



Office of the Governor of Guahan

P.O. Box 2950 Hagåtña, GU 96932
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2010 AUG 19 AM 10:47

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

AUG 19 2010

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

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 359-30 (COR) "AN ACT TO ADD NEW SUBSECTIONS (a), (b) AND (c) TO §76212 OF ARTICLE 2, CHAPTER 76 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE TRANSFER OF ALL PREHISTORIC AND HISTORIC PROPERTIES, ANTIQUITIES, AND OBJECTS OWNED BY THE PEOPLE OF GUAM, OR IN THE INVENTORY OF THE GOVERNMENT OF GUAM, WITHOUT LEGISLATIVE CONCURRENCE", which was enacted into law without the Governor's signature. The legislation is now designated as Public Law No. 30-180.

Sinseru yan Magâhet,

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

Attachment: copy of Bill

Office of the Speaker
Judith T. Won Pat, Ed.D.
Date: 8/19/10
Time: 10:48
Received by: [Signature]
30-10-0713

2209

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

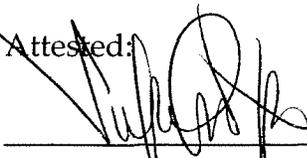
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 359-30 (COR), "AN ACT TO ADD NEW SUBSECTIONS (a), (b) AND (c) TO §76212 OF ARTICLE 2, CHAPTER 76 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE TRANSFER OF ALL PREHISTORIC AND HISTORIC PROPERTIES, ANTIQUITIES, AND OBJECTS OWNED BY THE PEOPLE OF GUAM, OR IN THE INVENTORY OF THE GOVERNMENT OF GUAM, WITHOUT LEGISLATIVE CONCURRENCE," returned without approval of *I Maga'lahaen Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 16th day of August, 2010, to pass said bill notwithstanding the veto of *I Maga'lahaen Guåhan* by a vote of thirteen (13) Members.



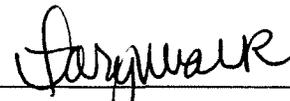
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17th day of Aug., 2010, at 4:40 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

Public Law No. 30-180

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

Bill No. 359-30 (COR)

As amended on the Floor.

Introduced by:

Judith P. Guthertz, DPA

T. C. Ada

V. Anthony Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

T. R. Muña Barnes

Adolpho B. Palacios, Sr.

v. c. pangelinan

R. J. Respicio

Telo Taitague

Ray Tenorio

Judith T. Won Pat, Ed.D.

**AN ACT TO ADD NEW SUBSECTIONS (a), (b) AND (c)
TO §76212 OF ARTICLE 2, CHAPTER 76 OF TITLE 21,
GUAM CODE ANNOTATED, RELATIVE TO
PROHIBITING THE TRANSFER OF ALL
PREHISTORIC AND HISTORIC PROPERTIES,
ANTIQUITIES, AND OBJECTS OWNED BY THE
PEOPLE OF GUAM, OR IN THE INVENTORY OF THE
GOVERNMENT OF GUAM, WITHOUT LEGISLATIVE
CONCURRENCE.**

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

2 **Section 1.** New Subsections (a), (b) and (c) are hereby *added* to §76212
3 of Article 2, Chapter 76 of Title 21, Guam Code Annotated, to read:

4 “(a) The transfer of prehistoric and historic properties, antiquities,
5 and objects returned to and in the inventory of the government of Guam to
6 entities, governments, *or* organizations outside of the territorial limits of the
7 Island of Guam *shall not* be effectuated without legislative concurrence.

8 (b) The Department *shall* assist the legislative committee with
9 oversight over the Department’s State Historic Preservation Office, in
10 drafting a Legislative Resolution for legislative concurrence. Such
11 Resolution *shall* be considered a substantive Resolution and require a public
12 hearing, committee report, and *shall* be included on the Session agenda for
13 debate or discussion during Legislative Session.

14 (c) The Resolution *shall* request specifically, to transfer historical
15 objects to entities, governments, or organizations outside of the territorial
16 limits of the Island of Guam. The Resolution *shall* indicate the complete
17 inventory of historical object(s) to be transferred, the location the historical
18 object(s) is/are proposed to be transferred to, and the length of time the
19 affected historical object(s) *shall* remain outside the territorial limits of the
20 Island of Guam.”

Overridden

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2010 (SECOND) Regular Session

Date: 08/16/10

VOTING SHEET

Vetoed

Bill No. 359-30(COR)

Resolution No. _____

Question: Notwithstanding the objections of the Governor's veto, should I Liheslaturan Guahan override Vetoed Bill No. 359-30(COR)?

<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

13

2

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

Senator Benjamin J.F. Cruz
VICE SPEAKER

CHAIRMAN, COMMITTEE ON TOURISM, CULTURAL AFFAIRS,
YOUTH AND PUBLIC BROADCASTING



I Mina'Trenta na Liheslaturan Guåhan

THIRTIETH GUAM LEGISLATURE

155 HESLER PLACE, HAGÁTÑA, GUAM 96910 • senadorbjcruz@gmail.com

TELEPHONE: (671) 477-2520/1 • FACSIMILE: (671) 477-2522

April 19, 2010

The Honorable Judith T. Won Pat, Ed.D
Speaker

I Mina' Trenta Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

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

2010 APR 20 PM 4: 14

RE: Committee Report on Bill No. 359-30 (COR)

Madam Speaker:

Transmitted herewith is the Committee Report on **Bill No. 359-30 (COR)** – “An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence,” sponsored by J.P. Guthertz and referred to the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting.

Committee votes are as follows:

 4 TO DO PASS

 TO DO NOT PASS

 1 TO REPORT OUT ONLY

 TO ABSTAIN

 TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Si Yu'os Ma'ase for your attention to this matter.

Sincerely,

Benjamin J.F. Cruz
Chairman



COMMITTEE REPORT ON

BILL NO. 359-30 (COR)

J.P. GUTHERTZ

AN ACT TO ADD A SUBITEM (a) to
§76212 OF ARTICLE 2, CHAPTER 76
OF TITLE 21, GUAM CODE
ANNOTATED; TO PROHIBIT THE
TRANSFER OF ALL PREHISTORIC
AND HISTORIC PROPERTIES,
ANTIQUITIES, AND OBJECTS
OWNED BY THE PEOPLE OF GUAM
OR IN THE INVENTORY OF THE
GOVERNMENT OF GUAM, WITHOUT
LEGISLATIVE CONCURRENCE



April 19, 2010

MEMORANDUM

To: All Members
Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

From: Vice Speaker Benjamin J.F. Cruz 
Committee Chairperson

Subject: Committee Report on Bill No. 359-30 (COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 359-30 (COR) – “An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence,” sponsored by J.P. Guthertz.

