



Office of the Governor of Guam

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

2010 DEC 17 PM 4:04

DEC 14 2010

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

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 459-30 (COR): "AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS" which was signed into law on December 13, 2010 as **Public Law 30-212**.

Sinseru yan Magåhet,

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

Attachment: copy of Bill

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. 459-30 (COR), "AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS", was on the 30<sup>th</sup> day of November 2010, duly and regularly passed.



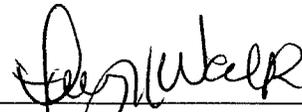
Judith T. Won Pat, Ed. D.  
Speaker

Attested



Tina Rose Muña Barnes  
Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guåhan* this 1<sup>st</sup> day of Dec, 2010, at  
100 o'clock A.M.



Assistant Staff Officer  
*Maga'laha*'s Office

APPROVED:



FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: 13 Dec. 2010

Public Law No. P.L. 30-212

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

**Bill No. 459-30 (COR)**

As amended on the Floor.

Introduced by:

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

**AN ACT TO *AMEND* §51821(a) OF ARTICLE 8,  
CHAPTER 51 OF TITLE 10, GUAM CODE  
ANNOTATED, RELATIVE TO THE USE OF PROCEEDS  
OF SALE OF BONDS.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that one hundred thirty-four thousand (134,000) square meters of land (Lot # 3434,  
4 GAFAO) on which the *Ordot* Dump is currently situated has *not* been condemned  
5 or purchased by the government of Guam. The *Ordot* Dump is on track to be

1 closed in 2012 and *I Liheslaturan Guåhan* desires that any and all land transactions  
2 related to Lot # 3434, GAFAO be settled prior to 2012.

3 **Section 2.** §51821(a), Article 8, Chapter 5 of Title 10, Guam Code  
4 Annotated, is hereby *amended* to read as follows:

5 “(a) for payment of any costs *or* expenses of the acquisition,  
6 construction *or* improvement of the system *or* any part thereof (including  
7 any closed landfill *or* dump) *or* any costs *or* expenses incidental thereto,  
8 including payment to the United States *or* any other public body for the  
9 portion to be borne by the government of the costs of any work done by the  
10 United States *or* such public body for *or* jointly *or* in conjunction with the  
11 Department.

12 (1) Up to Three Million Dollars (\$3,000,000) for  
13 compensation for the acquisition of private property currently  
14 occupied and used as part of the *Ordot* Dump by an instrumentality or  
15 agency of the government of Guam, and as needed for the permanent  
16 closure of the *Ordot* Dump. An appraisal of the private property used  
17 for the *Ordot* Dump must be obtained prior to acquisition thereof. ”

18 **Section 3. Severability.** *If* any of the provisions of this Act or the  
19 application thereof to any person or circumstance is held invalid, such invalidity  
20 *shall not* affect any other provision or application of this Act which can be given  
21 effect without the invalid provision or application, and to this end the provisions of  
22 this Act are severable.



**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**

November 26, 2010

**MEMORANDUM**

**To: Speaker Judith T. Won Pat, Ed.D.**

**From: Senator Rory J. Respicio**

**Subject: Request for Emergency Certification  
Bill No. 459-30 (COR)**

*Hafa Adai Madam Speaker,*

I hereby request for an emergency declaration on the matter of Bill No. 459-30 (COR) – "An Act to Amend §51821(a) of Article 8, Chapter 51 of Title 10 GCA Relative to the use of proceeds of sale of bonds."

The provisions of Bill No. 459-30 (COR) are essentially identical to Section 2(b) of Bill No. 195-30 (COR) which went through the public hearing process and was reported out of committee for consideration by the Body. Bill 195 was then passed by *I Liheslaturan Guahan* and was subsequently vetoed by the Governor.

There is a pressing need to bring closure to the acquisition of properties impacted by the Ordot Dump. The issue has lingered for far too long and must now be pursued in a timelier manner than has historically occurred. In light of these circumstances, I respectfully request an emergency declaration be made on this matter, along with a subsequent waiver of the public hearing requirement.

I look forward to your favorable response.

*Si Yu'os ma'åse'!*

Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date \_\_\_\_\_  
Time \_\_\_\_\_  
Received by \_\_\_\_\_



OFFICE OF THE SPEAKER  
I MINA'TRENTA NA LIHESLATURAN GUAHAN | 30<sup>th</sup> GUAM LEGISLATURE  
JUDITH T. WON PAT, Ed.D.

2008 NOV 26 15  
COPY  
Mm

November 26, 2010

To: Honorable Rory J. Respicio

RE: Emergency Certification of Bill 459-30(COR)

After careful review of your memo regarding an emergency declaration and waiver of the public hearing requirement for

**Bill No. 459-30 (COR) - An act to amend §5192(a) of Article 8, Chapter 51 of Title 10 GCA relative to the use of proceeds of sale of bonds.**

I hereby approve your request and declare that an emergency condition exists and that the requirements for a public hearing on Bill No. 459-30 (COR) is accordingly waived.

Senseramente,

Judith T. Won Pat, Ed.D.  
Speaker

cc: All Senators  
Clerk of the Legislature



*e*

# I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 11/30/10

## VOTING SHEET

Bill No. 459-30(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.					EA
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 14 \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ 1

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

November 26 2010

2010 NOV 26 PM 4:04

W.W.

**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, Ed.D.**  
**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. 459-30 (COR).**

**Dear Speaker Won Pat:**

Transmitted herewith for your consideration is the **Committee Report on BILL NO. 459-30 (COR);** "AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS," sponsored by Vicente C. Pangelinan, and referred to the Committee on Economic Development, Health & Human Services, and Judiciary. Bill No. 459-30 (COR) has not been publicly heard, but is identical to Section 2 (b) of Bill No. 195-30 (COR) which was Passed by *I Liheslaturan Guahan* and Vetoed by the Governor.

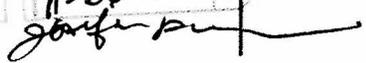
Committee votes are as follows:

<u>  5  </u>	<b>TO PASS</b>
<u>      </u>	<b>NOT TO PASS</b>
<u>      </u>	<b>ABSTAIN</b>
<u>  1  </u>	<b>TO REPORT OUT ONLY</b>
<u>      </u>	<b>TO PLACE IN INACTIVE FILE</b>

Respectfully,

  
**SENATOR FRANK B. AGUON, JR.**

Attachment

RECEIVED  
11-26-10  




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

---

**Committee Report on  
Bill No. 459-30 (COR)**

**“An act to amend §5192(a) of Article 8, Chapter 51 of Title 10 GCA relative to the use of proceeds of sale of bonds.”**

**(Sponsor: v.c. pangelinan)**



# 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

November 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. 459-30 (COR).**

Transmitted herewith for your consideration is the Committee Report on **BILL NO. 459-30 (COR)**; "AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS," sponsored by Vicente C. Pangelinan,.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative / Digest
- Copy of Bill No.459-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 459-30 (COR)
- Committee Report on Bill No. 195-30 (COR).

Bill No. 459-30 (COR) has not been publicly heard, however, the provisions of the bill are identical to Section 2 (b) of Bill No. 195-30 (COR) relative to the acquisition of Ordot Dump land and compensation. Therefore there are no Notices of Public Hearing, Copy of the Public Hearing Agenda, or Related News Articles (Public hearing publication of public notice). The Committee Report for Bill No. 195-30 (COR) is attached to and incorporated in this Committee Report by reference.

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

## COMMITTEE VOTING SHEET

**BILL NO. 459-30 (COR)**

**“AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS.”**

**Sponsored by: Vicente C. Pangelinan**

	SIGNATURE	TO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	PLACE IN INACTIVE FILE
<b>FRANK B. AGUON, JR.</b> Chairman	11/26/10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>ADOLPHO B. PALACIOS, SR.</b> Vice Chairman	11/26/10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>BENJAMIN J.F. CRUZ</b> Vice Speaker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>TINA ROSE MUÑA BARNES</b> Legislative Secretary		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>THOMAS C. ADA</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>JUDITH P. GUTHERTZ</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>RORY J. RESPICIO</b>	11/24/10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>FRANK F. BLAS, JR.</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>TELO TAITAGUE</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>RAY TENORIO</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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

---

**COMMITTEE FINDINGS**

**BILL NO. 459-30 (COR) - "AN ACT TO AMEND §51821(a) OF ARTICLE 8 CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS."**

The provisions of Bill No. 459-30 (COR) are essentially identical to Section 2(b) of Bill No. 195-30 (COR) which went through the public hearing process and was reported out by the committee of jurisdiction for consideration by the Body. Bill 195 was then passed by *Lihselaturan Guahan* and was subsequently vetoed by the Governor.

In light of these circumstances, Speaker Judith T. Won Pat, Ed.D. has waived the public hearing requirement for this measure. A copy of said waiver are attached to this report.

The Committee on Economic Development, Health and Human Services, and Judiciary hereby reports out Bill No. 459-30 (COR) – "AN ACT TO AMEND §51821(A) OF ARTICLE 8 CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS" with the recommendation **to do pass**.

