MUÑA BARNES

AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 51821 (a) is added to Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated to read:

"§ 51821 (a). Additional payments that shall be made out of proceeds of bonds. The amount of payments made from the proceeds of grants and loans given to the government of Guam from the United States Department of Agriculture for the purposes set out in § 51821 of this Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated, shall be subtracted from the amount authorized to be paid for the purposes set out in the above cited § 51821, and instead these additional bond proceeds shall be used for the following purposes:

1 (1.) acquisition, construction, operation and maintenance
2 of a multi-purpose cultural, convention and performing arts
3 center;

4 (2.) acquisition, construction, operation and maintenance
5 of a Guam museum facility.

o

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (Second) Regular Session

Bill No. 30-179 (COR)
As Substituted by the Committee on
Economic Development, Health
& Human Services, and Judiciary

Introduced by:

B.J.F. Cruz
R.J. Respicio
T.R. Muna Barnes

**AN ACT TO ADD A NEW §1514 TO CHAPTER 1 OF
TITLE 5, GUAM CODE ANNOTATED RELATIVE TO
OBTAINING A GENERAL OBLIGATION LOAN TO
ACQUIRE, CONSTRUCT AND EQUIP A GUAM
INSTITUTE OF CULTURAL HERITAGE AND
NATURAL HISTORY.**

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

2 **Section 1.** Section 1514 is hereby *added* to Title 5, Guam Code Annotated
3 to read as follows:

4 **“§1514. Authorization to Borrow For the Purpose of Acquiring,**
5 **Constructing and Equipping a Guam Institute of Cultural Heritage and**
6 **Natural History.**

7 (a) Authorization To Borrow. *I Maga'lahen Guåhan* is authorized
8 to borrow on behalf of the government of Guam, including by the issuance
9 of general obligation notes or debt, as provided in this Section, in an
10 aggregate principal amount not to exceed Twenty Million Dollars
11 (\$20,000,000) for purpose of paying of the costs of the acquisition,
12 construction and equipping of a Guam Institute of Cultural Heritage and

1 Natural History, and, in addition, funding necessary reserves and paying
2 expenses incurred in connection with the issuance of such debt not already
3 included in an existing appropriation for or the regular budget of any
4 government agency or instrumentality or public corporation providing any
5 service in connection with the issuance of such debt; provided, however, that
6 such debt may not be issued in an amount that would cause a violation of the
7 debt limitation provisions of 48 USC 1423a (§11 of the Organic Act of
8 Guam).

9 (b) Terms and Conditions Determined by Certificate. The terms
10 and conditions of the debt shall be as determined by *I Maga'lahañ Guåhan*
11 by the execution of a certificate authorizing the issuance of the debt upon or
12 prior to the issuance of the debt; provided, however, that such terms and
13 conditions shall be consistent with this Section, and that the debt shall
14 mature not later than the date thirty (30) years after its date of issuance and
15 shall bear interest at such rates and be sold for such price or prices as shall
16 result in a yield to the holders of the debt not exceeding five percent (5%)
17 per annum.

18 (c) Valid and Binding. The debt authorized by this Section shall
19 constitute the valid and binding general obligation of the government of
20 Guam payable from and secured by a pledge of the revenues described in
21 Subsection (d) of this Section. The government of Guam pledges revenues
22 described in Subsection (d) of this Section for the punctual payment of both
23 principal of and interest on the debt and covenants that there shall be
24 collected annually in the same manner and at the same time as government
25 revenue for other purposes is collected, such sum as is required to pay the
26 principal of and interest on the debt. There are hereby appropriated from the

1 General Fund such sums as may be necessary in each year to equal the
2 amount of money necessary to pay the principal and interest on such debt.
3 All officers charged by law with any duty in the collection of the revenues of
4 the government from which debt service on the debt will be payable shall do
5 every lawful thing necessary to collect such sum. The validity of any such
6 debt shall not be affected by the validity or regularity of any proceedings for
7 the expenditure of the proceeds of the debt.

8 (d) Pledge of Section 30 Revenues. All or any part of the revenues
9 derived by the government of Guam under Section 30 of the Organic Act
10 may be pledged to secure the repayment of any debt or debts created under
11 this § 1514 and pay costs incurred in the creation of such debts, subject to
12 any previously created lien on or pledge of such revenues. Any pledge made
13 to secure the debt or debts shall be valid and binding from the time the
14 pledge is made. The revenues pledged and thereafter received by the
15 government of Guam or by any trustee, depository or custodian shall be
16 deposited in a separate account and shall be immediately subject to the lien
17 of such pledge without physical delivery thereof or further act, and the lien
18 of such pledge shall be valid and binding against all parties having claims of
19 any kind in tort, contract or otherwise, against the government of Guam,
20 such trustee, depository or custodian, irrespective of whether the parties
21 have notice thereof. The certificate by which such pledge is created need not
22 be recorded. All revenues pledged are hereby continuously appropriated for
23 the purpose for which they have been pledged.

24 (e) Additional General Obligation Debt. Nothing in this Section
25 shall be construed to prevent the government of Guam from issuing, after
26 appropriate enabling legislation, other general obligations of the government

1 on a parity with or subordinate to the debt authorized by this Section on such
2 terms as may be provided by the certificate pursuant to which the debt is
3 issued.

4 (f) Waiver of Immunity; Submission to Jurisdiction.
5 Notwithstanding any substantive or procedural provision of Chapter 6 of
6 Title 5, Guam Code Annotated, the government of Guam waives immunity
7 from any suit or action in contract on the debt, but does not waive sovereign
8 immunity as to the personal liability of elected officials and employees of
9 the government of Guam. The government hereby submits to the
10 jurisdiction of the Federal District Court for the District of Guam for
11 purposes of any such suit or action in contract on the debt.

