



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

NFC: 01 2009

2009 DEC -2 PM 2:31 M

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. 196-30(COR) "AN ACT TO ADD A NEW §40115.A TO CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RECOGNIZING VILLAGE MAYORS AS DIRECT REPRESENTATIVES OF THE PEOPLE, EMPOWERING THEM WITH AUTHORITY FOR VILLAGE EVENTS" which I signed into law on November 27, 2009 as **Public Law 30-68**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

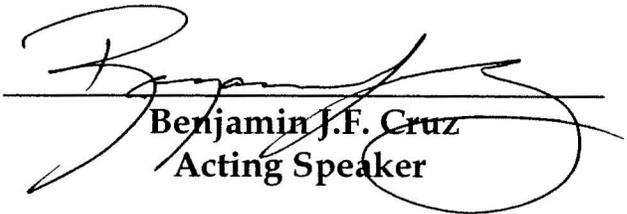
Attachment: copy of Bill

30-09-14²⁴
12/02/09
10-

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

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

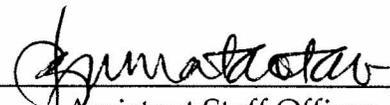
This is to certify that **Substitute Bill No. 196-30 (COR), "AN ACT TO ADD A NEW §40115.A TO CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RECOGNIZING VILLAGE MAYORS AS DIRECT REPRESENTATIVES OF THE PEOPLE, AND EMPOWERING THEM WITH AUTHORITY FOR VILLAGE EVENTS,"** was on the 13th day of November, 2009, duly and regularly passed.

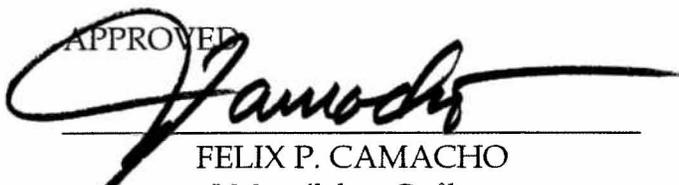

Benjamin J.F. Cruz
Acting Speaker

Attested:


Rory J. Respicio
Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17 day of Nov., 2009, at
4:25 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 27 Nov 2009

Public Law No. 30-68

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

Bill No. 196-30 (COR)

As substituted by the Committee on Municipal Affairs,
Aviation, Housing and Recreation and as
amended on the Floor.

Introduced by:

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

**AN ACT TO *ADD* A NEW §40115.A TO CHAPTER 40,
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO
RECOGNIZING VILLAGE MAYORS AS DIRECT
REPRESENTATIVES OF THE PEOPLE, AND
EMPOWERING THEM WITH AUTHORITY FOR
VILLAGE EVENTS.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
3 that the responsibilities and authorities of our Village Mayors have evolved over a
4 long period of time. Since the enactment of Public Law 14-27, it is common

1 knowledge that other elected leaders yield to Village Mayors to seek out what the
2 people from their respective villages desire for the betterment of their community.

3 As the powers, responsibilities, and duties of Village Mayors continue to
4 evolve, it is the intent of *I Liheslaturan Guåhan* to provide Mayors with greater
5 authority and autonomy to ensure people's needs are taken care of at the
6 community level. Mayors today are *not* just the custodians of their jurisdiction that
7 maintain a clean and beautiful neighborhood. Our Mayors have been granted
8 authority to act as Peace Officers and are obliged to assist in maintaining law and
9 order. Mayors have also been given powers to issue citations for the violations of
10 sanitary, health, and litter laws in their village.

11 It is the intent of *I Liheslaturan Guåhan* to recognize our Mayors as the
12 direct administrative representatives of our people and to empower them with the
13 authority to approve any lawful concessionary activities that are officially
14 sponsored *or* organized by their office *or* the Mayors' Council of Guam.

15 **Section 2.** A new §40115.A is hereby *added* to Chapter 40, Title 5, Guam
16 Code Annotated, to read:

17 **“§40115.A. Mayors Empowered with Approving Authority.**

18 Notwithstanding any other provisions of law, individual Mayors are granted
19 authority to sponsor and to approve concessions, festivals, fiestas, or other
20 village events associated with the promotion of the *Chamorro* culture,
21 tradition, heritage and tourism, and officially sponsored by their mayoral
22 office, *or* by the Mayors' Council of Guam, to be held within village
23 property under the jurisdiction and control of the Mayor or Municipal
24 Planning Council of that village. The names of the events *shall* be at the
25 discretion of the Mayor. The net proceeds of such concessionary activity
26 *shall* be given to the Municipal Planning Council of the Village in which the
27 activity is held.

1 The Village Mayor *or* Vice-Mayor will provide a report of the amount
2 of the proceeds that is transmitted to the Municipal Planning Council *not*
3 *more than* thirty (30) days from the last day of such event to the Department
4 of Revenue and Taxation, *I Maga'lahaen Guåhan*, the Speaker of *I*
5 *Lihe slatura*, and the Office of Public Accountability.

6 This special authority granted to Mayors *does not* negate any other
7 governmental requirement from being met, including, but *not limited to*,
8 health and sanitary permits *if* such concessionary activities involve the
9 handling of consumables, *or* the approval and permitting for gambling and
10 cockfighting activities, *or* other permit *or* licensing requirements. A
11 Certificate of Approval affixed with the approving Mayor's signature *shall*
12 constitute the official authorization for a concessionary activity *not to exceed*
13 a period of thirty (30) days. Such document *shall* indicate the nature of the
14 activity and the activity's duration, which *shall not exceed* sixty (60) days
15 from issuance of approval. A copy of the certificate *shall* be transmitted to
16 the Speaker of *I Lihe slaturan Guåhan*. The funds and activities generated in
17 this Section *shall* be subject to annual audit by the Office of Public
18 Accountability.”