I Mina' Trenta Na Liheslaturan Guåhan  
2010 (SECOND) Regular Session

Bill No. 459-30 (COR)

Introduced by:

v. c. pangelinan

AN ACT TO AMEND §51821(a) OF ARTICLE 8,  
CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE  
USE OF PROCEEDS OF SALE OF BONDS.

2010 SEP - 1 PM 2: 55

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that One Hundred Thirty Four Thousand  
4 (134,000) square meters of land (Lot # 3434, GAFAO) on which the Ordot  
5 Dump is currently situated has not been condemned or purchased by the  
6 government of Guam. The Ordot Dump is on track to be closed in 2012 and *I*  
7 *Liheslaturan Guåhan* desires that any and all land transactions related to Lot #  
8 3434, GAFAO be settled prior to 2012.

9 **Section 2. §51821(a), Article 8, Chapter 5 of Title 10 Guam Code**

10 **Annotated is hereby amended to read as follows:**

11 **“§51821. Payments Which May be Made Out of Proceeds of Sale of**  
12 **Bonds.**

13 (a) for payment of any costs *or* expenses of the acquisition, construction  
14 *or* improvement of the system *or* any part thereof (including any closed landfill  
15 *or* dump) *or* any costs *or* expenses incidental thereto, including payment to the

1 United States *or* any other public body for the portion to be borne by the  
2 government of the costs of any work done by the United States *or* such public  
3 body for *or* jointly *or* in conjunction with the *Department*.

4 (1) Up to Three Million Dollars (\$3,000,000) for compensation for the  
5 acquisition of private property currently occupied and used as part of the Ordot  
6 Dump by an instrumentality or agency of the government of Guam and as  
7 needed for the permanent closure of the Ordot Dump. An appraisal of the  
8 private property used for the Ordot Dump must be obtained prior to acquisition  
9 thereof. ”

10 **Section 3. Severability.** If any provisions of this Act or the application  
11 thereof to any person or circumstance is held invalid, such invalidity shall not  
12 affect any other provision or application of this Act which can be given effect  
13 without the invalid provision or application, and to this end the provisions of  
14 this Act are severable.



**OFFICE OF THE SPEAKER**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN | 30<sup>th</sup> GUAM LEGISLATURE**  
**JUDITH T. WON PAT, Ed.D.**

1000 NOV 26 2010  
COPY 15  
Mm

November 26, 2010

To: Honorable Rory J. Respicio

RE: **Emergency Certification of Bill 459-30(COR)**

After careful review of your memo regarding an emergency declaration and waiver of the public hearing requirement for

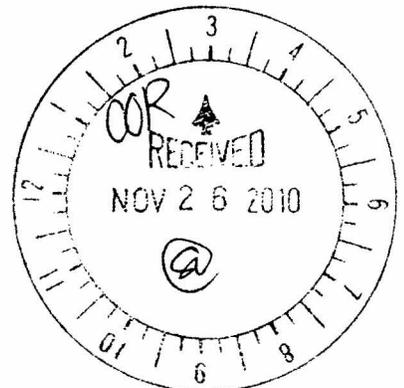
**Bill No. 459-30 (COR) - An act to amend §5192(a) of Article 8, Chapter 51 of Title 10 GCA relative to the use of proceeds of sale of bonds.**

I hereby approve your request and declare that an emergency condition exists and that the requirements for a public hearing on Bill No. 459-30 (COR) is accordingly waived.

Senseramente,

Judith T. Won Pat, Ed.D.  
Speaker

cc: All Senators  
Clerk of the Legislature





**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**

November 26, 2010

**MEMORANDUM**

**To: Speaker Judith T. Won Pat, Ed.D.**  
**From: Senator Rory J. Respicio**  
**Subject: Request for Emergency Certification  
Bill No. 459-30 (COR)**

*Hafa Adai* Madam Speaker,

I hereby request for an emergency declaration on the matter of **Bill No. 459-30 (COR) – “An Act to Amend §51821(a) of Article 8, Chapter 51 of Title 10 GCA Relative to the use of proceeds of sale of bonds.”**

The provisions of Bill No. 459-30 (COR) are essentially identical to Section 2(b) of Bill No. 195-30 (COR) which went through the public hearing process and was reported out of committee for consideration by the Body. Bill 195 was then passed by *I Liheslaturan Guahan* and was subsequently vetoed by the Governor.

There is a pressing need to bring closure to the acquisition of properties impacted by the Ordot Dump. The issue has lingered for far too long and must now be pursued in a timelier manner than has historically occurred. In light of these circumstances, I respectfully request an emergency declaration be made on this matter, along with a subsequent waiver of the public hearing requirement.

I look forward to your favorable response.

*Si Yu'os ma'åse'!*

Office of the Speaker  
Judith T. Won Pat, Ed.D.  
Date: 11/26/10  
Time: 11:20  
Received by: [Signature]



# 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**

**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**

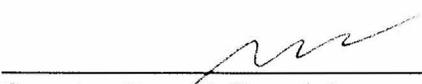
**James V. Espaldon  
SENATOR**

## Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 459-30 (COR) – "AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALES OF BONDS"** - on September 2, 2010. COR hereby certifies that BBMR confirmed receipt of this request on September 2, 2010.

COR further certifies that a response to this request was not received by 5:00 P.M. on September 23, 2010, the fourteenth day after the request was received by BBMR. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 459 to be included in the committee report on said bill, is hereby waived.**

Certified by:

  
\_\_\_\_\_  
**Senator Rory J. Respicio**  
Chairperson, Committee on Rules

11/24/10  
\_\_\_\_\_  
**Date**

MESSAGE CONFIRMATION

SEP-02-2010 10:43 AM THU

FAX NUMBER : 4772240  
NAME : GNF

NAME/NUMBER : 4722825  
PAGE : 8  
START TIME : SEP-02-2010 10:42AM THU  
ELAPSED TIME : 00' 50"  
MODE : STD ECM  
RESULTS : [ O.K ]



COMMITTEE ON RULES

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

155 Hasler Place, Hagåtña, 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 Muñoz Barnes  
LEGISLATIVE SECRETARY

Thomas C. Ada  
SENATOR

Frank B. Aguiar, Jr.  
SENATOR

Adolpho B. Palacios, Sr.  
SENATOR

Vicente C. Pangelinan  
SENATOR

MINORITY  
MEMBERS:

Frank R. Blas, Jr.  
SENATOR

James V. Espaldon  
SENATOR

September 2, 2010

VIA FACSIMILE  
(671) 472-2825

Ms. Bertha Duenas  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Notes – Bills No. 452-30 (COR) & 459-30 (COR)

*Hafa Adai* Ms. Duenas:

Transmitted herewith is a listing of *I Mina' Trenta na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal note for the referenced bill.

*Si Yu'os mu'ase'* for your attention to this matter.

Very Truly Yours,

Rory J. Respicio

Attachments

*rec'd 9/2/10  
by Analyn*

***I MINA'TRENTA NA LIHESLATURAN GUÁHAN***  
**(FIRST AND SECOND) Regular Sessions**  
**FINAL LEGISLATIVE HISTORY**  
**January 2009 - December 2010**

**BILLS**

**2009 (FIRST) Regular Session**

**Bill No. 459-30 (COR) - by v. c. pangelinan**

AN ACT TO AMEND §51921(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS.

09/01/10 - Read first time. Referred to the Committee on Rules.

09/02/10 - Referred to the Committee on Economic Development, Health and Human Services, and Judiciary.

The Committee Report for Bill No. 195-30 (COR) is attached to and incorporated as a part of the Committee Report for:

**BILL NO. 459-30 (COR); AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS,**



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

---

**COMMITTEE  
REPORT  
ON**

**BILL NO. 195-30 (COR), as Substituted**

Sponsored by Vicente C. Pangelinan.

**“AN ACT TO REPEAL AND REENACT §51821 OF ARTICLE  
8, OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED  
RELATIVE TO THE PROCEEDS OF SALE OF BONDS.”**





**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

August 9, 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. 195-30 (COR), as Substituted.**

Transmitted herewith for your consideration is the Committee Report on **SUBSTITUTE 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 PROCEEDS OF SALE OF BONDS,”** Sponsored by Vicente C. Pangelinan.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative / Digest
- Substitute Bill No. 195-30 (COR)
- Copy of Bill No. 195-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 195-30 (COR)
- Notices of Public Hearing (1<sup>st</sup> and 2<sup>nd</sup>)
- 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  
 Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

## COMMITTEE VOTING SHEET

**BILL NO. 195-30 (COR), as Substituted**

**“AN ACT TO REPEAL AND REENACT §51821 OF ARTICLE 8, OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO THE PROCEEDS OF SALE OF BONDS.”**

Sponsored by Vicente C. Pangelinan

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

**COMMITTEE REPORT DIGEST**

**Bill No. 195-30 (COR), as Substituted**

**I. OVERVIEW:** The Committee on Economic Development, Health & Human Services, and Judiciary conducted a public hearing on October 01, 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 on **SUBSTITUTE 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 PROCEEDS OF SALE OF BONDS,” Sponsored by Vicente C. Pangelinan.