12 (g) No Personal Liability. No employee or elected official of the
13 government of Guam shall be individually or personally liable for the
14 payment of any amounts due on any debt issued under this Section, or for
15 any other liability arising in connection with the debt; provided, however,
16 that nothing in this Section shall relieve any employee or elected official
17 from the performance of any ministerial duty required by law.

18 (h) Form of Debt; Covenants; Appointment of Fiduciaries. The
19 technical form and language of the debt, including provisions for execution,
20 exchange, transfer, registration, paying agency, lost or mutilated debt,
21 negotiability, cancellation and other terms or conditions not inconsistent
22 with this Section shall be as specified in the certificate executed by *I*
23 *Maga'lahaen Guåhan* authorizing the issuance of the debt. The certificate
24 shall appoint one or more trustees, co-trustees or other fiduciaries authorized
25 to receive and hold in trust the proceeds of the debt and other moneys
26 relating thereto, to protect the rights of holders of the debt and to perform

1 such other duties as may be specified in the certificate. *I Maga'lahen*
2 *Guåhan* is also authorized to execute, on behalf of the government of Guam,
3 any appropriate agreements, certificates or other instruments relating to the
4 debt and the sale of debt.

5 (i) Use of Proceeds from the Sale of the Debt. The proceeds of the
6 debt shall be used and are hereby appropriated to (i) pay the costs of the
7 acquisition, construction and equipping of the Guam Institute of Cultural
8 Heritage and Natural History, (ii) establish necessary reserves, (iii) pay
9 expenses relating to the authorization, sale and issuance of the debt,
10 including, without limitation, printing costs, costs of reproducing
11 documents, legal, financial advisory and accounting fees and charges and
12 other costs, charges and fees in connection with the issuance, sale and
13 delivery of the debt, and (iv) fund capitalized interest on the debt for a
14 period not exceeding twenty-four (24) months.

15 The Guam Institute of Cultural Heritage and Natural History shall
16 include facilities designed to assist in furthering the preservation and
17 presentation of Guam's culture, heritage and history.

18 (j) Permitted Investments. The proceeds of the debt and any
19 moneys relating to the payment of such debt, may be invested in, but only in,
20 the types of investments permitted by the certificate pursuant to which such
21 debt is issued.

22 (k) Approval by Guam Economic Development and Commerce
23 Authority. §50103(k), Title 12, Guam Code Annotated, provides that
24 agencies and instrumentalities of the Government of Guam shall issue debt
25 and other obligations only by means of and through the agency of the Guam
26 Economic Development and Commerce Authority ("GEDCA"). No debt

1 authorized by this Section shall be sold until the board of directors of
2 GEDCA has adopted a resolution approving the sale of such issue.

3 (l) Approval of Voters Not Required. Notwithstanding §§17311 and
4 17312 of Title 17, Guam Code Annotated, the issuance of the debt
5 authorized by this Section shall not be required to be subject to the approval
6 of, or placed before, the voters of Guam.”

7 **Section 3. Approval of Debt.** *I Liheslaturan Guåhan* pursuant to
8 §50103(k), Title 12, Guam Code Annotated, hereby approves the issuance and sale
9 by the government of Guam of debt in a principal amount not to exceed Twenty
10 Million Dollars (\$20,000,000) for the purposes set forth in Section 1514, Title 5,
11 Guam Code Annotated, provided that the conditions to the issuance of such debt
12 shall have been met, such debt have a final maturity date not later than thirty (30)
13 years after their date of issuance, bear interest at such rate and are sold for such
14 price or prices as shall result in a yield to the bondholders not exceeding five
15 percent (5%) per annum, and are issued and sold in the manner, for the purposes
16 and subject to the requirements and limitations provided in Section 1514, Title 5,
17 Guam Code Annotated.



I MAGA' LAHEN GUAHA
GOVERNOR OF GUA
FELIX P. CAMACH
I SEGUNDO NA MAGA' LAHEN GUAHA
LT. GOVERNOR OF GUA
MICHAEL W. CRUZ M.I
ADMINISTRAD
ADMINISTRAT
ANTHONY C. BL

Aturidad Inadilanton Ikunumihan Guahan

Public Hearing Testimony of Anthony C. Blaz, Administrator
Guam Economic Development Authority (GEDA)
October 1, 2009

Bill No. 144-30 (COR)

An act relative to adding a new subsection (h) to §51821 of Article 8, Division 2, Chapter 51, Title 10 of the Guam Code Annotated, relative to the reallocation of funding proceeds from the 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam, subject to the approval of the Government of Guam Financing Loan Application with the U. S. Department of Agriculture.

Bill No. 179-30 (COR)

An act to add a new § 51821 (a) to Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam museum facility.

Bill No. 195-30 (COR)

An act to repeal and reenact §51821 of Article 8, of Chapter 51, Title 10 Guam Code Annotated relative to the use of proceeds of sale of bonds.

Hafa Adai Senator Frank B. Aguon, Jr., Chairperson, Committee on Economic Development, Health & Human Services, and Judiciary and fellow Senators. I am Anthony Blaz, Administrator of the Guam Economic Development Authority, here to provide written testimony on technical amendments in support of the reprogramming of bond proceeds.

I would like to first commend the author of Bill No. 144-30 on his steps to reprogram the bond proceeds from the 2009 Limited Obligation (Section 30) Bonds due to the recent award by the USDA of an \$88,536,000 loan and \$15,019,300 grant in support of the construction of the new landfill back in July 2009. This bill is most consistent with the current USDA terms in that the Ordot Landfill Closure must still be funded by bond proceeds in the amount of \$40,000,000 as estimated by the Receiver.