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2009 (FIRST) Regular Session

Date: Nov. 13, 2009

VOTING SHEET

5 Bill No. 196-30 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.					EA
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V. /	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
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



I Mina'Trenta Na Liheslaturan Guahan
Office of The Legislative Secretary
Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation
155 Hesler Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

October 20, 2009

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

Speaker

I Mina'Trenta Na Liheslaturan Guahan

155 Hesler Place

Hagatna, Guam 96910

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

RE: Committee Report – Bill No. 196-30 (COR)-as substituted

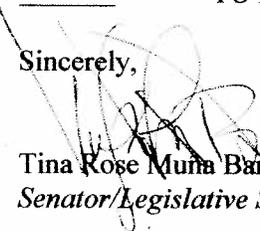
Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 196-30 (COR) as substituted by the Committee on Municipal Affairs, Aviation, Housing and Recreation – “An act to add a new Section to 5 Guam Code Annotated Chapter 40 relative to recognizing Village Mayors as the Administrative representatives of our people and to empower them with special approving authorities” - sponsored by Senator Tina Rose Muña Barnes, and referred to the Committee on Municipal Affairs, Aviation, Housing and Recreation.

Committee votes are as follows:

<u>3</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>4</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Sincerely,


Tina Rose Muna Barnes
Senator/Legislative Secretary

2009 OCT 28 AM 11:28 W



Senator Tina Rose Muna Barnes

Legislative Secretary

L Muna' Trenta Na Liheslaturan Guahan / Thirtieth Guam Legislature

Committee on Municipal Affairs, Aviation, Housing and Recreation

Tel: (671) 472-3455 / Fax: (671) 472-3400

**COMMITTEE
REPORT
ON**

BILL NO. 196-30 (COR) as substituted by the
Committee on Municipal Affairs, Aviation,
Housing and Recreation
**SPONSORED BY TINA ROSE MUNA
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.”**



I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation
155 Hesler Place Hagatna, Guam 96910 | Tel: 671-472-3455/6 Fax: 671-472-3400

October 20, 2009

MEMORANDUM

To: **All Members**
Committee on Municipal Affairs, Aviation, Housing, and Recreation

From: **Senator Tina Rose Muña Barnes** 
Committee Chairperson

Subject: **Committee Report Bill No. 196-30 (COR)** as substituted by the Committee on Municipal Affairs, Aviation, Housing and Recreation.

Transmitted herewith for your consideration is the Committee Report on Bill No. 196-30 (COR) as substituted by the Committee on Municipal Affairs, Aviation, Housing and Recreation - **“An act to add 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 authorities.”** Sponsored by Senator Tina Rose Muña Barnes, and referred to the Committee on Municipal Affairs, Aviation, Housing and Recreation.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative
- Copy of Sub-Version Bill No. 196-30 (COR)
- Copy of Bill No. 196-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of submitted testimony & supporting documents
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

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

Si Yu'os Ma'åse!



I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hesler Place Hagatna, Guam 96910 | Tel: 671-472-3455/6 Fax: 671-472-3400

COMMITTEE VOTING SHEET

BILL NO. 196-30(COR) AN ACT TO ADD 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 AUTHORITIES. (as substituted by the Committee on Municipal Affairs, Aviation, Housing and Recreation)

Senators	Signature	To Pass	Not To Pass	To Report Out Only	To Abstain	Place In Inactive File
Tina Rose Muna Barnes <i>Chairperson</i>		✓				
Benjamin J. F. Cruz <i>Vice Chairperson</i>		✓ 10/23/09				
Judith T. Won Pat, Ed. D.				10/23/09		
vicente c. pangelinan						
Judith P. Guthertz, DPA						
Thomas C. Ada				10/23/09 ✓		
Rory J. Respicio						
Frank B. Agoun, Jr.						
Edward J. B. Calvo						
Frank F. Blas, Jr.				✓		
Ray Tenorio						
Matt Rector						
Telo Taitague				10/23/09		



Senator Tina Rose Muña Barnes
Legislative Secretary

I Mina' Trenta Na Lihieslaturan Guahan (Thirtyeth Guam Legislature)
Committee on Municipal Affairs, Aviation, Housing and Recreation
Tel: (671) 472-3455 /6 Fax: (671) 472-3400

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Municipal Affairs, Aviation, Housing and Recreation convened a public hearing on Friday, September 18, 2009 at 9:00 A.M. in I *Lihieslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill 196-30 (COR) "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." Sponsored by Tina Rose Muña Barnes.

Public Notice Requirements

Notice were disseminated via hand-delivery and e-mailed to all senators and all main media broadcasting outlets on Thursday, September 10, 2009 (5-Day Notice), and again on Tuesday, September 15, 2009 (48-Hour Notice), pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature's website.

Senators Present

Senator Tina Rose Muña Barnes, Chairperson
Senator Frank B. Aguon Jr., Committee Member
Senator Thomas C. Ada, Committee Member
Senator Matt Rector, Committee Member
Senator Vicente C. Pangelinan, Committee Member
Senator Telo Taitague, Committee Member

II. SUMMARY OF TESTIMONY & DISCUSSION

Senator Muña-Barnes: At this time ladies and gentlemen we will hear testimony for Bill 196-30 (COR) "An act to add a new section to 5 Guam Code Annotated, chapter 40 relative to recognizing village mayors as our direct administrative representatives of our people, and to empower them with special approving authorities."

Again, at the request of the mayors and working closely with them, my colleagues and I continue to commit to working closely with the mayors in their effort to empower them and give them more authority to work closely as first responders to all the issues and concerns that come up with their villages on a 24 hours basis. And with that commitment, this bill was introduced at their request and with that being said with Bill 196 I will go ahead and turn it over we do have the president

of the mayors council Mayor Tayama from Agat, we also have Mayor Chargulaf, we also have Mayor Pedro Terlaje and at this time we will go ahead and hear testimony. Thank you very much Mayor Tayama for being here this morning.