**Public Notice Requirements**

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

**Senators Present**

Senator Frank B. Aguon, Jr.	Chairperson
Senator Adolpho B. Palacios, Sr.	Vice-Chairperson
Senator Thomas C. Ada	Committee Member
Senator Telo T. Taitague	Committee Member
Senator Vicente C. Pangelinan	Senator
Senator Edward J.B. Calvo	Senator
Senator Matt Rector	Senator

The public hearing on agenda item Bill No. 195-30 (COR) was Called-to-Order at 09:40 A.M.

**II. SUMMARY OF TESTIMONY & DISCUSSION.**

**CHAIRMAN FRANK B. AGUON, JR.,** convened the Public Hearing on Bill No. 195-30 (COR). Invited Senator Vicente C. Pangelinan, primary sponsor, to explain Bill No. 195-30 (COR).

**Senator Pangelinan:** Explained that with the pending United States Department of Agricultural combination loan and grant for the sum of One Hundred Four Million Dollars ((\$104,000,000) funds would then be freed up for other needed purposes. Primarily: (1) \$20,000,000 but not less than \$10,000,000 for a new sanitary landfill; (2) \$2,000,000 for the acquisition of private property being used by the government of Guam for the Ordot Dump; (3) \$20,000,000 for the closure of the Ordot

Dump; (4) \$40,000,000 for the payment of individual and corporate tax refunds; and, (5) \$18,000,000 for the purchase of gantry cranes for the Jose D. Leon Guerrero Commercial Port.

Explained the history of the families impacted by the Ordot Dump. And, that to date, they have yet to be compensated.

**Chairman:** Noted that the Committee has received written testimony from GEDA and Stanley Dirks. Also made reference to Senator Pangelinan's statement that the use of the USDA funds and coinciding release of the Limited-Obligation (Section 30) Bonds, Series 2009A proceeds is contingent upon the approval of the U.S. District Court.

**Senator Thomas C. Ada:** Raised concerns that BBMR and GEDA are not present, especially in light of all the work that has gone into these bond issues.

**Chairman:** Called the Mr. Norbert Castro to testify.

**Mr. Norbert Castro, Ordot Dump landowner:** Provided oral testimony IN SUPPORT of Bill No. 195-30 (COR), relative to having landowners affected by the Ordot Landfill (dump) be fairly compensated. Family has been affected for over 30 years. Stated he wants some of the proceeds to go towards compensation for the families whose land has been used for the Ordot dump. Wants to have affected families be compensated for more than two million dollars (\$2,000,000) on grounds that the land value would be higher if not for the dump. A fair market appraisal should be conducted and the families included in the process.

**Chairman:** What efforts have been undertaken by the family in the past?

**Mr, Castro:** We've never had support for the family. We've waited for a long time. In excess of 20 – 30 years. We still pay property taxes.

**Senator Pangelinan:** Stated he appreciates their frustration. The situation is unconscionable. This is a direct injury to the economy of their family.

**Senator Telo Taitague:** This is the first I've heard of the situation. I support helping the Castro's.

**Senator Thomas C. Ada:** Stated support for helping the Castro's, but feels this issue should be addressed in a stand alone bill addressing this issue specifically. Worried the issue may get held hostage with other issues in Bill 195.

**Senator Edward J.B. Calvo:** Inquired as to whether the Committee could look into a land swap and identify other families in this situation. Wants to address the issue globally.

**Senator Pangelinan:** Stated there is an existing law that provides for land exchanges for landowners within a certain distance from the dump.

**Chairman** acknowledged receipt of written testimony submitted by:

1. **Stanley J. Dirks, Orrick, Herrington & Sutcliffe, LLP. (ATTACHED)**
2. **Anthony C. Blas, Administrator, Guam Economic Development Authority. (ATTACHED)**

Written testimony would continue to be received for the next ten (10) days.

**CHAIRMAN:** There being for further testimony or questions, the public hearing on Bill No. 195-30 (COR) was adjourned.

### **III. FINDINGS & RECOMMENDATIONS**

The Committee finds that with the governor of Guam's declining the USDA loan in early August, 2010, that the majority of the funds intended to be utilized in Bill No. 195-30 (COR) are no longer available to the extent initially offered. However, a portion of funds still remaining and available from the \$202.425M Limited-Obligation (Section 30) Bonds, Series 2009A proceeds for financing a new landfill and the closure of the Ordot Dump, as authorized in Public Law 30-1 and amended by Public Law 30-7, may be utilized for the purposes of this Act.

Section 2 of Bill No. 195-30 (COR) has been substantially amended by the deletion of all provisions, with the single exception of providing Three Million Dollars (\$3,000,000) for the acquisition of properties taken or impacted by the Ordot Dump.

The Committee on Economic Development, Health & Human Services, and Judiciary, hereby reports out Bill No. 195-30 (COR), as Substituted, with the recommendation to

TO PASS.

I Mina' Trenta Na Liheslaturan Guåhan  
2009 (FIRST) Regular Session

Bill No. B195-30COR)

Introduced by:

v. c. pangelinan

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.

2009 JUL 30 PM 12:37 *me*

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds the  
3 \$202.425M Limited-Obligation (Section 30) Bonds, Series 2009A proceeds for financing a  
4 new landfill as authorized in Public Law 30-1 and amended by Public Law 30-7 are no  
5 longer needed for this purpose due to alternative financing of One Hundred Four Million  
6 Dollars (\$104,000,000) combination loan and grant approved by the United States  
7 Department of Agriculture (USDA) as part of the American Recovery and Reinvestment Act  
8 (ARRA).

9 *I Liheslaturan Guåhan* finds that a contributor toward the people of Guam being  
10 denied timely payment of income tax refunds is a result of the Ordot Dump Consent Decree  
11 (“Consent Decree) with the Federal District Court of Guam (“Court”) Case No. 02-00022.  
12 Since the judgment order of the Court, every fiscal year Budget Act has been negatively  
13 impacted by the use of general and special funds appropriated for operations and the  
14 provision of the set aside for income tax refunds for projects and payments related directly to  
15 the construction of a new landfill and the closure of the Ordot Dump.

16 *I Liheslaturan Guåhan* finds that the people of Guam have been further denied  
17 timely payment of income tax refunds as a result of the government of Guam financing  
18 operational deficits and insufficient budgets for the provision of the set aside to pay income

1 tax refunds. At the start of fiscal year 2010 after payment of One Hundred Twelve Million  
2 Dollars (\$112,000,000) of 2009 deficit bonds proceeds toward income tax refunds, the  
3 Government of Guam will still be in arrears paying income tax refunds to tax payers by an  
4 estimated amount of One Hundred Eighty Million Dollars (\$180,000,000). This amount will  
5 continue to accrue interest at a rate between seven (7) to eight (8) percent per year, if not paid  
6 in a timely manner. The revenue collected by the government of Guam is not sufficient to  
7 pay off this debt and support essential government services.

8 *I Liheslaturan Guåhan* further finds that the people of Guam desire leadership that  
9 prioritizes the return of hard earned money paid to the government of Guam in excess of tax  
10 obligations. These monies are rightfully due to the taxpayers of Guam in a timely manner.

11 *I Liheslaturan Guåhan* further finds at a minimum of Ten Million Dollars  
12 (\$10,000,000) was removed or has been encumbered from the general and special funds in  
13 fiscal years 2004 through 2009 for Consent Decree projects including engineering services,  
14 technical specialist consultants, project management, and environmental consultants and  
15 studies. *I Liheslaturan Guåhan* seeks to make permanent the reimbursement of said funds  
16 used for the Consent Decree and make these funds available to pay prior or current year  
17 income tax refunds.

18 *I Liheslaturan Guåhan* further finds that One Hundred Thirty Four Thousand  
19 (134,000) square meters of land (Lot # 3434, GAFAO) on which the Ordot Dump sits on top  
20 has not been condemned or purchased by the government of Guam. The Ordot Dump is on  
21 track to be closed in 2012 and *I Liheslaturan Guåhan* desires that any and all land  
22 transactions related to Lot # 3434, GAFAO be settled prior to 2012.

23 *I Liheslaturan Guåhan* further finds that the Port Authority of Guam (“Port”) master  
24 plan to expand and modernize port operations estimates a required capital investment of over

1 Two Hundred Sixty Million Dollars (\$260,000,000). The need to expand Port operations is a  
2 direct result of relocating Marines from Okinawa to Guam by 2014 (military buildup). The  
3 military buildup requires a quick ramp up of construction activity. The current Port  
4 operations cannot support the required influx of cargo needed to complete the pending  
5 military buildup within the next five (5) years. After the military buildup is concluded, Port  
6 operations will normalize and any related expansions to support the military buildup will not  
7 likely be necessary for non-military buildup activity. The required need for expansion of  
8 Port operations is temporary and directly benefits and is a result of the United States Military  
9 and should not burden the taxpayers of Guam.

10 Public Law 29-125 required a financial feasibility study of the Port Master Plan  
11 Update 2007 Report. The completed feasibility study identifies Ninety Nine Percent (99%)  
12 of financing for the Jose D. Leon Guerrero Commercial Port from Federal Sources, including  
13 a Fifty Four Million Dollar (\$54,000,000) loan from the USDA.