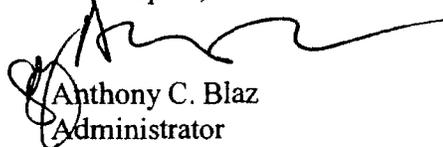
GEDA and the Governor's Office have had extensive communication with USDA in the last few weeks and are in the final stages of completing negotiations of terms and conditions for this loan/grant. Upon completion of the documents, we will then work with the Office of the Attorney General to appeal to the US District Court to accept this new funding source for the new landfill which will then allow the ability for the Government to reprogram the bond proceeds. Note that only until the Courts accept the USDA loan/grant funding source, will bond proceeds be available for reprogramming.

We would like to further affirm that as per bond and tax covenants, bond proceeds can only be appropriated to fund capital improvement projects. Any deviations to fund operating expenses, i.e. tax refunds, could not be funded with bond proceeds from the 2009 Limited Obligation (Section 30) bonds.

We further submit to the committee, additional comments that affirm these points from GEDA bond counsel, Stan Dirks, Orrick, Herrington and Sutcliffe.

Dang'kalo na si Yu'us ma'ase for the opportunity to provide testimony on these bills.

Put Respetu,



Anthony C. Blaz
Administrator



RECEIVED
10-27-09
[Handwritten initials]

October 19, 2009

The Honorable Frank Aguon, Jr.
Senator
Chairman Committee on Economic Development, Health and Judiciary
30th Guam Legislature
155 Hessler Place
Hagatna, Guam 96910

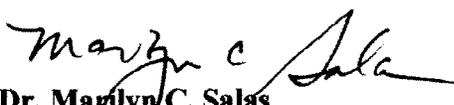
Hafa Adai Senator Aguon, Jr.:

We are humbled and appreciative of the legislature's continued actions and foresight in the promotion and preservation of Guam's history and culture through the museum., therefore on behalf of the Guam Museum Foundation, Inc, we are pleased to submit testimony in support of Bill 179, "An act to authorize the use of bond proceeds for the purpose of constructing a Guam Museum facility".

To value Guam's history, culture and arts, means to achieve tangible resources as you have stated in bill 179, your life long commitment is reaffirmed as bond proceeds are given to assist those whose mission is to focus on and develop the Guam Institute of Natural History and Cultural Heritage, the home of the Guam Museum.

It is a very critical time, especially as USDA representatives have provided guidance, time and resources to the staff and management of the Guam Museum Foundation, Inc.

Si Yu'os Ma'ase,


Dr. Marilyn C. Salas
Co-Chairperson of the board of directors


Sylvia Flores
Secretary of the board of directors

Cc: Chairman of the Board of Directors and members of the Guam Museum task force

238 Archbishop Felixberto Flores Street • DNA Building 4th Floor, Suite 405A Hagatna, Guam 96910
P.O. Box 518 Hagatna, Guam 96932
T: 671-475-4634 F: 671-475-4636 C: 671-488-4634
Email: leona@guammuseum.com Website: www.guammuseum.com



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Chris J. Kanazawa
Rural Development State Director for the
Hawaii, Western Pacific and American Samoa
region
U.S. Department of Agriculture

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USDA RURAL DEVELOPMENT



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Guam

RURAL DEVELOPMENT NATIONAL MISSION



“Increase Economic Opportunity and Improve the Quality of Life for Rural Communities Across the United States, American Samoa and the Western Pacific”

COMMUNITY IMPACT OVER THE PAST 10 YEARS



Access to Capital and Credit of \$319.6 Million

Retention/Creation of Over 1,177 Jobs

Financed \$160.6 Million in Single Family Housing for Over
1,200 Families

Financed \$136.4 Million on Public Infrastructure and
Community Facilities

RURAL DEVELOPMENT PROGRAMS



Over 60 Loan and Grant Programs Providing Access
to Capital and Credit for Rural Communities:

Infrastructure

Single Family and Multi-Family Housing

Business

Community Facilities

Energy Projects



RURAL COMMUNITIES



“What Qualifies as a Rural Community?”

Maximum Population within Census Tracts
(maximum number depends on the program)

Area’s Non-Metropolitan Household Median Income

Loans First and Grants Second



HOUSING PROGRAMS



Housing Programs Offer Grants, Loans and Guaranteed Loans For:

- Single Family Housing
- Housing Repairs & Rehabilitation
- Multi-Family Projects
- Self-Help Home Projects
- Rental Housing Projects



COMMUNITY PROGRAMS



Community Programs Offer Grants, Loans and Guaranteed Loans For:

- Community Facilities
- Water and Environmental Projects
- Electric Projects
- Telecommunication Projects including Broadband and Distance Learning and Telemedicine



BUSINESS PROGRAMS



Business Programs Offer Grants and Guaranteed Loans

For:

- Rural Business Startups and Expansions
- Rural Business Acquisitions
- Revolving Fund for Construction, Buildings, Plants, Infrastructure, Utilities
- Technical Assistance and Leadership Training
- Rural Cooperative Startups
- Energy Projects



CONTACT INFORMATION



Website: <http://www.rurdev.usda.gov>

Hawaii State Office

Timothy O'Connell, Assistant to the State Director

154 Waianuenue Ave.

Federal Building, Suite 311

Hilo, Hawaii 96720

(808) 933-8380

Guam Office

Joseph Diego, Area Director

First Hawaiian Bank Bldg., Suite 303

400 Route 8

Hagatna, GU 96910-2011

(671) 472-7361



CURRENT ACTIVITES



Guam Layon Landfill - \$103 Million Loan and Grant

Guam Wastewater Authority - \$39 Million Loan and Grant

Port Authority of Guam - \$50 Million Loan and Grant in Collaboration
with a DoD \$50 Million Grant

Guam Community College - \$2.25 Million Loan and Grant

Guam Institute of Cultural Heritage and Natural History
(Library/Museum) - \$25 Million Loan and Grant

Sagan Bonita 56-Unit Affordable Housing Subdivision - \$15.3 Million
in Collaboration with Guam Housing & Urban Renewal Authority



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COMMITTEE ON RULES

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

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SENATOR**

July 22, 2009

MEMORANDUM

**To: Pat Santos
Clerk of the Legislature**

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

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

Subject: Referral of Bill Nos. 30-179 to 30-182 and 30-184

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 30-179 to 30-182 and 30-184.