This report includes the following:

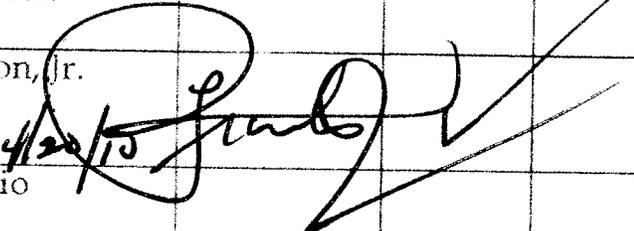
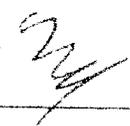
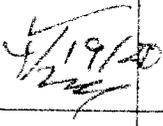
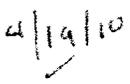
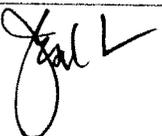
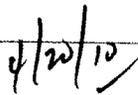
- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 359-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 359-30 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agenda

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'us ma'ase'!

COMMITTEE VOTING SHEET
 COMMITTEE ON TOURISM, CULTURAL AFFAIRS, YOUTH, AND PUBLIC
 BROADCASTING

Bill No. 359-30 (COR) -- J.P. Guthertz -- "An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence"

Senators	Signature	To Do Pass	To Do Not Pass	To Report Out Only	To Abstain	To Place In Inactive File
Benjamin J.F. Cruz Chairperson						
Tina Rose Muna-Barnes Vice Chairperson						
Frank B. Aguon, Jr.						
Rory J. Respicio						
Judith P. Guthertz						
Thomas C. Ada						
Telo Taitague						
Ray Tenorio						
James Espaldon						



COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting convened a public hearing on Wednesday, April 14, 2010 at 9:00 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 359-30 (COR) "An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence," sponsored by J.P. Guthertz.

Public Notice Requirements

All legal requirements for public notices were met. Notices were disseminated via hand-delivery and facsimile to all senators and all local media outlets on April 7, 2010, and again on April 12, 2010 with requests for publication in the Marianas Variety and the Pacific Daily News. Notice of the hearing was printed in the Pacific Daily News on Wednesday, April 7, and Monday, April 12, and was also announced on Committee Chair B.J. Cruz's website and the Guam Legislature's website.

Senators Present

Frank B. Aguon, Jr., Acting Chairperson
Vicente A. Ada
Telo Taitague
Judith P. Guthertz
Eddie Baza Calvo
Adolpho B. Palacios, Sr.

The public hearing was called to order at 9:00 a.m.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Acting Chair Frank B. Aguon, Jr. announced hearing of Bill No. 359-30 (COR) and invited the bill sponsor, Senator Judith P. Guthertz, to make opening remarks.

Sen. Guthertz read Bill No. 359 and stated, as chair of the Ethics Committee, she was concerned over the current state of antiquities and the fate of yet undiscovered artifacts that might be affected by the military buildup. She wrote this legislation to insure that antiquities are not arbitrarily given away. If supported, legislative concurrence except for scientific purposes would be needed for the transfer of said artifacts. This, she said, will help maintain inventory and add prestige to objects in questions—specifically for artifacts to be sent to off-island museums, research centers, and other such institutions. She looks forward to a designated agency required to work with the Legislature when coordinating transfer of items with off-island entities.



Anthony Ramirez, Guam Museum, provided oral testimony in **support** of Bill No. 359. He stated, however, there are not only physical objects but also intellectual objects, such as the pictographs in caves and other cultural icons, which may be used by other enterprises that are not on island. Something that concerns him is, in some areas of modern research, the genes of certain people or organic material are being studied and somehow made available for patent by a private entity. As an example, he mentioned Hawaii's issue with the genetic content of taro. He affirmed his hope that this bill covers intellectual property. A second issue of concern is the repatriation of artifacts that are off island. Guam, he said, needs financial support for a proper repository so that artifacts may be well maintained. Recently, properties have been returned to Guam (1898 map returned by Navy daughter born in Guam; Guam Recorder, pictures), so there is interest in repatriating objects but he insisted Guam have the proper repository.

Sen. Aguon said he believes, even if an object is on private property, if it is of cultural, historical value, it should be considered owned by the people of Guam. Either the property owner should have it surveyed and evaluated and turned over or offer public access.

Ramirez responded that the idea, if such a site is discovered, is to have it remain intact. Unfortunately, some properties may have limitations. He has experienced it when people have tried to excavate for foundation improvements, they are limited by buried artifacts.

Sen. Aguon suggested determining a way to offset expenses for the landowner if a property has to be condemned due to the discovery of artifacts.

Joseph Garrido provided oral testimony in **support** of the bill. However, he insisted the recognition shall still remain with the Guam Historic Preservation Officer, the officer in charge of the decisions to be made on historic properties on Guam—on and off base. He then recommended a few changes to Bill No. 359: It should stress that the properties in question are actually the heritage of the Chamorro people, not "The People of Guam." If there is going to be a decision to shift historic property, be it approved by the Legislature, it demeans the significance of the property if the decision was made by non-Chamorros.

He then referred to Lines 4 and 5 of page 2 and stated he does not agree with any property of the Chamorro people being shipped off island. He suggested the Legislature instead approve something that will repatriate all of the artifacts. He said the language allowing for removal of objects for "scientific research" is too broad and could allow for objects to be removed for any reason. He is concerned that remains taken for "scientific research" have been used for personal scientific advancement—similar to Mr. Ramirez's comments about intellectual property.

He then referred to Line 9 of Page 1 and asked whether upgrade of the offense of disturbance or taking of historical properties to a felony will also lead to a higher fine. He asked whether there is an interference by which some authority of the Guam Preservation Officer is being overstepped by this bill. The GPO already has delineated responsibilities and authority in Chapter 76 and Garrido wonders if this bill will



interfere with established GPO responsibilities. He suggested an historic policy modeled after Palau's.

Sen. Guthertz clarified that Bill No. 359 only adds a subitem (a) and does not affect a preservation officer's authority or role. In fact, it reinforces it. The only new language is the new subitem (a), page 2 of the bill, lines one through five.

Joseph Artero Cameron provided oral testimony in **support** of Bill No. 359 and said he anticipates a speedy enactment. He agreed with Sen. Aguon that any artifact of great importance to the People of Guam, even if on private property, should be considered the property of the People. He stated he has seen many latte stones on the Artero family's Urunao properties and has personal knowledge of family members who have invited visitors to take artifacts without any official documentation or inspection. Private property should not entitle owners to disseminate artifacts of value to all of the People of Guam. He agreed, also, with Mr. Garrido that, though non-Chamorros may have Guam's heritage in mind, "The People of Guam" should not be the decision makers, rather, it should be the Chamorros.

Sen. Guthertz acknowledged some things may need to be added to the bill: A provision requiring the Historic Preservation Officer and appropriate entities to sit down with the military representatives to negotiate a binding agreement regarding any antiquities on military property or previously claimed by the military. The problem that we have currently, she stated, is that the military has a variation of a museum up at Naval Station, which has a lot of WWII artifacts. This is not open to the general public, though these objects belong to the people of Guam. Sen. Guthertz then assured the Legislature's support of the Historic Preservation Office.

Sen. Taitague stated her support of the bill and asked, who determines the historic significance that qualifies the artifact under this law?

Ramirez responded that the State determines this.

Sen. Taitague recommended enabling the Attorney General to file suit to reclaim artifacts. She then asked what happens when a private citizen takes an artifact.