Mayor Tayama: Thank you Senator. Honorable Chairperson, and members of the committee, *Buenas and Hafa Adai*. For the record, I am Carol Liz Tayama, President of the Mayors Council of Guam and Mayor of the village of Agat. I am here this morning to testify in favor of Bill 196-30. The very fact that this bill recognizes mayors as direct representatives of our people and more importantly empowers them in reasons enough to fully support and request for the passage of the enactment of this bill. It is heartwarming to know that we now have a legislature that is indeed supportive of the efforts of our mayors and vice mayors and it is also welcoming news to know that we are slowly but surely being empowered that rightfully belongs to the village leaders. This bill is a simple start but none the less it is a start. Mayors and Vice Mayors knows very well along with their municipal planning council what is best in their villages and how to go about making things happen for their villages. To empower mayors and the Mayors Council of Guam with the authority to approve any lawful concessionaire activities is in deed a step towards recognizing that mayors and vice mayors are the direct representative to our people not just administratively but literally. While we know that all of you have spent money out of your pockets to help individuals in need, I am sure you are very cognizance that all mayors and vice mayors have not only given from their pockets as well to help individuals but lately have been bombarded with request for financial assistance from groups of individuals like sport teams, family with medical emergencies, homeless folks and others. This authority to approve activities in our villages will allow us the means to plan for and anticipate how best we can provide help to those in need. It is a small step in empowerment of our village leaders but we are thankful especially to you madam speaker, Senator Tina Muna Barnes for recognizing and putting into law what should have been an authority that mayors, vice mayors and the Mayors Council of Guam should have had since the inception of the Mayors Council of Guam. In essence to me as the mayor of Agat, it is really an authority that rightfully belongs to a leader of a village. As the president of the Mayors Council of Guam, it is an authority that we should have had all along. I encourage your support of this measure. And I would just like to remind you that we are the direct representatives of our people. Allow us to practice it to live it and to be it. *Dankulu Na Si Yu'us Ma'asi* and have a good day.

Senator Barnes: Buen Pamechot Mayor Tayama. If we could possibly have a copy of your statement this morning so we can go ahead and submit it for the record.

Mayor Tayama: Sure

Senator Barnes: We appreciate that. With that being said, I'll go ahead and yield to good mayor of Yona We'll go ahead and work with seniot.

Mayor Terlaje: Good morning madam chair for the second time.

Senator Barnes: Good morning

Mayor Terllaje: Good morning members to the committee. For the record my name is Jose Toves Terllaje also known as mayor Pedro and also the chairman on legislative matters for the Mayors Council of Guam. Before I share some of my thoughts this morning on behalf of the Mayors Council of Guam and the people of Guam. I want to thank you madam chair and the members of the committee for the opportunity extended to me and my colleagues to come here this morning and express our support on Bill 196-30 (COR). Most importantly I want to express my *Dankulu Si Yu'us Ma'asi* for a continued demonstration madam chair of personal mindfulness in your pursuit and commitment to allow the mayors and vice mayors of Guam some type of empowerment within our authority as district mayors in order to invigorate our people at the highest level of expectation in the main thing between our constituents and our government. Let me start of by saying that I am in full support of Bill 196-30 (COR). In addition to my support of Bill 196-30 I am also submitting the list of names of mayors and vice mayors which represents about 98/99 percent of mayors supporting this bill. To further justify our support some of my colleagues are present here today to make testimony and support and I hope everybody is in support. Otherwise you know what. The bill as it is written is one of the majority of mayors and vice mayors will appreciate and embrace not necessarily account for activities in their jurisdiction and consistently put into place programs and projects associated with promoting our culture and tradition and heritage but also to allow the mayors and vice mayors the ability to raise funds to assist those in need either for off-island medical treatment, death, sickness in the family, monetary support etc etc etc. Madam chair and members of the committee we beg for your consideration because the undertakings we assume everyday is just so overwhelming and with the incoming military build up and increased visitors to Guam, we need to showcase our traditions. Most importantly we also need to replenish our limited funding. This is to help maintain our facilities our projects and beautification and other areas like parks and grounds that are under the Department of Parks and Recreations that we as mayors and vice mayors continually to undertake and most importantly our desire to give more assistance to our schools and community. The contents of the Bill 196-30 is no way discremativ of our reflection or desire to take away the authority of the Governor but an encouragement to establish and assume a renewed passion to that the mayors and vice mayors are a direct link of community representation and recognize us as first responders should be reserved and privileged with distinctions. With that being said madam chair I would also like to make some addition to section 40115 numbers 19 on page 2 to read as follows:

On page 2 number 19 section 40115 states on the bill introduced I don't know if that's a mayor or 40115A. Be as it may it states mayors empowered with approving authority and then on number 20 not withstanding any other provisions of law, individual mayors are number one that are officially sponsored by their mayoral office and granted special authority to approve any lawful concessionaire activities approved by the Mayors Council of Guam. To simplify that so there is no misunderstanding. I recommend that it should read number 19 Section 40115A, mayors or vice mayors are empowered. We need to include the vice mayors in there with special approving authority due to the fact some of the vice

mayors will go off-island and thing like that for emergency. And on number 20 not withstanding any other provisions of law, individual mayors or vice mayors are number 1 which I would like to recommend to the committee gives us special approving authority to sponsor any lawful concessionaire activity or events officially sponsored by their mayoral office. And number 2 activities or events should be associated with supporting or promoting tourism, culture, heritage, tradition, beautification, sports, medical, and organizations, humanitarian and other official mayoral finance. And on number 4 on the same page, I noted down on the net proceeds of such concessionaire activity should be for the direct benefit and purpose of number two above. Concessionary activities or event. I want to recommend that. Not only concessionary. We want to be able to have our own events and activities to raise funds and to sponsor humanitarian financial support especially off-island medical referrals. In addition to that madam chair, I went ahead and I did a petition.

Senator Barnes: We have that thank you.

Mayor Terllaje: It's included in the distribution?