Please ensure that the subject bills are referred, in my name, to the respective chairpersons, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'dse'!

(1) Attachment

2009 JUN 23 AM 10:41 M

I Mina'Trenta Na Liheslaturan Guåhan

Bill Log Sheet

Page 1 of 2

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
30-179 (COR)	B. J.F. Cruz, R. J. Respicio, T. R. Muña Barnes	An act to add a new § 51821 (a) to Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated to authorize the use of excess bond proceeds for the purpose of constructing a Multi-Purpose Cultural, Convention and Performing Arts Center, and a Guam Museum Facility.	7-17-09 3:05 p.m.	7-22-09	Committee on Economic Development, Health & Human Services, & Judiciary			
30-180 (COR)	Matt Rector	An act to <i>repeal</i> and <i>reenact</i> § 6201 of 4 GCA Chapter 6 to grant a uniform pay increase of Ten Thousand Eight Hundred Eighty Dollars (\$10,880) to all classified public servants of the government of Guam.	7-17-09 4:42 p.m.	7-22-09	Committee on Labor, the Public Structure, Public Libraries, and Technology			
30-181 (COR)	Frank B. Aguon, Jr.	An act to <i>amend</i> Section 3160.1 of Title 7 Guam Code Annotated, relative to Superior Court Judges annual compensation adjustment.	7-20-09 10:10 a.m.	7-22-09	Committee on Economic Development, Health & Human Services, & Judiciary			

I Mina'Trenta Na Liheslaturan Guahan

Bill Log Sheet

Page 2 of 2

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
30-182 (COR)	E. J. B. Calvo, Ray Tenorio, T. Taitague	An act to amend Section 6 of Public Law 21-14 enacted on April 20, 1991 identified as Lot No. 513, Merizo to reflect the new designated Lot No. 528-2, Municipality of Merizo.	7-20-09 11:04 a.m.	7-22-09	Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land			
30-184 (COR)	v. c. pangelinan	An act to add a new Section (i) Title 21, Chapter 75, §75108 and to add a new Section 21006.1 Title 3, Chapter 21 relative to the Decolonization Registry.	7-20-09 4:15 p.m.	7-22-09	Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs			



SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina'Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



September 23, 2009

MEMORANDUM

TO: Committee Members

FROM: Senator Frank B. Aguon, Jr.

SUBJECT: Public Hearing & Confirmation Hearing, Thursday, October 1, 2009, Guam Legislature Public Hearing Room.

Buenas yan Hafa Adai!

The Committee on Economic Development, Health & Human Services, and Judiciary will hold a public hearing on ten (10) legislative bills, as well as two (2) confirmation hearings, beginning at 09:00AM on Thursday, October 1, 2009, in the Guam Legislature Public Hearing Room.

The public hearing on legislative bills is broken into two (2) sessions, as follows:

1. 09:00 AM to 12:00 Noon
2. 5:00 PM to completion

The two (2) confirmation hearings will be conducted from 1:30 PM to 5:00 PM. The two (2) nominees are:

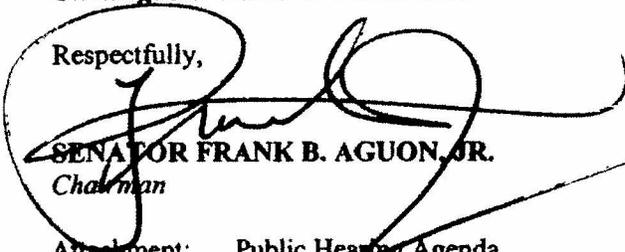
1. Lillian Perez-Posadas, appointed Member, Guam Memorial Hospital Authority Board of Trustees.
2. Alberto E. Tolentino, nominee, Magistrate Judge, Judiciary of Guam.

Please see the attached agenda for the respective times, and a list of the bills to be heard.

If you have any questions, please call my office. Thank you, and I look forward to your participation.

Un dangkolo' Na Si Yu'us Ma'ase'.

Respectfully,


SENATOR FRANK B. AGUON, JR.
Chairman

Attachment: Public Hearing Agenda

Cc: All Senators

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 doc.wytenbechsantos@gmail.com

date Wed, Sep 23, 2009 at 2:20 PM
 subject Public Hearing & Confirmation Hearing Notice
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Buenas yan Hafa Adai!

Please find attached, Notice of Public Hearing & Confirmation Hearing scheduled for Thursday, October 1st, 2009, Guam Legislature Public Hearing Room.

Thank you.
v/r,

Catherine I. Palacios
 Administrative Assistant
 Office of Senator Frank B. Aguon, Jr.
 30th Guam Legislature
 Committee on Economic Development,
 Health & Human Services and Judiciary
 232 Archbishop F.C. Flores Street
 DNA Building, Suite 701A
 Hagatna, Guam 96910
 Ph: 671-969-1495/6
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SENATOR FRANK B. AGUON, JR.

**Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary**
I Mina' Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



PRESS RELEASE

FOR IMMEDIATE RELEASE

September 24, 2009

NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings and in addition to the published notice in the Marianas Variety today, please let this serve as 5 days notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

DATE: Thursday, October 1, 2009
TIME: beginning at 9:00 am
PLACE: Guam Legislature Public Hearing Room

Please see attachment for listing of Bills and Appointments that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Ron Teehan, Committee Director at 969-1495/6.

#####

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AGENDA
Public Hearing
Thursday, 2009.10.01

9:00 AM – 12:00 PM:

BILL NO. 30-144 (COR)

An act relative to adding a new Subsection (h) to §51821 of Article 2, Division 2, Chapter 51, Title 10 GCA, relative to the reallocation of funding proceeds from the 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam, subject to the approval of the Government of Guam Financing Loan Application with the U.S. Department of Agriculture.