Ramirez answered, there are signs prohibiting such activity.

Garrido said the HPO determines the archaeological mitigation required when an artifact of historical significance is discovered. He said everybody is allowed to nominate historic property to the Guam Register or the National Register. The process will have to be supported by the significance of the artifact nominated.

Sen. Taitague said she looks forward to the markup meeting when recommendations can be made and amended.

Sen. Calvo affirmed his support of the bill. He asked what is the process by which Guam artifacts have been transferred to the Bishop Museum.



Ramirez explained it occurred in the 1920s when collectors were commissioned by the Bishop Museum to travel to the islands and gather artifacts.

Sen. Calvo clarified then that there wasn't much of an official process.

Garrido wished to reinforce that human remains are not artifacts; they have emotional value attached to them and are not manmade.

Sen. Palacios had no comment.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting finds that far too many artifacts have been taken off island or onto military bases, out of reach of the people of Guam, the people for whom the artifacts have the most significant value: cultural and historical value. The Committee finds that legislative concurrence should be required when evaluating artifacts, but recommends that attention be paid to recommendations of the officials and citizens who testified when this bill is put forth for mark-up and discussion.

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting, to which was referred Bill No. 359-30 (COR), hereby submits these findings to *I Mina' Trenta na Liheslaturan Guåhan* and reports out Bill No. 359-30 (COR) with the recommendation **TO DO PASS**.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) REGULAR SESSION

Bill No. 359-30(COR)

Handwritten notes: "359-30(COR)" and "EJON"

Introduced by:

Judith P. Gutherz, DPA


An Act to Add a Sub Item (a) to § 76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence.

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

2 **Section 1.** A new Sub Item (a) is hereby added to § 76212 of Article 2, Chapter 76 of
3 Title 21, Guam Code Annotated:

4 **"§ 76212. Prehistoric or Historic Objects; Public Property.**

5 The Department shall, subject to the provisions of this Chapter, determine the
6 disposition of such prehistoric *or* historic properties wheresoever located within the
7 territorial limits of the Island of Guam. Any person who disturbs properties of prehistoric
8 or historic significance *or* removes such properties from their sites without approval or
9 concurrence from the Historic Preservation Office *shall* be guilty of a felony of the third
10 degree.

11 When a private landowner *or* lessee in the territory discovers properties which may
12 be of historic significance on his property, he *shall* report the location of such objects,
13 without disturbing the properties, to the Department. All prehistoric and historic
14 properties *shall* be returned to the people of Guam, with the Guam Museum serving as the
15 depository for said properties.

1 (a) the transfer of all prehistoric and historic properties, antiquities, and objects
2 returned to, or owned by the people of Guam, and in the inventory of the government of
3 Guam; to entities, governments, or organizations outside of the territorial limits of the
4 Island of Guam shall not be effectuated without legislative concurrence, except for
5 scientific research and testing that otherwise could not be performed in Guam.

Senator Benjamin J.F. Cruz
VICE SPEAKER

CHAIRMAN, COMMITTEE ON TOURISM, CULTURAL AFFAIRS,
YOUTH AND PUBLIC BROADCASTING



I Mina'Trenta na Libeslaturan Guåban
THIRTIETH GUAM LEGISLATURE

155 HESLER PLACE, HAGÁTÑA, GUAM 96910 • senadorbjcruz@gmail.com
TELEPHONE: (671) 477-2520/1 • FACSIMILE: (671) 477-2522

April 2, 2010

Bertha Duenas
Director
Bureau of Budget and Management Research
P.O. Box 2950
Hagåtña, Guam 96932
(671) 472-2825

RE: Fiscal Note for Bill No. 359-30

Dear Ms. Duenas:

Hafa adai. Please be informed that my office will conduct a public hearing of Bill No. 359-30 (COR), attached, in May.

Please provide a fiscal note of the bill.

Sincerely,

Benjamin J.F. Cruz

Last Transaction

Date	Time	Type	Identification	Duration	Pages	Result
Apr 2	9:21am	Fax Sent	4722825 BEMK	0:39	3	OK

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner

Log for

477-2522
Apr 02 2010 9:22am



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

FELIX PEREZ CAMACHO
GOVERNOR

BERTHA M. DUENAS
DIRECTOR

MICHAEL W. CRUZ, M.D.
LIEUTENANT GOVERNOR

APR 12 2010

The Bureau requests that Bill No. 359-30 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The Bill proposes to add Sub Item (a) to §76212 of Article 2, Chapter 76 of Title 21, GCA, which stipulates that legislative concurrence is required *prior* to the transfer of all prehistoric and historic properties, antiquities, and objects returned to, or owned by the people of Guam, and in the inventory of the government of Guam, to entities, governments, or organizations outside of Guam, except for those used for scientific research and testing that otherwise could not be performed in Guam.

The intent of the Bill is administrative in nature, as submitted for Legislative consideration.

BERTHA M. DUENAS
Director

RECEIVED
DATE: 4/15/10



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

**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**

**Thomas C. Ada
SENATOR**

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

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

**Vicente C. Pangelinan
SENATOR**

**MINORITY
MEMBERS:**

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

**James V. Espaldon
SENATOR**

April 1, 2010

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 Bills No. 358-30(COR) and 359-30(COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 358-30(COR) and 359-30(COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, 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 Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

472-7679-1 01 3 32 M

I Mina'Trenta Na Liheslaturan Guåhan
Bill Log Sheet
 Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B358-30 (COR)	T. R. Muña Barnes	An act to <i>amend</i> §18114 of Chapter 18 of Title 10, Guam Code Annotated relative to the eligibility and qualification for reciprocity under the Barbering and Cosmetology Act of 2000.	3/31/10 4:17 p.m.	4/1/10	Committee on Economic Development, Health and Human Services, and Judiciary			
B359-30 (COR)	Judith P. Guthertz, DPA	An act to add a Sub Item (a) to § 76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the Government of Guam, without legislative concurrence.	3/31/10 4:52 p.m.	4/1/10	Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting			



April 7, 2010

MEMORANDUM

To: All Senators

From: Vice Speaker Benjamin J.F. Cruz 
Chairman, Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Subject: First Notice – Public Hearing
Wednesday, April 14, 2010

Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will conduct a **Public Hearing on Wednesday, April 14, 2010 at 9:00 a.m.** in the Legislature's Public Hearing Room. The Committee will receive testimony on the following:

- **Bill No. 352-30 (LS) – V.A. Ada – An act to renumber §20119 and to add new §§20119 and 20120 to Chapter 20 of 19 GCA, relative to prohibiting discrimination for government of Guam programs solely on the basis of conviction of a status offense.**
- **Bill No. 359-30 (COR) – J.P. Guthertz – An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21 GCA; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence.**

The Honorable Frank B. Aguon, Jr. will conduct the hearing as acting committee chair in the absence of Vice Speaker B.J.F. Cruz.