14 *I Liheslaturan Guåhan* acknowledges the need to purchase reliable cranes to ensure  
15 both continuity and reliability for Port operations and desires to provide a funding source for  
16 this purpose so a crane surcharge is not an immediate additional burden to taxpayers above  
17 tariff increases proposed in the feasibility study.

18 Therefore, *I Liheslaturan Guåhan* intends to repeal and re-enact §51821, Article 8 of  
19 Title 10 Guam Code Annotated to re-prioritize the payments made out of the sale of Bonds.

20 **Section 2. §51821, Article 8 of Chaper 51, Title 10 Guam Code Annotated is**  
21 **hereby repealed and reenacted to read as follows:**

22 **“§51821. Payments Which May be Made Out of Proceeds of Sale of Bonds.**

23 The proceeds of sale of any bonds *shall* be expended in order of priority for the  
24 following purposes:

1 (a) Up to Twenty Million Dollars (\$20,000,000) but not less than Ten Million Dollars  
2 (\$10,000,000) for reimbursement of any expenses, including but not limited to engineering,  
3 inspection, legal, consultants' *or* paying agents' fees relating *or* incidental to:

4 (1) the acquisition, construction *or* improvement of the system *or* any part  
5 thereof;

6 (2) the authorization, issue *or* sale of bonds; *or*

7 (3) professional technical services to prepare the technical specifications for a  
8 bid invitation for a Finance, Build, Operate, and Lease Back (FBOL) to meet the  
9 requirements for USEPA compliant municipal solid waste services on Guam, and for  
10 the evaluation of bids which have been submitted, and to provide its findings and  
11 recommendation to the Governor and the Legislature within one hundred eighty (180)  
12 days from enactment of the Act;

13 (b) up to Two Million Dollars (\$2,000,000) for compensation for the acquisition of  
14 private property used for the Ordot Landfill by an instrumentality *or* agency of the  
15 government of Guam;

16 (c) Twenty Million Dollars (\$20,000,000) toward the closure of the Ordot Dump;

17 (d) Forty Million Dollars (\$40,000,000) shall be used for payment of individual and  
18 corporate tax refunds including interest;

19 (e) Up to Eighteen Million Dollars (\$18,000,000) for the purchase of gantry cranes to  
20 be used as part of operations at the Jose D. Leon Guerrero Commercial Port;

21 (f) For payment of any costs *or* expenses of the acquisition, construction *or*  
22 improvement of the system *or* any part thereof (including any closed landfill *or* dump) *or* any  
23 costs *or* expenses incidental thereto, including payment to the United States *or* any other

1 public body for the portion to be borne by the government of the cost of any work done by  
2 the United States *or* such public body for *or* jointly *or* in conjunction with the *Department*;

3 (g) For payment to any non-government of Guam entity or personnel of any costs *or*  
4 expenses relating to the authorization, issuance *or* sale of bonds;

5 (h) For deposit in any one (1) *or* more reserve funds *or* accounts in lieu of insurance  
6 *or* in any working capital fund *or* account *or* contingency fund *or* account relating to the  
7 system;

8 (i) For payment of interest on bonds during the projected period of acquisition,  
9 construction *or* improvement of the system *or* any part thereof for the acquisition,  
10 construction *or* improvement of which such bonds have been issued and for a period *not to*  
11 *exceed* three (3) years thereafter;

12 (j) For deposit in any reserve *or* sinking fund;

13 (k) For the payment of any prior bonds *or* other obligations of the government issued  
14 for solid waste management purposes;

15 (l) Any surplus funds remaining from the proceeds of the bond after funding priorities  
16 (a) through (k) shall be used for payment of individual and corporate tax refunds including  
17 interest.

18 All reimbursements or disbursements related to (a), (d) and (l) of this section shall be  
19 deposited directly into the Income Tax Refund Reserve Fund to pay prior and current year  
20 income tax refund liabilities.”

21 **Section 3.** The portion of any bond proceeds used for projects of any autonomous  
22 agency or instrumentality of the government of Guam *shall be* repaid by said autonomous  
23 agency or instrumentality. The repayment obligation of the autonomous agency or  
24 instrumentality *shall be* calculated by dividing the autonomous agency or instrumentality

1 borrowed principal by the total bond proceeds and multiplying by required annual debt  
2 service payments.

3 **Section 4. Severability.** If any provisions of this Act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect any other  
5 provision or application of this Act which can be given effect without the invalid provision or  
6 application, and to this end the provisions of this Act are severable.

7

**I Mina' Trenta Na Liheslaturan Guåhan  
2009 (FIRST) Regular Session**

**Bill No.195-30 (COR), as Substituted  
by the Committee on Economic  
Development, Health & Human  
Services, and Judiciary**

**VICENTE C. PANGELINAN  
FRANK B. AGUON, Jr.**

AN ACT TO REPEAL AND REENACT §51821 OF  
ARTICLE 8, OF TITLE 10 GCA RELATIVE TO THE  
USE OF PROCEEDS OF SALE OF BONDS.

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

**Section 1. Legislative Findings and Intent.**

*I Liheslaturan Guåhan* finds the \$202.425M Limited-Obligation (Section 30) Bonds, Series 2009A proceeds for financing a new landfill as authorized in Public Law 30-1 and amended by Public Law 30-7 are no longer needed for this purpose due to alternative financing of One Hundred Four Million Dollars (\$104,000,000) combination loan and grant approved by the United States Department of Agriculture (USDA) as part of the American Recovery and Reinvestment Act (ARRA).

*I Liheslaturan Guåhan* further finds at a minimum \$10,000,000 was removed or has been encumbered from the general and special funds in fiscal years 2004 through 2009 for Consent Decree projects including engineering services, technical specialist consultants, project management, and environmental consultants and studies. *I Liheslaturan Guåhan* seeks to make permanent the reimbursement of said funds used for the Ordot Dump Consent Decree and make these funds available to pay prior or current year income tax refunds.

1            *I Liheslaturan Guåhan* further finds that 134,000 square meters of land  
2 (Lot # 3434, GAFAO) on which the Ordot Dump sits on top has not been  
3 condemned or purchased by the government of Guam. The Ordot Dump is on  
4 track to be closed in 2012 and *I Liheslaturan Guåhan* desires that any and all  
5 land transactions related to Lot # 3434, GAFAO be settled prior to 2012.

6            **Section 2. § 51821, Article 8 of Title 10 Guam Code Annotated is**  
7 **hereby repealed and reenacted to read as follows:**

8            **§ 51821. Payments Which May be Made Out of Proceeds of Sale of**  
9 **Bonds.**

10            The proceeds of sale of any bonds *shall* be expended in order of priority  
11 for the following purposes:

12            (a) Up to Twenty Million Dollars (\$20,000,000) but not less than Ten  
13 Million Dollars (\$10,000,000) for reimbursement of any expenses, including  
14 but not limited to engineering, inspection, legal, consultants' *or* paying agents'  
15 fees relating *or* incidental to:

16                    (1) the acquisition, construction *or* improvement of the system *or*  
17 any part thereof;

18                    (2) the authorization, issue *or* sale of bonds; *or*

19                    (3) professional technical services to prepare the technical  
20 specifications for a bid invitation for a Finance, Build, Operate, and  
21 Lease Back (FBOL) to meet the requirements for USEPA compliant  
22 municipal solid waste services on Guam, and for the evaluation of bids  
23 which have been submitted, and to provide its findings and  
24 recommendation to the Governor and the Legislature within one hundred  
25 eighty (180) days from enactment of the Act; *or*

1 (b) up to Three Million Dollars (\$3,000,000) for compensation for the  
2 acquisition of private property used for the Ordot Landfill by an instrumentality  
3 or agency of the government of Guam.

4 (c) for payment of any costs *or* expenses of the acquisition, construction  
5 *or* improvement of the system *or* any part thereof (including any closed landfill  
6 *or* dump) *or* any costs *or* expenses incidental thereto, including payment to the  
7 United States *or* any other public body for the portion to be borne by the  
8 government of the cost of any work done by the United States *or* such public  
9 body for *or* jointly *or* in conjunction with the *Department*;

10 (d) for payment to any non-government of Guam entity or personnel of  
11 any costs *or* expenses relating to the authorization, issuance *or* sale of bonds;

12 (e) for deposit in any one (1) *or* more reserve funds *or* accounts in lieu of  
13 insurance *or* in any working capital fund *or* account *or* contingency fund *or*  
14 account relating to the system;

15 (f) for payment of interest on bonds during the projected period of  
16 acquisition, construction *or* improvement of the system *or* any part thereof for  
17 the acquisition, construction *or* improvement of which such bonds have been  
18 issued and for a period *not to exceed* three (3) years thereafter;

19 (g) for deposit in any reserve *or* sinking fund; *or*

20 (h) for the payment of any prior bonds *or* other obligations of the  
21 government issued for solid waste management purposes.

22 **Section 3.** The portion of any bond proceeds used for projects of any  
23 autonomous agency or instrumentality of the government of Guam *shall be*  
24 repaid by said autonomous agency or instrumentality. The repayment  
25 obligation of the autonomous agency or instrumentality *shall be* calculated by  
26 dividing the autonomous agency or instrumentality borrowed principal by the  
27 total bond proceeds and multiplying by required annual debt service payments.