BILL NO. 30-179 (COR)

An act to add a new §51821 (a) to Article 8, of Chapter 51 of Title 10 GCA to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.

BILL NO. 30-181 (COR)

An act to amend Section 3160.1 of Title 7 GCA, relative to Superior Court Judges annual compensation adjustment.

BILL NO. 30-195 (COR)

An act to repeal and re-enact §51821 of Article 8, of Chapter 51, Title 10 GCA, relative to the use of proceeds of sale of bonds.

BILL NO. 30-206 (LS)

An act to amend 18 GCA §36113, relative to the Right of Redemption.

BILL NO. 30-219 (LS)

An act to add a new Chapter 72 to 9 GCA relative to bias-motivated crimes.

BILL NO. 30-232 (COR)

An act to authorize DMHSA to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam *Permanent Injunction*.

1:30 PM – 5:00 PM - CONFIRMATION HEARINGS:

- APPOINTMENT OF LILLIAN PEREZ-POSADAS, Member, GMHA Board of Trustees.
- APPOINTMENT OF ALBERTO E. TOLENTINO as Magistrate Judge, Judiciary of Guam.

5:00 PM - COMPLETION:

BILL NO. 30-158 (COR)

An act to *amend* Sections 3101, 3104 and 3107 all of Chapter 3, Title 19 GCA, relative to the validity of marriage.

BILL NO. 30-185 (COR)

An act to add a new Chapter 16, Title 19 GCA; relative to Domestic Partnerships.

BILL NO. 30-212 (LS) – An act to add a new Chapter 16 to Division 1 of Title 19 GCA, relative to the establishment of Designated Beneficiary Agreements; and citing this Act as the "*Designated Beneficiary Agreement Act of 2009*".

PRESS RELEASE Inbox X

from **Frances Lizama** <lizama.frances@gmail.com>
to "KUAM - MATANANE, Sabrina" <sabrina@kuam.com>,
"RIGELL, Clynt" <clynt@kuam.com>,
"K57 / POWER 98 - GIBSON, Ray" <rgibson@k57.com>,
"ARROYO, Patti" <parroyo@k57.com>,
breakfastshowK57@gmail.com,
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Jac Perry <jac@marianasmedia.com>,
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kprg@guam.net

date Thu, Sep 24, 2009 at 10:35 AM
subject **PRESS RELEASE**
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TO ALL:

Hafa Adai. Please see attached Press Release reference to Notice of Public Hearing scheduled for Oct. 1, 2009, conducted by the Comm. on Economic Development, Health & Human Services, and Judiciary.

Should you have any questions, or for more information, please don't hesitate to contact Mr. Ron Teehan, Commit

--
FRANCES S. LIZAMA
Chief of Staff
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature
Committee on Economic Development,
Health & Human Services, and Judiciary
238 Archbishop F.C. Flores St.
DNA Bldg (old PDN), Suite 701A
Hagatna, Guam 96910
Tel: 671.969.1495/6
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Sep 22	12:07PM	Received	4723510	0:19	1	OK
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Sep 22	12:39PM	Received	671 472 3459	0:23	1	OK
			6714723459			
Sep 22	2:27PM	Fax Sent	6482007	1:14	2	OK
Sep 22	2:37PM	Fax Sent	6492007	0:00	0	No document
Sep 22	2:40PM	Fax Sent	6492007	3:03	8	OK
Sep 22	2:46PM	Fax Sent	6482007	5:12	13	OK
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			6714723589			
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			6714754636			
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			6716482007			
Sep 23	2:21PM	Fax Sent	6482007	1:33	2	OK
Sep 23	5:04PM	Fax Sent	6428050	5:13	14	OK
Sep 24	10:44AM	Fax Sent	6379870 - KUAM	0:54	2	OK
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Sep 24	10:47AM	Fax Sent	4773079 - PDN	1:24	2	OK
Sep 24	10:50AM	Fax Sent	4770793 - PNC NEWS	0:50	2	OK
Sep 24	10:52AM	Fax Sent	6482007 - MARIANAS VARIETY	1:05	2	OK
Sep 24	10:54AM	Fax Sent	4772240	0:53	1	Error 350
Sep 24	10:55AM	Fax Sent	4727663 - HIT RADIO 100	0:51	2	OK
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Sep 24	10:59AM	Fax Sent	7342958 - KPRG NEWS	0:52	2	OK
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Sep 24	11:06AM	Fax Sent	4777136 - HARVEST RADIO	1:07	2	OK
Sep 24	11:08AM	Fax Sent	4774678 - JOY 92 FM	0:56	2	OK
Sep 24	11:11AM	Fax Sent	7345483	0:46	0	Cancel
Sep 24	11:20AM	Fax Sent	7343476 - KGTF	1:12	2	OK
Sep 24	1:00PM	Received	477 2522	0:25	1	OK
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✓ SENATOR FRANK B. AGUION, JR., Chairman
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 HEALTH & HUMAN SERVICES, AND JUDICIARY
 1 Miles Treva Na Libertadna Calle - 36th Guam Legislature
 238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagana, Guam 96910
 Tel: (671) 969-1495 • Fax: (671) 969-1497 • Email: aguionfrank@gmail.com