Should you have any questions, please call our office at 477-2520/1.

cc: Sergeant-at-Arms/Protocol/AV
Clerk of the Legislature
MIS



Maya Alonso <maya@guamlegislature.org>

FIRST NOTICE OF PUBLIC HEARING

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Wed, Apr 7, 2010 at 8:36 AM

To: senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, "B.J.F. Cruz" <senadotbjcruz@gmail.com>, Ben Pangelinan <senbenp@guam.net>, "Edward J.B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Judith Guthertz <judiguthertz@pticom.com>, Ray Tenorio <ray@raytenorio.com>, Senator Respicio <rorryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, aokada@guamlegislature.org, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, edpocaigne@judiwonpat.com, edpocaigne@yahoo.com, epogue@hotmail.com, fba_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rlikeke05@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sayama01@yahoo.com, teddytaz_222@yahoo.com, tpmatane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, Bill Phillips <phillipsguam@gmail.com>, Chelsa Muna Brecht <cmunabrecht@guamlegislature.org>, Derick Hills <derickhills@live.com>, Doc Santos <doc.wyittenbachsantos@gmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <feaburgos@gmail.com>, Gina Tabonares <aguonmedia@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jon Blas <jonatwork2010@gmail.com>, Jose Cruz <josecruzjr17@yahoo.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Maria Pangelinan <mpangelinan@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Maya Alonso <maya@guamlegislature.org>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, Sahara J Defensor <sahara@judiwonpat.com>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Martha Cruz <mcruz@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, sgtarms@guamlegislature.org, tunsio@guamlegislature.org, yong@guamlegislature.org, Vince Bermudes <vbermudes@guamlegislature.org>

Dear Senators:

Hafa adai. Attached, please find the first notice of public hearing of bills No. 352 and No. 359 on April 14, 2010 at 9:00 a.m.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522

040710 BJ Cruz memo First Notice PH0414.pdf
301K



Maya Alonso <maya@guamlegislature.org>

FIRST NOTICE OF PUBLIC HEARING

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Wed, Apr 7, 2010 at 8:38 AM

To: admin@mvguam.com, bgaeth@k57.com, bmkelman@guampdn.com, carlene@guahanmagazine.com, cmurphy1@guam.gannett.com, dcrisost@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, edavis@k57.com, editor2@directionsguam.com, editor@mvguam.com, gdumat-ol@guampdn.com, gerry@mvguam.com, janjeera@kuam.com, jason@kuam.com, jeff@marianasmedia.com, john@kuam.com, john@marianasmedia.com, kalba@guampdn.com, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofiguam.com, manasilva626@yahoo.com, mar_vic_cagurangan@yahoo.com, marvic@mvguam.com, maya.alonso@gmail.com, michael@marianasmedia.com, mindy@kuam.com, news@k57.com, parroyo@k57.com, publisher@glimpsesofiguam.com, reporter1@glimpsesofiguam.com, rgibson@k57.com, rlene@rnelive.com, Sabrina@kuam.com, scoop@guamnewsfactor.com, slimtiaco@guampdn.com, smgodlewski@guam.gannett.com, therese@mvguam.com, travis.coffman@gmail.com, zita@mvguam.com, Catriona Melyan <cmelyan@guampdn.com>, "David V. Crisostomo" <dcrisostomo@guampdn.com>, KUAM <hottips@kuam.com>, Nick Delgado <nick@kuam.com>, Pacific News Center <news@spbgum.com>

Hafa Adai All,

Attached, please find the first notice of public hearing of bills No. 352 and No. 359 on Wednesday, April 14, 2010 at 9:00 a.m.

Thank you!

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522

 **040710 pr Amended First Notice of PH 0414.pdf**
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Senator Benjamin J.F. Cruz
VICE SPEAKER
CHAIRMAN, COMMITTEE ON TOURISM, CULTURAL AFFAIRS,
YOUTH AND PUBLIC BROADCASTING



I Mina'Trenta na Libeslaturan Guåhan
THIRTIETH GUAM LEGISLATURE
155 HESLER PLACE, HAGATNA, GUAM, 96910 • senadorbjcruz@gmail.com
TELEPHONE: (671) 477-2520/1 • FACSIMILE: (671) 475-2522

COPY

April 5, 2010

Catriona Melyan
DNA Building
238 Archbishop Flores St.
Hagatna, GU 96910
(671) 479-0404

RE: Press Release for Public Hearing on April 14, 2010.

Dear Ms. Melyan:

Hafa adai. Please find the attached **amended** press release regarding the Public Hearing on April 14, 2010. Please include this information in the Pacific Daily News on or before April 7.

Sincerely,

A handwritten signature in cursive script, appearing to read "B. Cruz".

Vice Speaker B.J.F. Cruz

RECEIVED
4/5/10



NEWS RELEASE

AMENDED FIRST NOTICE OF PUBLIC HEARING

(April 7, 2010 – Hagåtña, Guam) Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be conducting a public hearing on Wednesday, April 14, 2010 in the Legislature's Public Hearing Room. This hearing is scheduled to receive testimony on the following:

9:00 A.M.

- Bill No. 352-30 (LS) – V.A. Ada – An act to renumber §20119 and to add new §§20119 and 20120 to Chapter 20 of 19 GCA, relative to prohibiting discrimination for government of Guam programs solely on the basis of conviction of a status offense.
- Bill No. 359-30 (COR) – J.P. Guthertz – An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21 GCA; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence.

Please address written testimony to Acting Committee Chair Frank B. Aguon, Jr., in the absence of Vice Speaker B.J.F. Cruz, and mail or submit to 155 Hesler Place, Hagåtña, Guam, 96910; e-mail to senadotbjcruz@gmail.com; or send via facsimile to (671) 477-2522. Individuals requiring special accommodations shall contact and submit their request to Maya Alonso or Jose Cruz at the Office of Vice Speaker Cruz, (671) 477-2520/1.

We look forward to your attendance and participation.

For more information, contact the office of Vice Speaker Cruz at 477-2520/1.

for new art spaces

munity arts.

In Seattle, the foundation's support created a permanent home in a renovated historic hotel for the Wing Luke Museum.

ON THE NET

▲ www.fordfoundation.org

Aldean, Lady A, Sugarland lead nominations

NASHVILLE, Tennessee (AP) — Jason Aldean, Lady Antebellum and Sugarland each are up for four CMT Music Awards.

Six other country music acts received three nominations apiece. Country Music Television announced eight nominees in most categories Monday and fans

can vote at the network's Web site until May 3 to narrow each to four finalists. Voting for a winner in all categories except video of the year will start May 11.

The finalists for video of the year, which includes 10 nominees, will be announced at the start of the June 9 awards show and

fans will vote by text message.

Aldean's "The Truth" and Lady A's "Need You Now" are up for video of the year along with cuts from Kenny Chesney, Toby Keith, Miranda Lambert, Brad Paisley, Taylor Swift, Carrie Underwood, Keith Urban and Zac Brown Band.

call 646-5278.

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Guam employees. For special accommodations, call Fred Burgos or Jennifer Dulla at 472-5047/5048.