Senator Barnes: Yes

Mayor Pedro: Although Mayor Chaco is not here, the Mayor of Agat had informed me that he is in support of this bill. There are two other signatures and I'm not going to say anything about them not signing because initially I was challenged by the mayor of Yigo on this particular bill. I don't know if you remember but I used to have my Friday night market in Yona. At that point and time when I initiated that I had 130 vendors. I think I over took the business of the Agana Chamorro Village. Due to the fact that my night market was very successful with 130 vendors. And when Public Health started coming in and telling me about their policies on sanitary and all that. I told Tan Maria you can't be selling here anymore because its part of the Public Health Sanitary requirement. Tan Maria said, Pedro I just come here with the buenelos manglu (doughnuts) to sell at least ten dollars so I can at least get something else. So with not the harassment but the requirements that are imposed by doing business, not business but activities like that, I just got fed up and said never mind. But this is one way I was able to purchase parts for my vehicles. I was able to give humanitarian out of the money that I made from here. I was even able to do capital outlays which are not part of our budget. I was at least making \$1000 every Friday. And the records would reflect that that money goes out for the good of my community. We don't charge for the usage of our facilities because we are restricted to do that. How many times they use my gym, they use my community center and after their done we go out there and clean it. We keep our mouths shut because that's the way it is. Complaining about it is not going to do any good. We cannot charge for the usage of chairs. And I have more then 1,000 chairs because I capitalized on chairs because that's a demand in our community. Almost twenty parties in Yona, they will come to my office and barrow chairs and I accommodate them almost every time. And I never deny anybody from barrowing chairs unless there is no more to give out. So madam chair thank you very much for supporting us in our endeavors in the things we want to do in our village by

giving us some municipal authority, some responsibility to call the shots. The bulk of the work when we look at the big picture. The bulk of the work that is happening on this island is in the village level. And you know with the funding that we get, I am satisfied with the funding, what can we do? Even if I want to request for more to go into additional programs you know we are very limited with funding. And I've got all the support of the mayors here. And I will deal with them afterwards the ones who didn't show up who are supporting this bill. Madam chair this is really a need in the Mayors Council of Guam to give us some kind of authority to raise, and I know there are rumors already that maybe this particular bill will invite gambling. There's nothing in this bill that says gambling. And if anybody wants to challenge me that I want to have an activity like cock fighting in Yona. So what? We practice it we have it. And the problem that I face with my community. My fiesta starts in October usually the first week of October. Nobody wants to bid for my cock fighting because June to October is raining season and people will not make their money. There is also a restriction. We can only have cockfighting within that one week. And I know some of the mayors here are guilty of having it longer than one week. I for one am guilty for that. Mayor Nito is very guilty for that. I'm sorry Mayor Nito. But we want to do that within the law because the existing law and the requirements of the existing law are to be followed. You know we are in violation of the law. So we want it to be more flexible. And I know Senator Ada understands, he's a good man and I know he's going to support this bill. Thank you Senator Ada. Thank you madam chair.

Senator Barnes: *Buen Probecho*, Mayor Terlaje. Before I proceed to Mayor McDonald I'm going to go ahead and recognize the other mayors who are in the audience with us this morning. Mayor Sanchez from Umatac, Mayor Blas from Mangiloa, Mayor Gogue from Chalan Pago, Mayor Alvarez from Santa Rita, also Mayor Taitague is out here from Inalajan. He spoke earlier. If am not mistaken the Director Mr. Angel Sablan thank you for being here this morning. Again I'm going to yield to age before beauty so Mayor McDonald. I'm sorry Mayor Chargulaf, if that's alright I beg your indulgence and I'll go ahead and yield to Mayor McDonald.

Mayor McDonald: Thank you. Good morning madam chair and committee members. I' am Mayor Paul McDonald, for the district of Agana Heights. I am here to testify in favor of this bill. I have actually waited many many years for a bill like this to finally be introduced. Many of you may know that I have a lot of programs in Agana Heights that I had to circumvent the law. I could have done it really easily but what I had to do is I had to be a little bit more creative. What I had to do several years ago, maybe fifteen years ago was to start a non profit organization to sponsor for example my after school program, my summer camp because the law didn't allow me to do it on my own as the mayor or the municipal planning council members. This law would actually authorize us to go ahead and implement activities and programs that the mayors should be authorized to do on their own free will. Today I had to go and practically beg Public Health to allow us to go on with my program. Even Revenue & Tax to do the same, even the Governors Office, the front office. Every year for the past sixteen years that I have been mayor, I had to wait for the Governor to authorize us to have our mini carnival that we've had for the past sixteen years. And it leaves me out in the dark

until the last day. As a matter of fact I was the chair for the concessions that happened this year at the liberation day. And can you believe it that we waited until the last hour for public health to come and issue the permits to permit us to open the night of the carnival. There were almost two hundred vendors. Angel right? Liberation night, the day of the opening of the carnival, for liberation day that public health says its okay for you guys to open. Luckily these vendors were patient to wait for that after spending thousands of dollars to prepare for the carnival. We waited until the last hour. As a matter of fact, their policy is very very inconsistent. They even told Angel to paint his booth a different color because they don't like the color. Public Health, these are the everyday things that we as mayors face with public health and their policies and the front office. The way it is now is we submit a permission from the governor to have these vendors or these activities that goes on our fiestas. The office would issue a letter after they review the request that we submit to say its okay to have this sponsored fiesta event, the mini carnival that we have. They would come up with a list that says it's okay to have Beto Beto. It's okay to have the card game. It's okay to have over and under, the color game, other booths. And at time we wait two or three days or an hour. Actually some of the carnivals that we had I don't wait anymore. So it's like breaking the law. But I take that chance because I've had it for sixteen years and I'm going to continue to have it as long as I'm mayor. And maybe that's why I'm mayor this long because I take that chance and risk and I please the people. Anyways, going back to the programs that I've had for many years, it's working. I employed just this year during the summer I employed thirty youths in our summer camp. I'm sure some of your kids, your grandkids have attended my summer camp and I've had it for fifteen years already. Our after school program is going on its seventh year. These are programs that I have had to wait and I had to go through many hardships to get it to where it's going. And then it makes me feel bad because I can see my other constituents that can actually implement this program and make it easier for them if the authority is here. This is a good bill and if it passes, I'm telling you I can help the other eighteen districts to come out with programs. And I can see that if this bill passes it's going to benefit the people more and not only the mayors. Of course more mayors will be elected every year, I mean every election. It's a good bill and I hope it passes and that's my experience. And that is why I'm here to testify to actually make everybody understand how it was hard for me to do it and I'm willing to support the bill to make it easier for the other mayors. Thank you for giving me this opportunity.