1           **Section 4. Severability.** If any provisions of this Act or the application  
2 thereof to any person or circumstance is held invalid, such invalidity shall not  
3 affect any other provision or application of this Act which can be given effect  
4 without the invalid provision or application, and to this end the provisions of  
5 this Act are severable.



Norbert Castro

October 1, 2009

Senator Frank B. Aguon, Jr.  
Chairperson, Committee on Economic Development, Health & Human Services, and Judiciary  
30<sup>th</sup> Guam Legislature Suite 701A  
DNA Building, 238 Archbishop Flores Street  
Hagatna, Guam 96910

REFERENCE: Public Hearing written testimony in support of the measure to acquire 134,000 +- square meters of privately owned land known as Lot No#. 3434 – “Gafao” commonly known as the Ordot Dump/Landfill as outlined in Bill No#. 195-30

Buenas Dias yan Hafa Adai Mr. Chairman; distinguished members of the Committee on Economic Development, Health & Services, and Judiciary; manainahu yan maniluhu ni man Chamorro.

My name is \_\_\_\_\_ and I am here this morning along with other family members to provide written and oral testimony in support of the measure contained in Bill No#. 195-30 which allows for the acquisition of 134,000 +- square meters of privately owned land located in the Municipality of Sinajana, Guam known as Lot No#. 3434 - “Gafao”. For the record, I am just but one of several great grandsons/granddaughters of the former Antonio Camacho Bautista who by birthright have legal interest in Lot No# 3434 – Gafao.

Our purpose of being here today is to go on record and to put the Government of Guam on notice of our desire and intent to seek timely, just and fair compensation/remuneration for the many years of the unauthorized use of Lot No#. 3434 – Gafao by the GovGuam as our Islands’ only Dumpsite/Landfill.

**The following are pertinent and relevant facts pertaining to Lot No#. 3434 – Gafao:**

The former Antonio Camacho Bautista who by birth is my maternal great grandfather is the legal and registered owner of Lot No#. 3434 – Gafao.

For decades, members of my family beginning three (3) generations ago have made numerous attempts in trying to seek compensation from the Government of Guam for the use of Gafao

On behalf of my entire family – I would like to extend un dunkalu na si yu’os ma’ase to Senator Ben Pangelinan and his staff for having been the first and only GovGuam leader to



# ORRICK

## MEMORANDUM

**To** Guam Economic Development Authority  
Legislature of Guam

**FROM** Stanley J. Dirks  
Orrick, Herrington & Sutcliffe LLP

**DATE** 9/29/09

**RE** Bill 195-30(COR)—Reprogramming the Available Proceeds of the Section 30 Bonds

---

The following is a summary of certain of the legal principles applicable to the reprogramming of the available proceeds of the Government of Guam Limited Obligation (Section 30) Bonds, Series 2009A.

### **Amounts Available**

First, “available proceeds” as used in this memorandum means the amount of bond proceeds no longer needed for the original purposes for which the bonds were issued. The primary original purpose for issuing the bonds was to provide the moneys necessary to pay the costs of the new landfill and the closure of Ordot Dump. However, another original purpose was to assure the United States District Court that a source of money is readily available to pay such costs, and thereby convince the court not to reinstate its order requiring the Government to make weekly payments to provide an escrow for the payment of such costs.

Incidental to such original purposes, bond proceeds were used for the purposes of funding a debt service reserve fund (“DSRF”), paying costs of issuance of the bonds (“COI”, including underwriter’s discount), retirement of the January 2009 Bank of Guam loan to the Government for landfill costs (“Loan Payment”), and capitalizing a portion of the interest on the bonds through June 1, 2012 (“CapI”).

We understand that after the issuance of the bonds, proceeds of the bonds were withdrawn and used to reimburse the Government for the weekly payments that were ordered by the District Court and made by the Government earlier this year to the escrow held on behalf of the court (the “Weekly Payment Reimbursement”).

The amounts described in the two preceding paragraphs (the DSRF, COI, Loan Payment, CapI and Weekly Payment Reimbursement) are not available for reprogramming. They either have been spent (COI, Loan Payment and Weekly Payment Reimbursement) or are restricted by the terms of the bond indenture to being used for their respective original purposes (DSRF and



O R R I C K

September 29, 2009

Page 2

Capl). Dollar amounts for each of these purposes, and the remaining net proceeds of the bonds in the Construction Account held under the bond indenture by the bond trustee should be obtained from those responsible for such accounting matters.

In addition, it seems to me that in order to prevent the reinstatement of court-ordered weekly payments, any amount needed for the purpose of providing assurance to the District Court that a source of money is readily available to pay the costs of the new landfill and the closure of Ordot Dump must remain on deposit with the bond trustee in the Construction Account until the court is satisfied that an alternative source of moneys is assured. The only way to be certain that the court is satisfied to that effect would be to apply to the court for an order that would, in effect, release the portion of the bond proceeds no longer needed to provide such assurance. The effectiveness of any legislation that purports to mandate the use of the bond proceeds for a purpose other than the original purposes should be conditioned on, or delayed until after, such a court order.

#### **Permitted Alternative Purposes**

Second, the Section 30 bond indenture provides that bond proceeds in the Construction Account [the amounts set aside for the payment of the costs of the new landfill and the closure of the Ordot Dump] may only be used for the payment of costs of a "Project." The indenture defines the term "Project" to mean "**any capital improvement project approved by the Legislature** and any particular additions, enlargements, betterments, extensions and other improvements to or related to, and the equipping of, any such capital improvement project, including, without limitation, the acquisition of land and furnishings therefor or the payment of any claims or judgments relating thereto."

I also note that the Section 30 bond indenture also provides as follows with respect to reprogramming: "Subject to any requirements relating to a Project and contained in a Supplemental Indenture providing for the issuance of a Series of Bonds for such Project, the Government may modify the specifications or description of any Project or Projects, including by expanding such Project or Projects or substituting another Project or Projects therefor, by filing with the Trustee and each Depositary for each Construction Account for such Project or Projects a Certificate of the Government describing such modification, together with an opinion of counsel to the effect that such modification and the use of amounts in such Construction Accounts for such modified Project or Projects has been duly authorized by the Guam Legislature and an opinion of Bond Counsel to the effect that such modification and the use of amounts in such Construction Accounts for such modified Project or Projects has been authorized in accordance with the Indenture and will not adversely effect the exclusion, if any, of interest on any Bonds from gross income for federal income tax purposes."



**O R R I C K**

**September 29, 2009**

Page 3

As a result of these bond indenture provisions, available proceeds of the Section 30 bonds may only be used for the costs of capital improvement projects approved by the Legislature, and reprogramming for use to pay operating expenses (such as tax refunds) is not permitted by the bond documents.

Please let me know if you have any additional questions.



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  
ADMINISTRADOR  
ADMINISTRATOR  
ANTHONY C. BLAZ

**Aturidád 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.

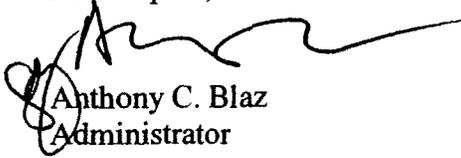
GEDA and the Governor's Office have had extensive communication with USDA in the last few weeks and are in the final stages of completing negotiations of terms and conditions for this loan/grant. Upon completion of the documents, we will then work with the Office of the Attorney General to appeal to 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



**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**

**Matthew Rector  
SENATOR**

**MINORITY  
MEMBERS:**

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

**James V. Espaldon  
SENATOR**

August 3, 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. 195-30 through 198-30**

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 195-30(COR), 196-30(COR), 197-30(COR), and 198-30(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 V. Tajalle at 472-7679.

*Si Yu'os Ma'åse'!*

(1) Attachment

2009 AUG - 3 PM 3:02

*I Mina'Trenta Na Liheslaturan Guåhan*

**Bill Log Sheet**

Page 1 of 1

<b>Bill No.</b>	<b>Sponsor(s)</b>	<b>Title</b>	<b>Date Intro</b>	<b>Date Referred</b>	<b>Committee Referred</b>	<b>Public Hearing Date</b>	<b>Date Committee Report Filed</b>	<b>Status (Date)</b>
B195-30(COR)	v. c. pangelinan	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.	7/30/09 12:37pm	8/3/09	Committee on Economic Development, Health & Human Services, and Judiciary			
B196-30(COR)	T. R. Muña-Barnes	An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the direct administrative representatives of our people and to empower them with special approving authorities.	7/30/09 1:51pm	8/3/09	Committee on Municipal Affairs, Aviation, Housing, and Recreation			
B197-30 (COR)	T. R. Muña-Barnes	An act to appropriate Twenty Five Thousand Dollars (\$25,000.00) from the General Fund for the repair and minor renovation of the Office of the Merizo Mayor	7/30/09 1:51pm	8/3/09	Committee on Appropriation, Taxation, Banking, Insurance, Retirement and Land			
B198-30 (COR)	T. R. Muña-Barnes	An act to amend 12 Guam Code Annotated Chapter 5 §5103 (f) relative to compensation for Commissioners of the Guam Housing and Urban Renewal Authority.	7/30/09 1:52 p.m.	8/3/09	Committee on Municipal Affairs, Aviation, Housing, and Recreation			



**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:

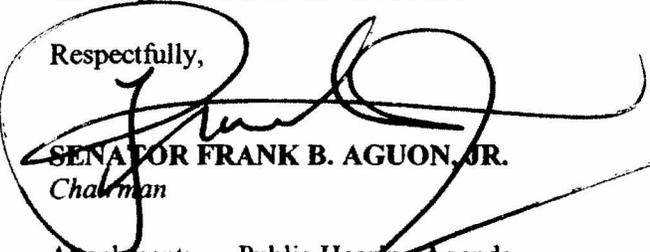
1. Lillian Perez-Posadas, appointed Member, Guam Memorial Hospital Authority Board of Trustees.
2. Alberto E. Tolentino, nominee, Magistrate Judge, Judiciary of Guam.