Committee on Public Safety, Law Enforcement and Senior Citizens: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Bill 338-30, relative to inclusion of spouses, widows and widowers to be eligible for issuance of special gold star license plates; Bill 344-30, requiring agencies permitted to retain counsel other than Attorney General to hire unclassified in-house legal counsel; Bill 304-30, to include criminal investigation supervisor, tax investigators and assistant tax investigators of the Department of Rev. & Tax. in compensation of public safety and law enforcement officers. For special accommodations, call Jonathan Diaz or Priscilla Cruz at 472-5047/5048.

April 13

Civil Service Commission: Board meeting 5:30 p.m., seventh floor conference room, ITC Building, Tamuning. Grievance hearing in

James Nichols et al. vs. Department of Education; signing, decision and judgment in Julie Quidachay vs. Guam Memorial Hospital; bills and laws relating to CSC. For special accommodations, call 647-1855/7 or TDD 647-1872.

Guam InterAgency Coordinating Council: Quarterly meeting 6-8 p.m., Guam Memorial Hospital cafeteria's conference room, Tamuning. Public welcome. Call 565-2961, ext. 5776/5816.

April 14

Committee on Economic Development, Health and Human Services and Judiciary: Public hearing 10 a.m., Legislature's public hearing room, Hagåtña. Appointment of Angel Mendoza to serve as Guam Economic Development Authority board of directors' member for four years; Bill 336-30, relative to GovGuam procurement; Bill 340-30, further defining and expand its definition; Bill 346-30, relative to including school attendance officers under provisions of special deputy appointments; Bill 358-30, relative to eligibility and qualifications for reciprocity under Barbering and Cosmetology Act of 2000. For special accommodations, call Ron Teehan, 969-1495/8.

Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Bill 352-30, prohibiting discrimination for GovGuam programs solely on basis of conviction of status offense; Bill 359-30, prohibiting transfer of all prehistoric and historic properties, antiquities and objects owned by the people of Guam or in inventory of government of Guam without legislative concurrence. For special accommodations, call Maya Alonso or Jose Cruz at the office of Vice Speaker Benjamin J. Cruz, 477-2520/1.

Guam Board of Medical Examiners: Special executive session meeting noon, Guam Memorial Hospital Authority board room, Tamuning. Call 735-7406/1.

Natural Resources Subcommittee: Meeting 9-11 a.m., RFJ Complex Cabinet conference room, lower level, Adelup. Proposed Natural Resources Damage Assessment project to be presented by NOAA's coral reef ecologist Peggy Denney with her community-based watershed project in Asan and Piti. For special accommodations, call 475-9669.

OBITUARIES

SAINI MARIA BLAS ESERMOA

Saini Maria Blas Esermoa, also known as "Ini Rai/Ini Rie/Sai," of Mongmong, died March 31 at age 21.

Rosary at 7 p.m. at her grandparents' residence, 253 Baluku St., Mongmong. Last respects beginning at 9 a.m. April 10, Nuestra Senora de las Aguas Church, Mongmong, followed by Mass for a Christian burial and burial at Guam Veterans Cemetery, Piti.

JOSE QUITUGUA

MARGARET RAMONA CASTRO

Margaret Ramona Castro (familian Pakito/Gollo) of Yona died March 28. She was 79.

Last respects 8 to 10:30 a.m. April 7, St. Francis Church, Yona. Mass for a Christian burial at 11 a.m., followed by burial at Guam Veterans Cemetery, Piti.

CONCEPCION CHARFAUROS CRISOSTOMO

Concepcion Charfauros Crisost-



INIC



April 12, 2010

MEMORANDUM

To: All Senators

From: Vice Speaker Benjamin J.F. Cruz 
Chairman, Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Subject: Second Notice – Public Hearing
Wednesday, April 14, 2010

Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will conduct a **Public Hearing on Wednesday, April 14, 2010 at 9:00 a.m.** in the Legislature's Public Hearing Room. The Committee will receive testimony on the following:

- **Bill No. 352-30 (LS) – V.A. Ada – An act to renumber §20119 and to add new §§20119 and 20120 to Chapter 20 of 19 GCA, relative to prohibiting discrimination for government of Guam programs solely on the basis of conviction of a status offense.**
- **Bill No. 359-30 (COR) – J.P. Guthertz – An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21 GCA; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence.**

The Honorable Frank B. Aguon, Jr. will conduct the hearing as acting committee chair in the absence of Vice Speaker B.J.F. Cruz.

Should you have any questions, please call our office at 477-2520/1.

cc: Sergeant-at-Arms/Protocol/AV
Clerk of the Legislature
MIS



Maya Alonso <maya@guamlegislature.org>

SECOND NOTICE OF PUBLIC HEARING

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Tue, Apr 13, 2010 at 8:39 AM

To: senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, "B.J.F. Cruz" <senadotbjcruz@gmail.com>, Ben Pangelinan <senbenp@guam.net>, "Edward J.B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Judith Guthertz <judiguthertz@pticom.com>, Ray Tenorio <ray@raytenorio.com>, Senator Respicio <rorryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, aokada@guamlegislature.org, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, edpocaigne@judiwonpat.com, edpocaigne@yahoo.com, epogue@hotmail.com, fba_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rlikeke05@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sayama01@yahoo.com, teddytaz_222@yahoo.com, tpmatane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, Bill Phillips <phillipsguam@gmail.com>, Chelsa Muna Brecht <cmunabrecht@guamlegislature.org>, Derick Hills <derickhills@live.com>, Doc Santos <doc.wytenbachsantos@gmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <feaburgos@gmail.com>, Gina Tabonares <aguonmedia@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jon Blas <jonatwork2010@gmail.com>, Jose Cruz <josecruzjr17@yahoo.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Maria Pangelinan <mpangelinan@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Maya Alonso <maya@guamlegislature.org>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, Sahara J Defensor <sahara@judiwonpat.com>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Martha Cruz <mcruz@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, sgtarms@guamlegislature.org, tunsio@guamlegislature.org, yong@guamlegislature.org, Vince Bermudes <vbermudes@guamlegislature.org>

Hafa Adai All,

Attached, please find the second notice of public hearing of Bill No. 352 and 359.