Senator Barnes: *Buen Probecho*, Mayor McDonald. Mayor Chargualaf.

Mayor Chargualaf: Thank you madam chair. I'm glad you didn't call me a senator again. Senators it's hard to speak when you're the last one because you've pretty much said everything. However on the concessionaires you have to be creative and innovative. If you put concessions out there, that have a good return in your investments when you charge these concessionaires the more they get on their return the more you can charge them so that creates a funding source as well. Also one thing I don't understand about gambling is we see bingo go on to the millions. And when you equate it with Texas Hold'em. They say you can't hold Texas Hold'em here but there's bingo all over the place. They say you cannot get

a health certificate unless you enclose your thing, yet in 'tumon there's a one day event where everything is out in the open and they sell food and everything and yet the waivers are there. If they wave it up there, then they should give us waivers as well for events that we hold. Unless, somebody is getting under the table. The thing about it is, if you give one they you have to give to the others that are selling the same thing that you're selling. And as concessionaire grows new funds grow as well. And those will go to humanitarian, sports programs to buy equipment. I just opened my youth center out of fundraising and in conjunctions with some government funds. And I'm glad every year you give me that. One day I would like to have a thousand chairs like my colleague here, because I barely have forty. I would like to service the people but I don't have the money. The good times are gone and I sit there and hope the good times comes back. Because I am a newly elected mayor and I don't even have a canopy. Just recently the PIBA donated a 20 x 40 because of the fact I hosted them for the Pacific Island Bilingual Cultural Association meeting and election. So they felt sorry for me because I don't have any canopy and return for hosting that. I pray for good times. I may not a thousand because my village is not as big as my colleague but at least three hundred. After I give to the *matais*' (funerals), I can't give to the birthdays and to all other parties. This bill that is going before the legislature will empower us and be creative how we make money so in conjunction with government funds we can help our constituents. I hope you guys will find a way to accept this thing. Like I said, I don't understand why we can't have Texas Hold'em but we can have bingo making \$10,000/\$50,000. These are all money making endeavors that are legal in some and you can't do in others. And I hope we can get clarification on these things and give us the ability to try and make money so we can supplement and augment the money that was given by this legislature. And I want to thank you guys for giving us the opportunity and I pray that you give us some of those good times back so I can enjoy that. Thank you!

Senator Barnes: *Buen Probecho*, Mayor Chargualaf. Before I ask my colleagues to ask any questions, if there are any other mayors out there who wish to present oral testimony your welcome to do so at this time. Mayor Sanchez from Umatac, please join us.

Mayor Sanchez: Senator. Thank you ladies and gentlemen, panel for hearing the bill the supports the intent and aspirations of all the mayors. I speak for all my colleagues as well and I echo the things that they have said, and I believe what they ask of you is purely a drop in the bucket of what the responsibilities that we ourselves carry forward. Yes we are the first responders for the people that we represent. But more then that, this bill is not asking to empower us to give us more power. What it is, is asking us to enlighten the difficulties of the duties and responsibilities that we carry on behalf of our people. And that responsibility that we have. Is just an add on of the many things we will be asking of you and it's a recognition, originally the duties of the mayor was just to maintain the communities that we are in. It didn't really clearly explain the other duties except to maintain the municipalities that we represent. This bill itself will give us a little bit more definition in our responsibilities to do other things then just maintain the village. And the activities that my colleagues have described to enlighten ourselves with the responsibilities with monies to address medical

needs, to address sports. These are just one of the few things that we ask of you and this bill doesn't carry a lot of other things that we would like to undertake. And we thank the legislature for bringing this out. We are not taking any power away from the Governor. We just want to enlighten him and relieve him of some of the responsibilities that he has over the entire island. All we ask is to share in the role that we have as first responders to our people and enlighten the people of the things we can do as representatives. But you must understand yourselves that this bill opens up that door. But on the high side we are going to have to understand that along with these responsibilities is purely a little bit more than what we are asking for. A lot of the responses we have are of course your going to have to identify and help us along. We are not law makers we are just representing our people and accommodate their needs. I hope that you consider this bill to support the intent of what we do and represent and hopefully as you bring out more bills that are forthcoming to address our needs, money, and other things that we can gladly do. Because that's what we are here for. We try to help our people in many ways but only you can make that possible. Thank you.

Senator Barnes: *Buen Probencho.* Mayor Sanchez. Senator Ada do you have a question?

Senator Ada: Mayor McDonald you made some indications of the frustration you've had having to wait until the last minute waiting for the approval from the front office to carry on certain activities. Waiting for the last minute for Public Health for example to come down and approve certain set ups. I'm not sure how the bill addresses the later delays. I can understand from the bill now you don't have to wait for the front office to give you the approval to start up lets say your annual carnival. If Public Health doesn't have the manpower to go out there earlier the way you like. You still have to wait because according to them you still have to comply with all other regulations and requirements associated with those activities. How do you see that this bill address that?

Mayor McDonald: At least the front office is on the bill. I'd like to maybe amend the bill to include that. If we allow Tan Maria to sell tortillas, she doesn't have to have three sinks to prepare the tortillas to sell. Maybe we can submit or include an amendment to the bill to allow us to authorize Tan Maria to her tortillas without providing the three sinks and the enclosure that is now necessary to get the permit from Public Health. That's a good point you brought up and I would like to include that.

Senator Ada: Which agency is normally? Again because they are spread out thin, which agency? You indicated Public Health is one of them, and maybe getting input from them to see how this can be addressed. Is DPW also another agency? I imagine they would have to come out there to approve all your electrical hook ups to all your tents. And maybe we need to identify which agencies out there really need to get involved and that would basically be stake holders in this.