NOTICE OF PUBLIC HEARING
THURSDAY, OCTOBER 01, 2009 9:00 AM
GUAM LEGISLATURE PUBLIC HEARING ROOM

9:00 AM - 12:00 PM:
 BILL NO. 38-144 (COR) - Relative to adding a new Subject. (h) to §51821 of Art. 8, Div. 2, Ch. 51 10CCA, relative to reallocation of funding proceeds from 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam.
 BILL NO. 38-179 (COR) - To add a new § 51821 (e) to Art. 8, Ch. 51, 10CCA to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.
 BILL NO. 38-181 (COR) - To amend Sect. 3160 I, 70CCA, relative to Superior Court Judges Annual Compensation Adjustment.
 BILL NO. 38-195 (COR) - To repeal and reenact §51821, Art. 8, Ch. 51, 10CCA relative to the use of proceeds of sales of bonds.
 BILL NO. 38-206 (LS) - To amend 18CCA §5613, relative to the right of redemption.
 BILL NO. 38-219 (LS) - To add a new Ch. 72 to 9CCA relative to bias-motivated crimes.
 BILL NO. 38-232 (COR) - To authorize DMHSA to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam Permanent Jurisdiction.
1:00 PM - 5:00 PM - CONFIRMATION HEARINGS:
 • APPOINTMENT OF LILLIAN PEREZ-POSADAS, Member, GMHA Board of Trustees.
 • APPOINTMENT OF ALBERTO E. TOLENTINO as Magistrate Judge, Judiciary of Guam.
5:00 PM:
 BILL NO. 38-198 (COR) - To amend Sect. 3101, 3104 and 3107 all of Ch. 3, 19CCA, relative to validity of marriage.
 BILL NO. 38-185 (COR) - To add a new Ch. 16, 19CCA, relative to Domestic Partnerships.
 BILL NO. 38-212 (LS) - To add a new Ch. 16 to Div. 1, 19CCA relative to establishment of Designated Beneficiary Agreements; and citing this act as "Designated Beneficiary Agreement Act of 2009".
 To view full text of Bills & Appointments, visit the Guam Legislature website at www.guamlegislature.gm. If written questions are to be presented, the Committee requests copies be submitted 1 day prior to hearing date to OJC OF SEN. FRANK B. AGUION, JR., 138 ABCBERSHOP F.C. FLORES ST., DNA BLDG., STE 701A, HAGANA, GUAM 96910. Email: aguionfrank@gmail.com, or fax to 648-1497. Individuals requiring special accommodations/services, or for more information, please contact Rosa Terban at 968-14954.

THIS AD WAS PAID FOR BY GOVERNMENT FUNDS



SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina'Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



September 28, 2009

MEMORANDUM

TO: Committee Members

FROM: Senator Frank B. Aguon, Jr.

SUBJECT: SECOND NOTICE; Public Hearing / Confirmation Hearing, Thursday, October 1, 2009, Guam Legislature Public Hearing Room.

Buenas yan Hafa Adai!

The Committee on Economic Development, Health & Human Services, and Judiciary will hold a public hearing on ten (10) legislative bills, as well as two (2) confirmation hearings, beginning at 09:00AM on Thursday, October 1, 2009, in the Guam Legislature Public Hearing Room.

The public hearing on legislative bills is broken into two (2) sessions, as follows:

1. 09:00 AM to 12:00 Noon
2. 5:00 PM to completion

The two (2) confirmation hearings will be conducted from 1:30 PM to 5:00 PM. The two (2) nominees are:

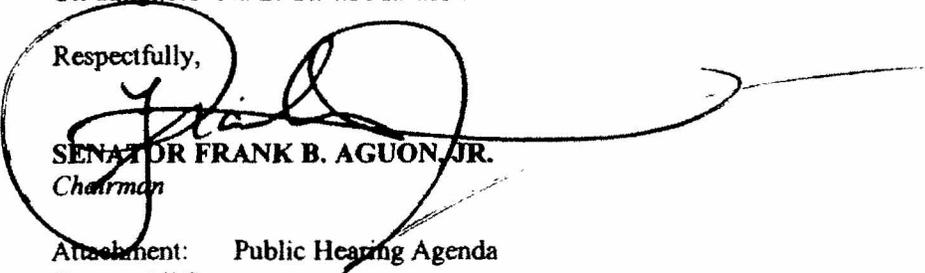
1. Lillian Perez-Posadas, appointed Member, Guam Memorial Hospital Authority Board of Trustees.
2. Alberto E. Tolentino, nominee, Magistrate Judge, Judiciary of Guam.

Please see the attached agenda for the respective times, and a list of the bills to be heard.

If you have any questions, please call my office. Thank you, and I look forward to your participation.

Un dangkolo' Na Si Yu'us Ma'ase'.

Respectfully,


SENATOR FRANK B. AGUON, JR.
Chairman

Attachment: Public Hearing Agenda
Cc: All Senators

2ND NOTICE - Public Hearing 2009.10.01 Inbox X

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from Frances Lizama <lizama.frances@gmail.com>
to "SEN. ADA, Thomas C." <tom@senatorada.org>,
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"ROBERTO, Phil - Sen. Espaldon CoS" <roberto.phil@gmail.com>,
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"SANTOS, Pat" <psantos@guamlegislature.org>,
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"SUNGA, Jay - Sen. Ada" <ajsunga@senatorada.org>,
"TABONARES, Gina - Sen. Aguon" <aguonmedia@gmail.com>,
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"CRUZ, Martha" <mcruz@guamlegislature.org>,
"MATERNE, Nieves" <nieves@guamlegislature.org>

date Mon, Sep 28, 2009 at 5:15 PM
subject 2ND NOTICE - Public Hearing 2009.10.01
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TO ALL:

Please see attached 2nd Notice of Public Hearing from Senator Frank Aguon, Jr. Should you have any questions, please don't hesitate to contact Ron Teehan from our office. Thank you.

FRANCES S. LIZAMA
Chief of Staff
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature
Committee on Economic Development,
Health & Human Services, and Judiciary
238 Archbishop F.C. Flores St
DNA Bldg (old PDN), Suite 701A
Hagatna, Guam 96910
Tel: 671.969.1495/6
Fax: 671.969.1497

 2009.10.01 PH - 2nd Notice.pdf
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SENATOR FRANK B. AGUON, JR.

**Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary**
I Mina' Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



PRESS RELEASE

FOR IMMEDIATE RELEASE

September 28, 2009

NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings and in addition to the published notice in the Marianas Variety today, please let this serve as 2 days notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

DATE: Thursday, October 1, 2009
TIME: beginning at 9:00 am
PLACE: Guam Legislature Public Hearing Room

Please see attachment for listing of Bills and Appointments that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Ron Teehan, Committee Director at 969-1495/6.