Thank you,
 Maya Alonso
 Office of Vice Speaker B.J.F. Cruz
 30th Guam Legislature
 155 Hesler Place
 Hagatna, Guam 96910
 Tel: (671) 477-2520/1
 Fax: (671) 477-2522

 041210 BJ Cruz memo Second Notice PH 0414.pdf
 301K



Maya Alonso <maya@guamlegislature.org>

FOR IMMEDIATE RELEASE

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Tue, Apr 13, 2010 at 8:40 AM

To: admin@mvguam.com, bgaeth@k57.com, bmkelman@guampdn.com, carlene@guahanmagazine.com, cmurphy1@guam.gannett.com, dcrisost@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, edavis@k57.com, editor2@directionsguam.com, editor@mvguam.com, gdumat-ol@guampdn.com, gerry@mvguam.com, janjeera@kuam.com, jason@kuam.com, jeff@marianasmedia.com, john@kuam.com, john@marianasmedia.com, kalba@guampdn.com, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofiguam.com, manasilva626@yahoo.com, mar_vic_cagurangan@yahoo.com, marvic@mvguam.com, maya.alonso@gmail.com, michael@marianasmedia.com, mindy@kuam.com, news@k57.com, parroyo@k57.com, publisher@glimpsesofiguam.com, reporter1@glimpsesofiguam.com, rgibson@k57.com, rlene@rlenelive.com, Sabrina@kuam.com, scoop@guamnewsfactor.com, slimtiaco@guampdn.com, smgodlewski@guam.gannett.com, therese@mvguam.com, travis.coffman@gmail.com, zita@mvguam.com, Catriona Melyan <cmelyan@guampdn.com>, "David V. Crisostomo" <dcrisostomo@guampdn.com>, KUAM <hottips@kuam.com>, Nick Delgado <nick@kuam.com>, Pacific News Center <news@spbgum.com>

Hafa Adai All,

Attached, please find the second notice of public hearing of Bill No. 352 and Bill No. 359.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522

 040710 BJ Cruz pr SECOND Notice PH 0414.pdf
328K



April 8, 2010

Catriona Melyan
DNA Building
238 Archbishop Flores St.
Hagatna, GU 96910
(671) 479-0404

RE: Press Release for Public Hearing on April 14, 2010.

Dear. Ms. Melyan:

Hafa adai. Please find the attached press release regarding the Public Hearing on April 14, 2010. Please include this information in the Pacific Daily News on or before April 12.

Sincerely,

A handwritten signature in black ink, appearing to read "B.J.F. Cruz", written in a cursive style.

Vice Speaker B.J.F. Cruz

COPY

Received By Jermaine Q.
Date 4/8/10



NEWS RELEASE

SECOND NOTICE OF PUBLIC HEARING

(April 12, 2010 – Hagåtña, Guam) Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be conducting a public hearing on Wednesday, April 14, 2010 in the Legislature's Public Hearing Room. This hearing is scheduled to receive testimony on the following:

9:00 A.M.

- Bill No. 352-30 (LS) – V.A. Ada – An act to renumber §20119 and to add new §§20119 and 20120 to Chapter 20 of 19 GCA, relative to prohibiting discrimination for government of Guam programs solely on the basis of conviction of a status offense.
- Bill No. 359-30 (COR) – J.P. Guthertz – An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21 GCA; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence.

Please address written testimony to Acting Committee Chair Frank B. Aguon, Jr., in the absence of Vice Speaker B.J.F. Cruz, and mail or submit to 155 Hesler Place, Hagåtña, Guam, 96910; e-mail to senadotbjcruz@gmail.com; or send via facsimile to (671) 477-2522. Individuals requiring special accommodations shall contact and submit their request to Maya Alonso or Jose Cruz at the Office of Vice Speaker Cruz, (671) 477-2520/1.

We look forward to your attendance and participation.

For more information, contact the office of Vice Speaker Cruz at 477-2520/1.

GOVERNMENT MEETINGS

April 13

Civil Service Commission: Board meeting 5:30 p.m., seventh-floor conference room, ITC Building, Tamuning. Grievance hearing in James Nichols et al. vs. Department of Education; signing, decision and judgment in Julie Quidechay vs. Guam Memorial Hospital; bills and laws relating to CSC. For special accommodations, call 647-1855/7 or TDD 647-1872.

Guam InterAgency Coordinating Council: Quarterly meeting 6-8 p.m., Guam Memorial Hospital cafeteria's conference room, Tamuning. Public welcome. Call 565-2961, ext. 5776/5816.

April 14

Alcohol Beverage Control Board: Meeting 4 p.m., Department of Revenue & Taxation director's conference room, old PriceSmart building, Route 16, Barrigada. Call 635-1802/05.

Committee on Economic Development, Health and Human Services and Judiciary: Public hearing 10 a.m., Legislature's public hearing room, Hagåtña. Appointment of Angel Mendoza to serve as

Guam Economic Development Authority board of directors member for four years. Bill 336-30, relative to Gov/Guam procurement; Bill 340-30, further defining and expand its definition; Bill 346-30, relative to including school attendance officers under provisions of special deputy appointments; Bill 356-30, relative to eligibility and qualifications for reciprocity under Barbering and Cosmetology Act of 2000. For special accommodations, call Ron Teehan, 969-1495/6.

Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Bill 352-30, prohibiting discrimination for Gov/Guam programs solely on basis of conviction of status offense; Bill 359-30, prohibiting transfer of all prehistoric and historic properties, antiquities and objects owned by the people of Guam or in inventory of government of Guam without legislative concurrence. For special accommodations, call Maya Alonso or Jose Cruz at the office of Vice Speaker Benjamin J.

Cruz, 477-2520/1.

Contractors License Board: Regular meeting 5:30 p.m., board conference room, 542 N. Marine Corps Drive, upper Tumon. For special accommodations, call Frances Cepeda, 649-2211/9676.

Guam Board of Medical Examiners: Rescheduled regular meeting room, Guam Memorial Hospital Authority board room, Tamuning. Call 735-7406/1.

Natural Resources Subcommittee: Meeting 9-11 a.m., RFJ Complex Cabinet conference room, lower level, Adelpup. Proposed Natural Resources Damage Assessment project to be presented by NOAA's coral reef ecologist Peggy Deney with her community-based watershed project in Asan and Piti. For special accommodations, call 475-9669.

April 15

Chamorro Land Trust Commission: Board meeting 1 p.m., second floor, Division of Highways, Department of Public Works, 542 N. Marine Corps Drive, Tumon. For special accommodations, call 642-4247.

April 15

Civil Service Commission: Board meeting 5:30 p.m., seventh-floor conference room, ITC Building, Tamuning. Motion hearing, Estangeline Claassens Vvs. Guam Memorial Hospital; Sylvia Taylor vs. Department of Education; signing, decision and judgment; Joseph A. Guerrero vs. Guam Police Department; Earl C. Aguirre vs. GRB; bills and laws relating to CSC. For special accommodations, call 647-1855/7 or TDD 647-1872.

Department of Chamorro Affairs: Board of trustees regular meeting 4 p.m., Suite 408, DNA building, Hagåtña. Public is invited. For special accommodations, call Jennifer Paulino, 475-4278/9.

Guam Board of Accountancy: Meeting 4 p.m., Suite 101, 335 South Marine Corps Drive, Tamuning. For special accommodations, call 647-0813.

Guam Housing Corp.: Board of directors regular meeting 2 p.m., fifth floor conference room, ITC Building, Tamuning. For special accommodations, call 647-4143, ext. 133.

Guam Memorial Hospital Authority Board of Trustees: Meeting 6 p.m., Daniel L.

Webb conference room, first floor, C wing, Tamuning. Executive session prior to regular business. For special accommodations, call Toni Villavicencio, 647-2218/2418 or TDD 649-1801.

Guam Statewide Independence Living Council: Special meeting noon-1 p.m., Department of Vocational Rehabilitation conference room, sixth floor, DNA building, Hagåtña. For special accommodations, call Shirley Lujan, 969-0067.