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



**SENATOR FRANK B. AGUON, JR., *Chairman***  
**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., Ste. 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: [aguon4guam@gmail.com](mailto:aguon4guam@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. 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, 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 *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:**

- 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.guamlegislature.com](http://www.guamlegislature.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. AGUON, JR., 238 ARCHBISHOP F.C. FLORES ST., DNA BLDG., STE 701A, HAGATNA, GU 96910**, email [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com), or fax to 969-1497. Individuals requiring special accommodations/services, or for more information, please contact **Ron Teehan** at 969-1495/6.

THIS AD WAS PAID FOR BY GOVERNMENT FUNDS

Gmail [Calendar](#) [Documents](#) [Photos](#) [Reader](#) [Sites](#) [Web](#) [more](#) ▾

[cip.senfrankaguon@gmail.com](#) | [Settings](#) | [Older version](#) | [Help](#) | [Sign out](#)



[Search Mail](#) | [Search the Web](#) | [Show search options](#)  
[Create a filter](#)

[Compose Mail](#)

Rotten Tomatoes: Movies - 100% Invention of Lying - 2 hours ago

Web Clip < >

[Inbox \(1\)](#)

[Back to Sent Mail](#) | [Archive](#) | [Report spam](#) | [Delete](#) | [Move to Inbox](#) | [Labels](#) | [More actions](#)

1 of 14 [Older](#)

[Starred](#)

[Sent Mail](#)

[Drafts](#)

[Personal](#)

[Travel](#)

[6 more](#) ▾

[Contacts](#)

[Tasks](#)

[Chat](#)

Search, add, or invite

- Catherine Palacios
- Set status here
- aguon4guam
- ajsunga
- ANNETTE M DAVID
- aokada
- apiflores
- carlgutierrez777
- ckamm
- gerilormesgutierrez
- richarroyo
- rsizama

[Options](#) [Add Contact](#)

Invite a friend  
Give Gmail to:

[Send invites](#) 50 left

[Preview invites](#)

### Public Hearing & Confirmation Hearing Notice Inbox X

[Reply](#)

[hide details](#) 2:20 PM (3 minutes ago)

from Catherine Palacios <cip.senfrankaguon@gmail.com>  
 to speaker@judiwonpat.com,  
 office@senatorada.org,  
 aguon4guam@gmail.com,  
 tinamunabarnes@gmail.com,  
 frank.blasjr@gmail.com,  
 sencalvo@gmail.com,  
 senadotbcruz@aol.com,  
 senator@espaldon.com,  
 judiguthertz@gmail.com,  
 senabpalacios@gmail.com,  
 senbenp@guam.net,  
 matt@mattretractor.com,  
 ronyforguam@gmail.com,  
 senatortelo@gmail.com,  
 ray@raytenorio.com,  
 tierlaje@guam.net

cc tagustine@guamlegislature.org,  
 maya.alonso@gmail.com,  
 vbermudes@guamlegislature.org,  
 roland@judiwonpat.com,  
 dominic@senatorada.org,  
 fred@mattretractor.com,  
 jamespcastro@gmail.com,  
 mermae@raytenorio.com,  
 petrickcepeda@hotmail.com,  
 dot@guamlegislature.org,  
 josecruzjr17@yahoo.com,  
 mcruz@guamlegislature.org,  
 pjcruz@yahoo.com,  
 sahara@judiwonpat.com,  
 jonbdiaz@gmail.com,  
 mark@judiwonpat.com,  
 mona.duenas@gmail.com,  
 jennifer@mattretractor.com,  
 jessica@raytenorio.com,  
 maryfejeran@gmail.com,  
 epogue@hotmail.com,  
 deputyclerk@guamlegislature.org,  
 derickhills@live.com,  
 vel.komiyama@yahoo.com,  
 elg@guamlegislature.org,  
 sgtarms@guamlegislature.org,  
 phil@raytenorio.com,  
 mike.lidia9@gmail.com,  
 cyrus@senatorada.org,  
 tpmatanane@yahoo.com,  
 nieves@guamlegislature.org,  
 sem@guamlegislature.org,  
 emew@guamlegislature.org,  
 rsmuna@yahoo.com,  
 codoca@gmail.com,  
 aokada@guamlegislature.org,  
 foppus@guamlegislature.org,  
 yong@guamlegislature.org,  
 justin@mattretractor.com,  
 dperez@guamlegislature.org,  
 mperez48@yahoo.com,  
 rennae@guamlegislature.org,  
 edpocalgue@judiwonpat.com,  
 ciquinata@gmail.com,

[New window](#)

[Print all](#)

[Expand all](#)

[Forward all](#)

[Add to calendar](#)

scheduled for Guam Leg.  
Thu Oct 1, 2009 - [add](#)

Mail Delivery Subsystem

ciquinata@gmail.com,  
 tq@guamlegislature.org,  
 rikeke05@gmail.com,  
 roberto.phil@gmail.com,  
 nsatos@senatorada.org,  
 psantos@guamlegislature.org,  
 sayama01@yahoo.com,  
 sjsunga@senatorada.org,  
 ez2plez57@yahoo.com,  
 elainevt@gmail.com,  
 teddytaz\_222@yahoo.com,  
 fierlaje@guamlegislature.org,  
 fbtorres@judicwopnet.com,  
 rob.tupaz@gmail.com,  
 joyunpingco@gmail.com,  
 tunsio@guamlegislature.org,  
 doc.wytenbachsantos@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.  
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  
 Fax: 671-969-1497

 SENATORS - 1st Notice PH 10.01.pdf  
 816K [View](#) [Download](#)

[Reply](#) [Reply to all](#) [Forward](#)

- Mail Delivery Subsystem** This is an automatically generated Delivery Status Notification 2:20 PM (0 minutes ago)
- Mail Delivery Subsystem** elg@guamlegislature.org 550 5 1 1 http 2:20 PM (0 minutes ago)
- Mail Delivery Subsystem** tagustin@guamlegislature.org "Buenas yan Hafa Adai!" 2:20 PM (0 minutes ago)
- Mail Delivery Subsystem to me** [show details](#) 2:20 PM (0 minutes ago) [Reply](#)

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

[deputyclerk@guamlegislature.org](mailto:deputyclerk@guamlegislature.org)  
Show quoted text -  
 "Buenas yan Hafa Adai!"

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

----- Message truncated -----

[Reply](#) [Forward](#) [Invite Mail Delivery Subsystem to chat](#)



## **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.

#####

### **MEDIA DISTRIBUTION: (fax and/or email)**

KUAM TV/Radio	637-9870
News Talk K57 / Power98	477-3982
PDN	477-3079
PNC News	477-0793
Marianas Variety	648-2007
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

**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*”.

NOTE: Blocked calls are not displayed on this report.  
 For more information, see Junk Fax Report and the Caller ID History report.

**Last 30 Transactions**

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
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
			6714754636			
Sep 23	2:07PM	Received	6482007	0:33	1	OK
			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
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
			6714772522			
Sep 24	1:16PM	Received	477 2522	0:31	2	OK
			6714772522			

**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,  
        "MELYAN, Catriona - PDN" <cmelyan@guampdn.com>,  
        "PDN - DALENO, Gaynor" <gdumat-ol@guampdn.com>,  
        PDN News <news@guampdn.com>,  
        "CAGURANGAN, Mar-Vic" <marvic@mvguam.com>,  
        "TAITANO, Zita" <zytaitano@gmail.com>,  
        Nicolas Delgado <ndelgado@spbguam.com>,  
        Kevin Kerrigan <kevin@spbguam.com>,  
        Josh Tyquiengco <jtyquiengco@spbguam.com>,  
        Jac Perry <jac@marianasmedia.com>,  
        "KSTO/KISH - PEREZ, Alicia" <kstonews@ite.net>,  
        kstokish@gmail.com,  
        kprg@guam.net  
date    Thu, Sep 24, 2009 at 10:35 AM  
subject **PRESS RELEASE**  
mailed-by gmail.com