#####

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Marianas Media / Guam News Factor	477-2240
Hit Radio 100	472-7663
K-Stereo / KISH	477-6411
KPRG News	734-2958
KGTF	734-3476
Adventist Radio	565-2983
Harvest Radio	477-7136
Joy 92FM	477-4678

SECOND NOTICE - Public Hearing - October 1, 2009 Inbox X

from Frances Lizama <lizama.frances@gmail.com> [hide details](#) 2:15 PM (0 minutes ago) [Reply](#)

to adonito@guampdn.com,
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WATANABE, Masako - Guam Gannett <mwatanabe@guam.gannett.com>

date Mon, Sep 28, 2009 at 2:15 PM

subject SECOND NOTICE - Public Hearing - October 1, 2009

mailed-by gmail.com

TO ALL:

Please see attached Second Notice of Public Hearing along with P.H. Agenda which is scheduled for Thursday, Oct. 1, 2009 and will be conducted by the Committee on Economic Development, Health & Human Services, and Judiciary.

Should you have any questions, please don't hesitate to contact Mr. Ron Teehan, Committee Director from our office. Thank you.

FRANCES S. LIZAMA
Chief of Staff
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature
Committee on Economic Development,
Health & Human Services, and Judiciary
238 Archbishop F.C. Flores St.
DNA Bldg (old PDN), Suite 701A
Hagatna, Guam 96910
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Fax: 671.969.1497

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Sep 24	3:19PM	Fax Sent	4723400	1:01	1	OK
Sep 25	9:28AM	Fax Sent	12022249412	1:49	3	OK
Sep 25	11:30AM	Fax Sent	6490145	5:13	14	OK
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Sep 25	2:16PM	Fax Sent	4774826	0:51	2	OK
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Sep 27	12:50PM	Received	4723510 6714723589	0:30	2	OK
Sep 27	8:19PM	Received	4723510 6714723589	0:30	2	OK
Sep 28	8:10AM	Received	6716483166 6716483166	0:24	1	OK
Sep 28	8:33AM	Received	6714734236	0:45	0	No fax
Sep 28	2:19PM	Fax Sent	6379870 - KUAM	0:57	2	OK
Sep 28	2:21PM	Fax Sent	4773982	1:27	1	Error 350
Sep 28	2:24PM	Fax Sent	4773982	1:21	1	Error 350
Sep 28	2:28PM	Fax Sent	4773079 - PDN	1:31	2	OK
Sep 28	2:30PM	Fax Sent	4770793 - PNC NEWS	0:54	2	OK
Sep 28	2:32PM	Fax Sent	6482007 - MARIANAS VARIETY	1:13	2	OK
Sep 28	2:35PM	Fax Sent	4727663 - HIT RADIO 100	0:52	2	OK
Sep 28	2:37PM	Fax Sent	4776411 - K-STEREO / KISH	1:20	2	OK
Sep 28	2:40PM	Fax Sent	7342958 - KPRG NEWS	0:51	2	OK
Sep 28	2:42PM	Fax Sent	7343476 - KGTF	1:13	2	OK
Sep 28	2:50PM	Fax Sent	5652983 - ADVENTIST RADIO	2:25	2	OK
Sep 28	2:54PM	Fax Sent	4777136 - HARVEST RADIO	1:09	2	OK
Sep 28	2:56PM	Fax Sent	4774678 *	0:17	0	Cancel
Sep 28	2:57PM	Fax Sent	4774678 *	0:19	0	Cancel
Sep 28	2:58PM	Fax Sent	4777343476	0:17	0	Cancel
Sep 28	2:59PM	Fax Sent	7343476	1:12	2	OK
Sep 28	3:01PM	Fax Sent	4773982 - K-57 / POWER 98	0:51	2	OK
Sep 28	3:11PM	Fax Sent	4774678 *	0:19	0	Cancel
Sep 28	3:14PM	Fax Sent	4774678 *	0:13	0	Cancel

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SENATOR FRANK B. AGUON, JR., Chairman
COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY
I Mfina' Treto Ni Lihelhelwaga Gallew • 30th Guam Legislature
231 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna, Guam 96910
Tel: (671) 949-1495 • Fax: (671) 949-1497 • Email: aguonfrank@gmail.com

NOTICE OF PUBLIC HEARING
THURSDAY, OCTOBER 01, 2009 9:00 AM
GUAM LEGISLATURE PUBLIC HEARING ROOM

- PROGRAM:**
- BILL NO. 30-344 (COR)** - Relative to adding a new Subsec. (b) to §51821 of Act 8, Div. 2, Ch. 51, HGCA, relative to reallocation of funding proceeds from 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam.
 - BILL NO. 30-179 (COR)** - To add a new §51821 (a) to Act 8, Ch. 51, HGCA to authorize the use of census bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.
 - BILL NO. 30-181 (COR)** - To amend Sect. 3160.1, HGCA, relative to Supreme Court Judges Annual Compensation Adjustment.
 - BILL NO. 30-494 (COR)** - To repeal and reenact §51821 of Act 8, Ch. 51, HGCA relative to the use of proceeds of sales of land.
 - BILL NO. 30-286 (LS)** - To amend HGCA §36113 relative to the right of redemption.
 - BILL NO. 30-219 (LS)** - To add a new Ch. 72 to HGCA relative to loan-motivated crimes.
 - BILL NO. 30-232 (COR)** - To authorize DPHSA to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam Permanent Injunction.