April 21

Guam Board of Medical Examiners: Regular meeting room, Guam Memorial Hospital Authority board room, Tamuning. Agenda copies available. Call 735-7407 or TDD 649-1801.

Guam Election Commission: Regular meeting 4 p.m., commission's conference room, Suite 200, GCIC building, Hagåtña. Public invited. For special accommodations, call 477-9791/2.

Mayors Council of Guam: Special meeting 10 a.m., council's conference room, J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Anne, 472-6940 or 477-9461.

On the fridge

Musical at Santa Barbara School April 15 and 23

Santa Barbara School presents Disney's "My Son Pinocchio: Geppetto's Musical Tale" April 15 and 23 at the school's Petrie Gym. Tickets are \$8 per child (kindergarten through eighth-grade), \$10 per old-

er child, \$15 per adult, \$25 per VIP. Musical directors are Karl Cepeda and Dolly Diaz, choreography by Danielle Dizon, and executive producer is Sister Jeanette Marie Pangelinan. Call 632-5578 or visit www.santabarbaraschool.org for inquiries.

Pacific Daily News

GOVERNMENT MEETINGS

April 13

Civil Service Commission: Board meeting 5:30 p.m., seventh-floor conference room, ITC Building, Tamuning. Grievance hearing in James Nichols et al. vs. Department of Education; signing, decision and judgment in Julie Quidachay vs. Guam Memorial Hospital; bills and laws relating to CSC. For special accommodations, call 647-1855/7 or TDD 647-1872.

Guam InterAgency Coordinating Council: Quarterly meeting 6-8 p.m., Guam Memorial Hospital cafeteria's conference room, Tamuning. Public welcome. Call 565-2961, ext. 5776/5816.

April 14

Alcohol Beverage Control Board: Meeting 4 p.m., Department of Revenue & Taxation director's conference room, old PriceSmart building, Route 16, Barrigada. Call 635-1802/05.

Committee on Economic Development, Health and Human Services and Judiciary: Public hearing 10 a.m., Legislature's public hearing room, Hagåtña. Appointment of Angel Mendoza to serve as Guam Economic Development Authority board of directors' member for four years; Bill 336-30, relative to Gov-Guam procurement; Bill 340-30, further defining and expand its definition; Bill 346-30, relative to including school attendance officers under provisions of special deputy appointments; Bill 358-30, relative to eligibility and qualifications for reciprocity under Barbering and Cosmetology Act of 2000; Bill 366-30, to include waiver of immunity for bonds issued by Guam Waterworks Authority. For special accommodations, call Ron Teehan, 969-1495/6.

Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Bill 352-30, prohibiting discrimination for GovGuam programs solely on basis of conviction of status offense; Bill 359-30, prohibiting transfer of all prehistoric and historic properties, antiquities and objects owned by the people of Guam or in inventory of government of Guam without legislative concurrence. For special accommodations, call Maya Alonso or Jose Cruz at the office of Vice Speaker Benjamin J. Cruz, 477-2520/1.

Contractors License Board: Regular meeting 5:30 p.m., board conference room, 542 N. Marine Corps Drive, upper Tumon. For special accommodations, call Frances Cepeda, 649-2211/9676. **Guam Board of Medical Examiners:** Rescheduled regular meeting noon, Guam Memorial Hospital Authority board room, Tamuning. Call 735-7406/1.

Cultural Resources Subcommittee: Meeting 9-11 a.m., RFJ Complex Cabinet conference room, lower level, Adelup. Proposed Natural

Guerrero vs. Guam Police Department, Earl C. Aguigui vs. GPD; bills and laws relating to CSC. For special accommodations, call 647-1855/7 or TDD 647-1872.

Department of Chamorro Affairs: Board of trustees' regular meeting 4 p.m., Suite 408, DNA building, Hagåtña. Public is invited. For special accommodations, call Jennifer Paulino, 475-4278/9.

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Guam Memorial Hospital Authority Board of Trustees: Meeting 6 p.m., Daniel L. Webb conference room, first floor, C wing, Tamuning. Executive session prior to regular business. For special accommodations, call Toni Villavicencio, 647-2218/2418 or TDD 649-1801.

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Mayors Council of Guam: Special meeting 10 a.m., council's conference room, J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Anne, 472-6940 or 477-9461.

April 22

Guam Board of Examiners for Pharmacy: Regular meeting 7:30 a.m., Health Professional Licensing Office conference room, Mangilao. Agenda copies available. Call 735-7407 or TDD 649-1801.

April 27

Guam Board of Examiners for Optometry: Regular meeting 8:30 a.m., Health Professional Licensing Office conference room, Mangilao. Agenda copies available. Call 735-7407 or TDD 649-1801.

April 29

Guam Pardon Review Board: Regular hearing 3 p.m., Parole Services Division, fifth floor, Suite 505, DNA building, Hagåtña. For special accommodations, call 473-7001.

Guam Parole Board: Regular hearing 8:30 a.m., Parole Services Division, fifth floor, Suite 505,



PUBLIC HEARING
WEDNESDAY APRIL 14, 2010 9:00 A.M.
Public Hearing Room • *I Liheslatura* • Hagåtña, Guam

AGENDA

- I. Call to Order
- II. Announcements
- III. Items for Public Consideration

9:00 A.M.

- Bill No. 352-30 (LS) – V.A. ADA – An act to renumber §20119 and to add a new §§20119 and 20120 to Chapter 20 of 19 GCA relative to prohibiting discrimination for government of Guam programs solely on the basis of conviction of a status offense
- An act to add a subitem (a) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence. 45

- IV. Remarks
- V. Adjournment



Office of the Governor of Guahan

P.O. Box 2950 Hagåtña, GU 96932
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

MAY 14 2010

2010 MAY 17 PM 1:56

lww

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

Handwritten notes: 30-10-04 450, 12x, 5/17/10

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 359-30(COR) "AN ACT TO ADD NEW SUBSECTIONS (a), (b), AND (c) TO §76212 OF ARTICLE 2, CHAPTER 76 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE TRANSFER OF ALL PREHISTORIC AND HISTORIC PROPERTIES, ANTIQUITIES, AND OBJECTS OWNED BY THE PEOPLE OF GUAM, OR IN THE INVENTORY OF THE GOVERNMENT OF GUAM, WITHOUT LEGISLATIVE CONCURRENCE" which I have vetoed.

The Historic Preservation Office of the Department of Parks and Recreation is charged with protecting Guahan's historical sites and objects. Various laws provide the Historic Preservation Office with the necessary resources to regulate activities impacting historical sites and objects.

Bill No. 359-30 would replace the administrative process of the Historic Preservation Office with a legislative process to remove historical objects from the Island without exception. The original legislation contained language to exempt materials sent off-island for scientific study. For example, historical objects may be sent off-island for radiocarbon dating, analysis to determine the diet or lifestyle of the original inhabitants or determine the origins of stones used to make tools. Thereafter, the artifacts and other cultural material are turned over to the museum with the results of the analysis submitted to the Historic Preservation Office, Micronesian Area Research Center, and the Hagåtña Library. These studies provide a better idea of when and how the earlier inhabitants of the Island lived.