**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  
Fax: 671.969.1497

 **2009.10.01 - PH - 1st Notice.docx**

*Your loss should not hurt your pocket...*



## Rosary Anniversary Packages

• Two Rosary Announcements Starting at \$320.00

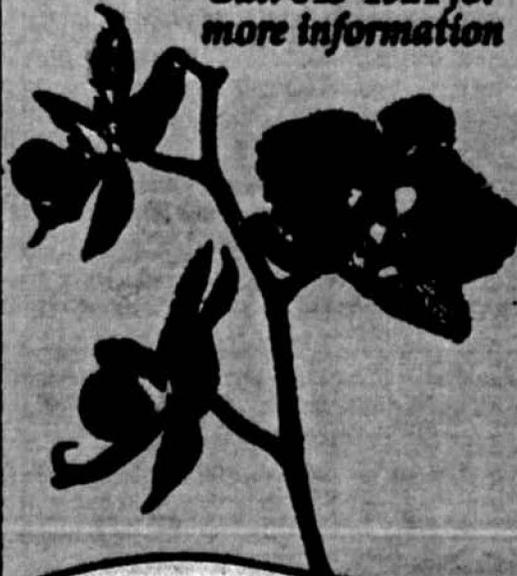


## Packages Starting at \$760.00

- Full Color Announcements
- Two Obituaries plus Message of Appreciation



Call 649-1924 for more information



✓ SENATOR FRANK B. AGUON, JR., Chairman  
 COMM. ON ECONOMIC DEVELOPMENT,  
 HEALTH & HUMAN SERVICES, AND JUDICIARY  
 1 Mina Treata Na Liheslaturan Guahan • 30th Guam Legislature  
 23B Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna, Guam 96910  
 Tel. (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@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. 30-144 (COR)** - Relative to adding a new Subject (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, 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 *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:

**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.guamlegislature.com](http://www.guamlegislature.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. AGUON, JR., 23B ARCHBISHOP F.C. FLORES ST., DNA BLDG., STE. 701A, HAGATNA, GU 96910, email: [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com), or fax to 969-1497. Individuals requiring special accommodations/services, or for more information, please contact Ron Teehan at 969-1495/6.

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:

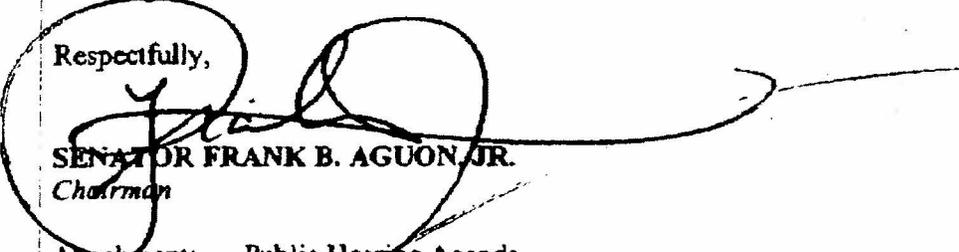
1. Lillian Perez-Posadas, appointed Member, Guam Memorial Hospital Authority Board of Trustees.
2. Alberto E. Tolentino, nominee, Magistrate Judge, Judiciary of Guam.

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

hide details 5:15 PM (0 minutes ago)

Reply

From: Frances Lizama <lizama.frances@gmail.com>

To: "SEN. ADA, Thomas C." <tom@senatorada.org>,  
 "SEN. BLAS, Frank F., Jr." <frank.blasjr@gmail.com>,  
 "SEN. CALVO, Eddie J.B." <senecalvo@gmail.com>,  
 "SEN. ESPALDON, James V." <senator@espaldon.com>,  
 "SEN. GUTHERTZ, Judith P." <judguthertz@pscom.com>,  
 "SEN. MUNA BARNES, Tina Rosa" <tinamunabarnes@gmail.com>,  
 "SEN. PALACIOS, Adolpho B., Sr." <abpalacios@gmail.com>,  
 "SEN. PANGELINAN, Ben" <benbenp@guam.net>,  
 "SEN. RECTOR, Matt" <mat@mattrector.com>,  
 "SEN. RESPICIO, Rory J." <rory@rjguam@gmail.com>,  
 "SEN. TAITAGUE, Telo" <senatorelo@gmail.com>,  
 "SEN. TENORIO, Ray" <ray@raytenorio.com>,  
 "SPKR WON PAT, Judi" <speaker@judwonpat.com>,  
 "VICE SPKR CRUZ, Benjamin J.F." <senadotbjcruz@aol.com>

cc: delabastardo@gmail.com,  
 fileke05@gmail.com,  
 teddylaz\_222@yahoo.com,  
 the2006er@hotmail.com,  
 "AGUON, Natasha - Sen. Aguon" <natastaguon@hotmail.com>,  
 "ALONSO, Mays - Vice Spkr Cruz" <mays.alonso@gmail.com>,  
 "BLAS, Roland - Spkr Won Pat" <roland@judwonpat.com>,  
 "BORJA, Dominic - Sen. Ada" <dominic@senatorada.org>,  
 "BUDAS, Chris - OFB" <chris.budas@guamlegislature.org>,  
 "BURGOS, Fred - Sen. Rector CoS" <fred@mattrector.com>,  
 "CASTRO, James P. - Sen. Blas CoS" <jamespcastro@gmail.com>,  
 "CEPEDA, Merilee - Sen. Tenorio" <merilee@raytenorio.com>,  
 "CEPEDA, Patrick - Sen. Palacios CoS" <patrickcepeda@hotmail.com>,  
 "COPOLONE, Lisa - Sen. Pangelinan CoS" <lisa@guamlegislature.org>,  
 "CRUZ, Jose J. - Vice Spkr Cruz" <josecruz17@yahoo.com>,  
 "CRUZ, Priscilla - Sen. Palacios" <priscruz@yahoo.com>,  
 "DEFENSOR, Sahara - Spkr Won Pat" <sahara@judwonpat.com>,  
 "DIAZ, Jonathan - Sen. Palacios" <jonbdiaz@gmail.com>,  
 "DUARTE, Mark - Spkr Won Pat" <marks@judwonpat.com>,  
 "DUENAS, Mona - Sen. Espaldon" <mona.duenas@gmail.com>,  
 "DULLA, Jennifer - Sen. Rector" <jennifer@mattrector.com>,  
 "EVARISTO, Jessica - Sen. Tenorio" <jessica@raytenorio.com>,  
 "FEJERAN, Mary - Sen. Blas" <maryfejeran@gmail.com>,  
 "GILLHAM, Juliette - Sen. Ada CP" <office@senatorada.org>,  
 "GOGUE, Elaine - Sen. Calvo CoS" <egogue@hotmail.com>,  
 "HILLS, Derrick - Sen. Pangelinan" <derrickhills@live.com>,  
 "KOMIYAMA, Verma - Sen. Barnes" <verlkomiyama@yahoo.com>,  
 "LG, Ed - Sen. Guthertz" <ed@guamlegislature.org>,  
 "LG, Philip - Sen. Tenorio CoS" <phil@raytenorio.com>,  
 "LIDIA, Mike - Vice Spkr Cruz" <mike.lidia@gmail.com>,  
 "LUHR, Cyrus - Sen. Ada" <cyrus@senatorada.org>,  
 "MACAPAGAL, Irene - Sen. Aguon" <iba\_irenam@yahoo.com>,  
 "MATANANE, Tammy - Vice Spkr Cruz" <matanane@yahoo.com>,  
 "MENDIOLA, Stephanie - Sen. Respicio's Off." <stem@guamlegislature.org>,  
 "MENDIOLA, Tony C." <tunor0631@hotmail.com>,  
 "MILLONDAGA, Nena - Sen. Aguon" <nenamillondaga@yahoo.com>,  
 "MUNA, Rose - Sen. Guthertz" <rmuna@yahoo.com>,  
 "ODOCA, Chris - Vice Spkr Cruz" <codoca@gmail.com>,  
 "OKADA, Anjelica - Sen. Pangelinan" <ackada@guamlegislature.org>,  
 "PARVIN, Justin - Sen. Rector" <justin@mattrector.com>,  
 "PEREZ, Mike - Sen. Taitague" <mjperez48@yahoo.com>,  
 "PHILLIPS, Bill R. - Sen. Respicio CP" <phil@peguam@gmail.com>,  
 "POCAGUE, Ed - Spkr Won Pat" <edpocague@judwonpat.com>,  
 "QUINATA, Carl - Sen. Taitague CoS" <ciquinata@gmail.com>,  
 "ROBERTO, Phil - Sen. Espaldon CoS" <rbernto.phil@gmail.com>,  
 "SANTOS, Nicole - Sen. Ada" <nsantos@senatorada.org>,  
 "SANTOS, Pat" <psantos@guamlegislature.org>,  
 "SAYAMA, Mark - Sen. Blas" <msayama01@yahoo.com>,  
 "SUNGA, Jay - Sen. Ada" <ajsunga@senatorada.org>,  
 "TABONARES, Gina - Sen. Aguon" <gaguonmada@gmail.com>,  
 "TAITAGUE, Ron - Sen. Barnes" <ez2plez57@yahoo.com>,  
 "TAJALLE, Elaine - Sen. Respicio" <elainevtll@gmail.com>,  
 "teddylaz@ite.net" <teddylaz@ite.net>,  
 "TORRES, Frank B. - Spkr Won Pat CoS" <ftorres@judwonpat.com>,  
 "TUPAZ, Roben - Sen. Guthertz" <rob.tupaz@gmail.com>,  
 "UNPINGCO, Joy - Sen. Calvo" <joy.unpingco@gmail.com>,  
 "WYTTENBACH-SANTOS, Richard - Sen. Guthertz CoS" <doc.wytenbachsantos@gmail.com>,  
 "GUMATAOTAO, Susan S." <deputyclerk@guamlegislature.org>,  
 "NEW, Emy" <emew@guamlegislature.org>,  
 "PEREZ, Daniel" <dperez@guamlegislature.org>,  
 "PEREZ, Renee" <reneep@guamlegislature.org>