Mayor McDonald: Senator normally we get permission from the front office, the Governors Office and through them we are authorized to prepare for the

carnival, then you get a permit or business license from Revenue & Tax, then you get the fire inspector to come in and inspect of course the area. Then you get Public Health to come in and issue a sanitary permit. What we are saying now that you mentioned it should be waived for like the Friday night market especially. Like up in Yona, it was closed because Public Health does not want to issue the sanitary permit to Yona because it's a Friday and it comes every week. That's their reason and that's how the system is now. And we really would appreciate it if we are allowed to have it and not necessary for Public Health to come and shut us down because of the requirements that they impose on like Tan Maria to come in and sell her tortillas or her kelaguen or her buenelos manglo (doughnut). Because it's actually discouraging Tan Maria to come and participate. When you actually look at the situation its discouraging our people from coming and participating on the night market and encouraging business people to come in and take over, commercial vendors. And the intent of the night market is to encourage non commercial business people but to encourage the culture. Which is Tan Maria to make our doughnuts or her tortillas? And with Public Health imposing the rules and regulations that's discouraging us from encouraging our culture to continue. And senator, nobody wants anyone to get sick. I am a mayor and I surely don't want our constituents to get sick. You know I'm going to come there and I'm going to inspect and wait the pot is dirty, go and wash it right? And I'll make sure of that. . Some food don't taste as good when you washed the pot. You know what I'm saying? Our ancestors beliefs is, "DON'T WASH THE POT WHEN COOKING MEDICINE BECAUSE IT MAKES THE MEDICINE MORE STRONGER." That is our culture. I'm sure if you deal with a lot of our Chamorro people they will tell you, if you understand. Madam chair, you were young, do you understand these beliefs?

Senator Barnes: Yes I do. Thank you for saying.

Mayor McDonald: Truly it's really frustrating to promote our culture when there are a lot of obstacles in your way. And that is what we are asking everybody is telling us to promote our culture and promote the activities for our culture. You know lead the way; stop putting an obstacle in our way. And that is what's happening with public health. And if there's anybody that cares about our people it's us the mayors. Because if anything happens in our activities and our programs it is me it is the individual mayors that will be blamed. Do you know what I'm saying? So if there's one that is really concerned of a program that we promote it are we. So give us the authority and let us take the lead of our programs. That's what we are saying.

Senator Barnes: I think that the mayors can agree with me that if mayors can approve certain activities ahead of time then concessions and other regulatory agencies have the time to prepare permits and if this bill is passed with the recommended changes, then mayors don't have to wait for the chief executive's authority approval and it empowers you to make the necessary set ups and the obstacles can be very much lessened. Senator Ada I just thought I'd add that. Are you finished with your.

Mayor McDonald: And Senator I see there is a need for the regulatory agencies which of course we still have to report whatever earnings that we receive. We still have to report it to the legislature to OPA and we will still do that. But allow us to do it. Let us go ahead and get the permits necessary and support our program.

Senator Ada: Again what I'm thinking is we certainly don't want to compromise public safety.

Mayor McDonald: Sure

Senator Ada: But on the other hand just listening to you speak your objective is like in the commercial sector, you go out there and provide services who ever you provide it for so you can make a profit. But it seems the objective for the mayors is to promote activities within the villages for purpose of getting the interaction in within the village to promote the culture and what not and maybe compromise this you go ahead approve the activity its on you to get as much understanding as you can on how to safely set up the activity, health wise, construction wise but leaving the final word to GFD for example they come in and say remove that tent there because your blocking the emergency exit. Or DPW can come in and say you have to do that rewiring because it's overloading. So we leave that prerogative at the end to enforce it but what it does is it puts the onset on you to know what they require so you take the initiative to make sure it gets done and done properly and if they come in and they find it otherwise they can still shut you down.

Mayor McDonald: Sure

Senator Ada: Maybe that would be a compromise and its how we articulate it here and that would be the challenge to the committee.

Mayor McDonald: Sure

Senator Barnes: And I'd like to note for the record Senator Ada also based on the authority being requested, there has been some protocols put into place for the Wednesday night markets and some of the provisions and waivers that are already in place based on the agencies that Senator Ada has brought up that they work closely with that and that there are already some exemptions and some waivers. And as long as they are given that parameter like Senator Ada said that if there are any violations with the activities happening then of course they work closely with you to make sure that if they are not adhering to that they get shut down and closed and sanctions can happen. Mayor Chargulaf.

Mayor Chargualaf: Senator Ada I think when you look at sanitary and food safety. Even at a restaurant when you go to eat dinner and you see a waiter hold your cup from the top instead of from the bottom. I don't think you want to eat there when he's holding it from the top you know where his hands have been. I think the proper etiquette is within the establishment. But when we hold fundraisers, when I held my Chamorro Fiesta I did it for Chamorro. In order for us to promote the culture and the way we things in our communities as

Chamorros. What I did was wave any fees for those that are culturally related. My council said mayor how we can make money. We are going to make money with those who sell and are not culturally related. But we will waive the one that are. Because they are the ones that we have to decide, is this a fundraiser first or cultural thing. Are we celebrating the culture first or trying to make money. Why can't you have both like having chocolate and peanut butter like peanut butter cups? What I did was waive everything even the arts and crafts, they provided their 10x10 and all I ask is whatever you make are you willing to make a donation that's fine with me. But the celebration Chamorro Fiesta was the first agenda. And I had to make it reflect that. But even with that we were still able to make a profit. When we speak about safety who watches the cooks back there? Are they practicing safe and proper etiquette in the way they handle food? Do they wash their hands first before they touch the food and what they are going to chop? And I think that's how public health sees jungle rules because out there you have to make sure their clean. I think almost every family has their own etiquette on how to prepare food. It's not nice when your mixing a bowl of kelaguen and people are watching and then you scratch your head and then you go back in and mix the kelaguen again. I mean you know proper eddicate is either engrained with you. You either have it or you don't. Just like common sense. A lot of people have it and a lot don't. But as far as safety and sanitary its all up to the individual who process the food and like what my colleague said, we have confidence that the people that prepare the food are people who are known to sell the same food for parties for the other constituents to enjoy. But I think we have to look at if it's a one day event maybe waive the sanitary permit. Like I said up in Tumon a one day event a lot of them are outside and it's not enclosed. I have yet to get clarification where I was told that. When they had that event they were barbecuing outside and selling everything and where are you going to put the permit? And you must have the permit readily visible so that the people who patronize your place know you went through the proper sanitary permit. I think we just have to have faith in the people that we employ or we have as concessionaires. Like my colleague said, you go over and make sure there's proper handling of the food. I myself when I went over, those that are making kelaquin if you don't have a refrigerator on sight put it on a lot of ice so it will chill those things that will spoil. But I think the eddicate is with whoever is selling the food and processing food. I don't care how the person does it even if he is not that good of a cook he knows that before he touches the meat go wash your hands first. Unless you are the only one who's going to eat it yourself. Then you can do whatever. Thank you.