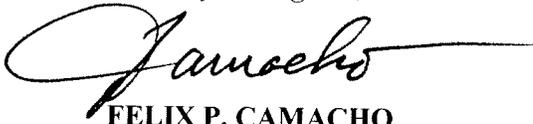
Currently, approval by the Historic Preservation Office is required in order to send human skeletal material off-island for scientific studies. As the office is very cautious about granting approval, no skeletal material has been sent off-island for many years for DNA analyses or any other kind of study. If this Bill is passed, politics may interfere with sending artifacts off-island for scientific studies.

Rather than creating a process that requires the approval of elected officials who are not experts in these areas, I recommend rules and regulations be established to govern the removal of historical objects from

the Island and penalties for noncompliance. This process will ensure consistency, impartiality, and transparency with the treatment of historical objects and allow the experts to determine whether it may be sent off island.

Guahan's historical objects and sites provide valuable insight to the Island's history, culture and people. They represent the cultural heritage of the Island which many Chamorro people take pride in. To ensure the preservation of historical objects and the Island's heritage, rules and regulations should govern its treatment. As such, I have vetoed Bill No. 359-30.

Sinseru yan Magåhet,

A handwritten signature in black ink, appearing to read 'Famacho', with a long horizontal flourish extending to the right.

FELIX P. CAMACHO

I Maga' Låhen Guahan

Governor of Guahan

Attachment

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

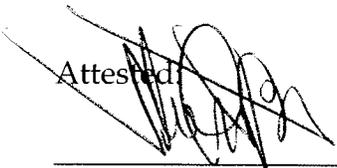
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 359-30 (COR)**, "AN ACT TO ADD NEW SUBSECTIONS (a), (b) AND (c) TO §76212 OF ARTICLE 2, CHAPTER 76 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE TRANSFER OF ALL PREHISTORIC AND HISTORIC PROPERTIES, ANTIQUITIES, AND OBJECTS OWNED BY THE PEOPLE OF GUAM, OR IN THE INVENTORY OF THE GOVERNMENT OF GUAM, WITHOUT LEGISLATIVE CONCURRENCE", was on the 3rd day of May, 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

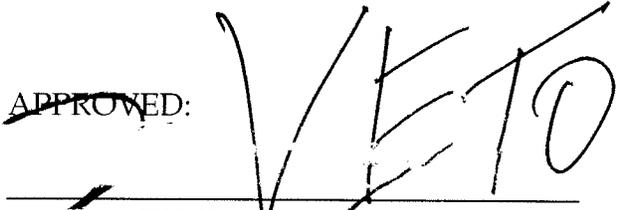
Attested



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 5th day of May, 2010, at 4:00 o'clock P.M.

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Assistant Staff Officer
Maga'lahaen's Office

Date: _____

Public Law No. _____

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

Bill No. 359-30 (COR)

As amended on the Floor.

Introduced by:

Judith P. Guthertz, DPA

T. C. Ada

V. Anthony Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

T. R. Muña Barnes

Adolpho B. Palacios, Sr.

v. c. pangelinan

R. J. Respicio

Telo Taitague

Ray Tenorio

Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* NEW SUBSECTIONS (a), (b) AND (c)
TO §76212 OF ARTICLE 2, CHAPTER 76 OF TITLE 21,
GUAM CODE ANNOTATED, RELATIVE TO
PROHIBITING THE TRANSFER OF ALL
PREHISTORIC AND HISTORIC PROPERTIES,
ANTIQUITIES, AND OBJECTS OWNED BY THE
PEOPLE OF GUAM, OR IN THE INVENTORY OF THE
GOVERNMENT OF GUAM, WITHOUT LEGISLATIVE
CONCURRENCE.**

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

2 **Section 1.** New Subsections (a), (b) and (c) are hereby *added* to §76212
3 of Article 2, Chapter 76 of Title 21, Guam Code Annotated, to read:

4 “(a) The transfer of prehistoric and historic properties, antiquities,
5 and objects returned to and in the inventory of the government of Guam to
6 entities, governments, *or* organizations outside of the territorial limits of the
7 Island of Guam *shall not* be effectuated without legislative concurrence.

8 (b) The Department *shall* assist the legislative committee with
9 oversight over the Department’s State Historic Preservation Office, in
10 drafting a Legislative Resolution for legislative concurrence. Such
11 Resolution *shall* be considered a substantive Resolution and require a public
12 hearing, committee report, and *shall* be included on the Session agenda for
13 debate or discussion during Legislative Session.

14 (c) The Resolution *shall* request specifically, to transfer historical
15 objects to entities, governments, or organizations outside of the territorial
16 limits of the Island of Guam. The Resolution *shall* indicate the complete
17 inventory of historical object(s) to be transferred, the location the historical
18 object(s) is/are proposed to be transferred to, and the length of time the
19 affected historical object(s) *shall* remain outside the territorial limits of the
20 Island of Guam.”

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2010 (SECOND) Regular Session

Date: 5/3/2010

VOTING SHEET

SBill No. 359-30(COR)

Resolution No. _____

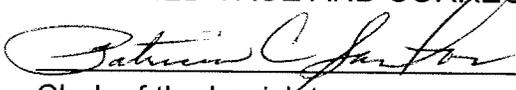
Question: _____

<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.					EA
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.					EA
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose					EA
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray					EA
WON PAT, Judith T.	✓				

TOTAL

11 _____ _____ _____ 4

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) REGULAR SESSION

Bill No. 359-30 (COR)

Handwritten notes: "359-30" and "11/11/10" with a signature.

Introduced by:

Judith P. Gutherz, DPA


An Act to Add a Sub Item (a) to § 76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated; to prohibit the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam or in the inventory of the government of Guam, without legislative concurrence.

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

2 **Section 1.** A new Sub Item (a) is hereby added to § 76212 of Article 2, Chapter 76 of
3 Title 21, Guam Code Annotated:

4 **“§ 76212. Prehistoric or Historic Objects; Public Property.**

5 The Department shall, subject to the provisions of this Chapter, determine the
6 disposition of such prehistoric *or* historic properties wheresoever located within the
7 territorial limits of the Island of Guam. Any person who disturbs properties of prehistoric
8 *or* historic significance *or* removes such properties from their sites without approval *or*
9 concurrence from the Historic Preservation Office *shall* be guilty of a felony of the third
10 degree.

11 When a private landowner *or* lessee in the territory discovers properties which may
12 be of historic significance on his property, he *shall* report the location of such objects,
13 without disturbing the properties, to the Department. All prehistoric and historic
14 properties *shall* be returned to the people of Guam, with the Guam Museum serving as the
15 depository for said properties.

1 (a) the transfer of all prehistoric and historic properties, antiquities, and objects
2 returned to, or owned by the people of Guam, and in the inventory of the government of
3 Guam; to entities, governments, or organizations outside of the territorial limits of the
4 Island of Guam shall not be effectuated without legislative concurrence, except for
5 scientific research and testing that otherwise could not be performed in Guam.