CONFIRMATION HEARINGS:
- APPOINTMENT OF LILLIAN PEREZ-POSADAS, Member, GMHA Board of Trustees
- APPOINTMENT OF ALBERTO E. TOLENTINO as Magistrate Judge, Judiciary of Guam

- LEGISLATION:**
- BILL NO. 30-258 (COR)** - To amend Sects. 3101, 3104 and 3107 all of Ch. 3, HGCA, relative to validity of marriage.
 - BILL NO. 30-185 (COR)** - To add a new Ch. 16, HGCA, relative to Domestic Partnerships.
 - BILL NO. 30-222 (LS)** - To add a new Ch. 36 to Div. 1, HGCA relative to establishment of Designated Beneficiary Agreements, and citing this act as Designated Beneficiary Agreement Act of 2009.

To view full text of Bills & Appointments, visit the Guam Legislature website at www.guamlegis.gov. Written testimony are to be prepared, the Committee requests copies be submitted 1 day prior to hearing date to ODC, OF SEN. FRANK B. AGUON, JR., 231 ARCHBISHOP F.C. FLORES ST., DNA BLDG., STE 701A, HAGATNA, GU 96910, email aguonfrank@gmail.com, or fax to 949-1497. Individuals requiring special accommodations/services, or for more information, please contact Rose Tisham at 949-1495A.

THIS AD WAS PAID FOR BY GOVERNMENT FUNDS



COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY

I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

AGENDA

THURSDAY, OCTOBER 01, 2009
GUAM LEGISLATURE PUBLIC HEARING ROOM

9:00 AM – 12:00 PM:

- **BILL NO. 144-30 (COR) – FRANK B. AGUON, JR., A.B. PALACIOS, SR.**
An act relative to adding a new Subsection (h) to §51821 of Article 8, Division 2, Chapter 51, Title 10 of the Guam Code Annotated, relative to the reallocation of funding proceeds from the 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam, subject to the approval of the government of Guam financing loan application with the U.S. Department of Agriculture.
- **BILL NO. 30-179 (COR) – B.J.F. CRUZ, R.J. RESPICIO, T.R. MUNA BARNES**
An act to add a new §51821 (a) to Article 8, of Chapter 51 of Title 10 Guam Code Annotated to authorize the use of excess bond proceeds for the purpose of constructing a multi-purpose cultural, convention and performing arts center, and a Guam Museum facility.
- **BILL NO. 30-181 (COR) – FRANK B. AGUON, JR.**
An act to amend Section 3160.1 of Title 7 Guam Code Annotated, relative to Superior Court Judges annual compensation adjustment.
- **BILL NO. 30-195 (COR) – V.C. PANGELINAN**
An act to repeal and re-enact §51821 of Article 8, of Chapter 51, Title 10 Guam Code Annotated, relative to the use of proceeds of sale of bonds.
- **BILL NO. 30-206 (LS) – B.J.F. CRUZ**
An act to amend 18 GCA §36113, relative to the Right of Redemption.
- **BILL NO. 30-219 (LS) – E.J.B. CALVO, RAY TENORIO, B.J.F. CRUZ**
An act to add a new Chapter 72 to 9 GCA relative to bias-motivated crimes.
- **BILL NO. 30-232 (COR) – FRANK B. AGUON, JR.**
An act to authorize Department of Mental Health and Substance Abuse to recruit and retain an Attorney-at-Law that will provide legal advice and guidance regarding departmental services, to include on-going compliance with the U.S. District Court of Guam *Permanent Injunction*.

1:30 PM – 5:00 PM:

- **APPOINTMENT OF LILLIAN PEREZ-POSADAS** to serve as a member of the GHMA Board of Trustees.
- **APPOINTMENT OF ALBERTO E. TOLENTINO** as Magistrate Judge, Judiciary of Guam

5:00 PM – COMPLETION:

- **BILL NO. 30-158 (COR) – F.F. BLAS, JR., T.R. MUNA BARNES**
An act to *amend* Sections 3101, 3104 and 3107 all of Chapter 3, Title 19 of the Guam Code Annotated, relative to the validity of marriage.
- **BILL NO. 30-185 (COR) – B.J.F. CRUZ**
An act to add a new Chapter 16, Title 19 Guam Code Annotated, relative to Domestic Partnerships.
- **BILL NO. 30-212 (LS) – J.V. ESPALDON, F.F. BLAS, JR., T.C. ADA**
An act to add a new Chapter 16 to Division 1 of Title 19, Guam Code Annotated, relative to the establishment of Designated Beneficiary Agreements; and citing this Act as the "*Designated Beneficiary Agreement Act of 2009*".

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 30-179(COR)

Introduced by:

B.J.F. CRUZ
R.J. RESPICIO
T.R. MUÑA BARNES

2009 JUL 17 PM 3:05 PM

AN ACT TO ADD A NEW § 51821 (a) TO ARTICLE 8 OF CHAPTER 51 OF TITLE 10 OF THE GUAM CODE ANNOTATED TO AUTHORIZE THE USE OF EXCESS BOND PROCEEDS FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE CULTURAL, CONVENTION AND PERFORMING ARTS CENTER, AND A GUAM MUSEUM FACILITY.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. A new § 51821 (a) is added to Article 8 of Chapter 51 of Title
3 10 of the Guam Code Annotated to read:

4 "§ 51821 (a). Additional payments that shall be made out of
5 proceeds of bonds. The amount of payments made from the proceeds of
6 grants and loans given to the government of Guam from the United
7 States Department of Agriculture for the purposes set out in § 51821 of
8 this Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated,
9 shall be subtracted from the amount authorized to be paid for the
10 purposes set out in the above cited § 51821, and instead these additional
11 bond proceeds shall be used for the following purposes:

1 (1.) acquisition, construction, operation and maintenance
2 of a multi-purpose cultural, convention and performing arts
3 center;

4 (2.) acquisition, construction, operation and maintenance
5 of a Guam museum facility.

o