"TERLAJE, Flo" <terlaje@guamlegislature.org>.  
 "TERLAJE, Therese" <terlaje@guam.net>.  
 "BERMUDES, Vince - MIS" <vbermudes@guamlegislature.org>.  
 "PAK, Yong - MIS" <yong@guamlegislature.org>.  
 "LG Joe - Sgt-at-Arms" <joem102008@yahoo.com>.  
 "QUITUGUA, Terry - Protocol/Reproduction" <tq@guamlegislature.org>.  
 "UNSIOG, Tom - Protocol/AV" <tunsiog@guamlegislature.org>.  
 "CRUZ, Dor" <dc@guamlegislature.org>.  
 "CRUZ, Martha" <mcruz@guamlegislature.org>.  
 "MATERNE, Neves" <nmat@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: 671.969.1485/5  
 Fax: 671.969.1497

 2009.10.01 PH - 2nd Notice.pdf  
 811K [View](#) [Download](#)



## 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.

#####

#### MEDIA DISTRIBUTION: (fax and/or email)

KUAM TV/Radio	637-9870
News Talk K57 / Power98	477-3982
PDN	477-3079
PNC News	477-0793
Marianas Variety	648-2007
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

from Frances Lizama <lizama.frances@gmail.com>  
 to adoniso@guampdn.com,  
 jec@marianasmedia.com,  
 john@marianasmedia.com,  
 krp@guam.net,  
 kstokush@gmail.com,  
 \*AGUON, Mindy - KUAM\* <671mindy@gmail.com>,  
 \*ARROYO, Patti - KST\* <parroyo@k57.com>,  
 \*ARTERO, Sonya - KUAM\* <sonya@kuam.com>,  
 \*CAGURANGAN, MarVic - MerVariety\* <marvic@mvguam.com>,  
 \*CATANAY, Michèle - KUAM\* <michele@kuam.com>,  
 Chyn Ripell <chyn@kuam.com>,  
 \*COFFMAN, Travis - KST\* <thebigshow@k57.com>,  
 \*DELGADO, Nick - SPB\* <nickdelgado@spbguam.com>,  
 \*GIBSON, Ray - KST\* <rgibson@k57.com>,  
 \*GIBSON, William - KST\* <breakfastshowk57@gmail.com>,  
 \*GLIMPSES - PALACIOS, Ivan\* <reporter1@pimpres.orguam.com>,  
 \*GODLEWSKI, Stephanie - PDN\* <stepgodlewski@guampdn.com>,  
 \*HART, Therese - MerVariety\* <therese@mvguam.com>,  
 Jason Sales <jason@kuam.com>,  
 \*KELMAN, Brett - Guam Gannett\* <bmkelman@guam.gannett.com>,  
 \*KERRIGAN, Kevin - SPB\* <kevink@spbguam.com>,  
 \*MATANANE, Sabrina - KUAM\* <sabrina@kuam.com>,  
 \*MELYAN, Camona - PDN\* <cmelyan@guampdn.com>,  
 \*MUNA, Audrey\* <audreymuna@yahoo.com>,  
 \*PDN - DALENO, Geynor\* <gdaleno@guampdn.com>,  
 \*PEREZ, Alicia - KSTO / KISH\* <kstonews@k57.net>,  
 \*PERRY, Jacqueline - MerMedia\* <jac.perry.guam@gmail.com>,  
 \*PNC - DELGADO, Nick\* <news@spbguam.com>,  
 \*PNC - SEBASTIAN, Stephen\* <sebastian@spbguam.com>,  
 \*SUALOG, Bryna - PDN\* <bsualog@guampdn.com>,  
 \*TAITANO, Zita - MerVariety\* <zysaitano@gmail.com>,  
 \*TYOUENGGCO, Josh - SPB\* <jtyouengco@spbguam.com>,  
 \*WATANABE, Masako - Guam Gannett\* <mwatanabe@guam.gannett.com>

hide details 2:15 PM (0 minutes ago)

Reply

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  
 236 Archbishop F.C. Flores St.  
 DNA Bldg (old PDN), Suite 701A  
 Hagatna, Guam 96510  
 Tel: 671.969.1495/6  
 Fax: 671.969.1497

2809.10.01 - PH - 2nd Notice.docx  
 85K [View as HTML](#) [Open as a Google document](#) [Download](#)

HP Officejet 6310  
 Personal Printer/Fax/Copier/Scanner

Log for  
 Sen. Frank B. Aguon, Jr.  
 (671) 969-1497  
 Sep 28 2009 3:16PM

NOTE: Blocked calls are not displayed on this report.  
 For more information, see Junk Fax Report and the Caller ID History report.

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

\* JOY 92FM - FAX LINE BUSY



SENATOR FRANK B. AGUON, JR., Chamber  
COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY  
/ Miss. Trina Nu Lladreses Galder • 30th Guam Legislature  
218 Archbishop Y.C. Flores St., DINA BLDG., STE 701A, Hagåtña, Guam 96510  
Tel: (671) 949-1495 • Fax: (671) 949-1497 • Email: [spc@guampdn.com](mailto:spc@guampdn.com)

## NOTICE OF PUBLIC HEARING

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

### FOR AMENDMENT:

**BILL NO. 28-144 (CON)** - Relative to adding a new Subject: (b) to §51821 of Act 18, Div. 2, Ch. 51, JCCCA, relative to redistribution of funding proceeds from 2009 Solid Waste Management System Bond Funds to address capital improvement projects for the community of Guam.

**BILL NO. 28-179 (CON)** - To add a new §51821 (a) to Act 1, Ch. 51, JCCCA to authorize the use of census bond proceeds for the purpose of constructing a multi-purpose cultural center and performing arts venue and a Guam Museum facility.

**BILL NO. 28-181 (CON)** - To amend Sect. 11601, JCCCA, relative to Superior Court Judges Annual Compensation Adjustment.

**BILL NO. 28-182 (CON)** - To amend and retitle §19122 of Act 7, Ch. 31, JCCCA, relative to the use of proceeds of sale of bonds.

**BILL NO. 28-186 (CS)** - To amend JCCCA §56413, relative to hours imposed crimes.

**BILL NO. 28-219 (CS)** - To add new Ch. 72 to JCCCA relative to hours imposed crimes, and provide legal advice and guidance regarding departmental requests for available computing resources with the U.S. District Court of Guam (President/President).

**LEGISLATION CONTINUATION HEARINGS**  
**APPOINTMENT OF LILLIAN PÉREZ ROSADA, Member, CNQHA Board of Trustees**  
**APPOINTMENT OF ALBERTO E. TOLIENTINO, Magistrate Judge, Judiciary of Guam**

### SENATE:

**BILL NO. 28-158 (CON)** - To amend Sect. 3101, 3104 and 3107 of Act 1, JCCCA, relative to validity of marriage.

**BILL NO. 28-183 (CON)** - To add a new Ch. 16, JCCCA, relative to Domestic Partnership.

**BILL NO. 28-212 (CS)** - To add a new Ch. 45 to Div. 1, JCCCA, relative to establishment of Designated Beneficiary Agreements, and amend the act as amended, *Emergency Amendment Act of 2009*.

To view full text of Bills & Amendments, visit the Guam Legislature website at [www.guamlegislator.com](http://www.guamlegislator.com). If written testimonies are to be presented, the Committee requests copies be submitted 1 day prior to hearing date to: **OFFICE OF SEN. FRANK B. AGUON, JR., 218 ARCHBISHOP Y.C. FLORES ST., DINA BLDG., STE 701A, HAGATÑA, GUAM 96510**, email: [spc@guampdn.com](mailto:spc@guampdn.com), or fax to 969-1497. Individuals requiring special accommodations services, or for more information, please contact Raw Tashan at 969-1495A.

**THIS AD WAS PAID FOR BY GOVERNMENT FRIENDS**



**SENATOR FRANK B. AGUON, JR., *Chairman***  
**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)**

*Bond* 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)**

*Bond* 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)**

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)**

*Bond* 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)**

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 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)**

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)**

An act to add a new Chapter 16, Title 19 Guam Code Annotated, relative to Domestic Partnerships.

• **BILL NO. 30-212 (LS)**

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

---

**COMMITTEE  
REPORT  
ON**

**BILL NO. 459-30 (COR)**

Sponsored by: Vicente C. Pangelinan

“AN ACT TO AMEND §51821(a) OF ARTICLE 8, CHAPTER 51  
OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF  
SALE OF BONDS.”