Senator Barnes: Thank you. Senator Taitague

Senator Taitague: Thank you. Actually you had me on the peanut butter and chocolate together and now im really hungry and I looked at the clock and the kelaguen came in and I lost it there. So mine's going to be short. Thank you so much for coming down here. If anybody is busier than I, it's you the mayors. And I appreciate your time here, but just real short on the sanitary things. I reflect Senator Ada's comments with regards to the safety and food. Because even though Tan Maria makes tortillas and makes it good, the thing we have visitors that comes to this island and they will give you any excuse in the world to sue

them and my concern is protecting the mayors and what they are doing. So I want to ensure that everything that is done here protects you. I believe that what you want to do I've always said you should have had in the first place. When I was with the Women's Bureau and I did the liberation with the queens committee. I came first to you the mayors the mayors who should have had this liberation, who has had it in the past. And I thought you did a great job just like I thought you would and I'm very proud of you and I commend everyone. Angel good job! Very good job in spear heading this and you have great workers here. But it's about the liability in all of this and I don't want to see any of you go through something like that in regards to liability. We are going to find a way to make this happen for you. At least I am going to. I have a couple of things that I want to bring up and if you don't mind mayors, I'm going to ask you madam president with regards to the Mayors Council to answer this question. In this bill do you realize a mayor can go into another mayor's village and put a concession up? Was that the intention or was the intention for you to just have it within your village? Because right now you have the authority to go into another village and put up a concession.

Mayor Tayama: Oh no that's not the intent. The intent is to have the village mayors have their events in their village.

Senator Taitague: Ok so were going to clarify that. This is the time to bring this up and I wanted to make sure the intent was to do that so do note it with regards to that. Now liberation because you have the authority and not knowing that you can actually go to other places and put up concessions because it does not allow you to do that. Liberation carnival, will this give you the authority to go in there and put up a concession stand that you want on behalf of your village?

Mayor Tayama: With liberation being sponsored by the Mayors Council of Guam which consists of all the villages.

Senator Taitague: But will this give you the authority over the Governors authority to put what you want in the liberation?

Mayor Tayama: Basically that's what we are saying, yes we want that authority. If the Governor is going to give us the authority to run the liberation, then we want the full authority to go ahead and do what we as mayors as what the Mayors Council feels is needed.

Senator Taitague: Ok so that needs to be addressed in here as well because it's not clear in that intent. But knowingly that is your intention then when we go through this madam chair with regards to that, we have to find some way to make that happen for them. Because I've been to Angel and me him, I tried to help you in fact Angel with regards to that specific area and to address it. I had my staff working on it and everything so I'd like to work with you madam chair with regards to making this happen and you know I'd like to be a co sponsor if you don't mind. Right now I know your intention and I appreciate that.

Senator Barnes: I will also have Mayor McDonald and Mayor Sanchez respond to your inquiry.

Mayor Sanchez: Well like the senate body we also have mayoral council body which we all vote and make decisions on behalf of the whole. So on the question of mayor I mean Senator Taitague you know we do have a consensus and concur on a lot of decisions that we make especially on the matter with liberation we do come together as a body and vote on many issues weather its island wide or individual villages. But we have that respect as a body for the individual municipalalities. We don't just come into our neighboring villages and intrude upon their responsibilities. We understand that and respect each other in that manner. So we carry forth the group and focus aspirations as a whole.

Senator Barnes: Mayor McDonald

Mayor McDonald: You have to remember this is the first time that we actually been in charge for the liberation day. It's not a given. It actually has to be assigned by the Governor.

Senator Taitague: Great because in the past the mayor used to handle liberation, in the past.

Mayor McDonald: Actually I've been a mayor for almost twenty years and it's the first time in charge of it.

Senator Taitague: Oh I was told it was run by the mayors before so I stand corrected. Thank you for that. In fact we also have to identify what the definition or concessionary because it's not spelled out. Madam Chair we will go over what the definition is of concessionary to make it explicit. Actually Mayor McDonald I know I have frequent your fiestas and I enjoyed them very much but I would like to know what is the process in which to obtain the cockfighting and the card games. How is that process brought up to the mayors, the bidding out? Can you explain to me the process of that?

Mayor McDonald: Ok it actually depends on the individual districts. For example the districts that benefit from the cockfights are the districts that have the fiesta on the peak seasons. Because from June to December is actually molting season and the raining season. So nobody goes to cockfighting. So we loose a lot of money during that time. So the peak of cockfighting is between January and the later part of May. So the mayors that actually benefit from cockfighting are the mayors that have fiesta between those months. Those mayors actually bid out their concessions.

Senator Taitague: That's exactly what I wanted to know. How is that process done? Is there a bid that goes out to the public to say that the fiesta is coming up and there's a bid to run the cockfighting, to run the Texas Hold'em the craps table and things like that? And the carnival section and the concessions.

Mayor McDonald: It's basically all the same.

Senator Taitague: It's a bid?

Mayor McDonald: Yes it's a bid. And the individual mayor goes out on their own.

Senator Taitague: Ok so the mayors with this bid. Let's say someone bids \$18,000 to run the cockfight.

Mayor McDonald: It doesn't go up that high.

Senator Taitague: Okay \$5,000 now that full amount of money goes directly to the mayor's office? Municipal Council.

Mayor McDonald: It goes to the Mayors Council

Senator Taitague: Ok so it goes directly to the Mayors Council. Oh it goes as a whole? It's not one individual village mayor.

Mayor McDonald: Yes the municipal council of that village. Planning council.

Senator Taitague: Ok from there once that's done, you've chosen someone does a certain amount of proceeds from the games go to the mayor's office or you just take the fee of the bid and that's all you get? Or the mayors council get? Is that how it works? Is there a certain percentage?

Mayor McDonald: It depends on the individual mayors. Some of the mayors do exactly what you had mentioned and some of the mayors run the pit themselves.

Senator Taitague: Oh themselves.

Mayor McDonald: Yeah

Senator Taitague: Oh ok. Is it under a non profit organization that this happens and the non profit organization is the mayor's council?

Mayor McDonald: In my village it's a non profit organization and some mayors have their own municipal council.

Senator Taitague: But it's not one big non profit organization under the mayor's council? That you can all govern.

Mayor McDonald: No

Senator Taitague: Oh ok. So each mayor has to go out and have a non profit organization in order to do this?

Mayor McDonald: Yes. It's all documented

Senator Taitague: Thank you

Senator Barnes: Mayor Chargulaf you can answer.

Mayor Chargulaf: Our village usually has the Fiestán Tasi. And for the past two years my predecessors did not have that event so I'm trying to revive or resurrect it and while going through the records the authorization that the Governor gave on the last portion says maximum bet twenty-five dollars. I don't know if the other mayors realize that. When you go to the cockfights twenty-five dollars is a drop in the bucket to those who love to cockfight. They invest so much money in breeding their birds. Maybe twenty-five dollars inside because that's what's taxable because that's what goes into the record book. But outside you can't control what goes on outside. I might get in trouble with my colleagues but I want to be in compliance. In order for me to get another approval from the Governor he might say mayor, I heard your allowing bets beyond twenty-five dollars. And that's what I'm trying to get with my colleagues collectively to ask the Governor to delete that clause because you have some people who hardly have money and maybe they can comply with the twenty-five or they don't have twenty-five to bet with. But you have people that this is their life, their hobby. That is their passion and they gamble with whatever budget they have. I think if you're going to allow twenty-five dollars, I don't think concessionaires will be taking fifteen hundred dollars for something they can't get a return investment.

Senator Taitague: Thank you Mayor Chargulaf

Senator Barnes: Mayor Terlaje?

Mayor Terlaje: Can I just back up here for a minute senator? With the Governor and our intent with this particular bill. Are you trying to say that for example on the next liberation the Governor will shut down the mayors council from running the liberation and then he takes over and there's an intervening of the Governors side. I just want to be clear on that because

Senator Taitague: That's why I asked the mayor because I want it to be clear on your intent.

Mayor Terlaje: And I don't think that was very clear because when we looked at the law initially, way back then. The mayors or the Commissioners of Guam were supposed to take the lead role in the liberation. I don't know if I'm right or not but as far as I know it's suppose to be the commissioners of Guam and that law has never been changed to have the Governor to be the lead person to call the shots on liberation. So what I'm trying to say here is that, if the law can be changed or revisit the law, the Governor still or the mayors or the commissioners of Guam whichever is the lead agency to run the liberation then we got to really be specific on who is going to take the lead role in assuming the activities of liberation. Is it the mayors or the governor? Because sometimes I get mental block on some of these laws that comes out because I don't know who is in charge. To me as far as I know, I think it's the commissioner's back then. It's the commissioner of the island that takes the lead role on liberation. And I don't know when the governor

took over to be the lead person to oversee the activities but we really need to revisit that law and finalize who is from now on 2010, who is going to take the lead role. Is it going to be the Mayors Council of Guam or the Governor?

Senator Taitague: I agree. The mayor's council did a great job with this year's liberation but as I was going over this with Angel and we were talking last year. I believe through executive order. Ed was it the Organic Act of Guam that we saw that. There were some particular things. Ok it wasn't through the Organic Act but there was something there with regards to authority over holidays or events dealing with military. I'm not sure exactly the verbiage on that but we will get that because we did some research on it. And I'm hoping that with your intent I can craft this bill to that.

Senator Barnes: Thank you Senator Taitague,

Senator Tayama: With regards to the non profit organizations. For each village mayor, yes we do have non profit organizations that are the sponsors of any fiesta carnivals that we have.

Senator Barnes: Senator Ada on a follow up.

Senator Ada: You know you indicated Mayor Terllaje that your night market was very successful, but then it just got to be a frustrating exercise that you shut it down. My question is more to Mayor Tayama, I know that the annual mango festival has become a signature event for Agat. Do you see that event going in that direction because it gets so frustrating?

Mayor Tayama: To be honest with you senator, I had the same frustration. As a matter of fact this year Public Health was very unreasonable. They came out the day before to start my festival to tell me they were not going to approve my vendors that were going to sell food. Why did they come out at the last minute? But I made it very clear with them that they were not invited to my festival and if any of them showed up, I would have them taken out of my campus. Senator the thing is they knew that we were going to have it. You know I'm not very familiar with the laws with public health. Those people are first time vendors to sell like what Mayor Pedro said; you know they are just coming out to make a little money. I told Public Health I will not jeopardize the health of the people coming to the mango festival because I want that to be successful. I told him I would take full responsibility. They all had health permits. What they wanted was sanitary permits and they came down and said, Mayor you need to have pallets, you are at the beach. You are at Nimitz Beach. What are the pallets for? It was so unreasonable. They didn't come down and I was very lucky and I kept my fingers cross. And I told them next year I should put them into my planning committee so we know what their last minute request are and try to shut me down. They did, they tried to shut me down.

Senator Ada: Do any of you have documentations for your most recent experience. I don't know what the other half of the story is. I hear that you have a

lot of frustrations and of course I certainly would like to hear from public health as to their findings and to see how to resolve that gap.

Mayor Tayama: Senator just some of their regulations that they are trying to impose on us. To me, to put pallets up at Nimitz Beach to run a snow cone to run a concession. Does that make any sense? I mean what are the pallets for? I even told those ladies that came down, you are at the beach. You have ants everywhere; even at home you have ants. It's just the unreasonable request that they have. They say well we need to follow the law. So I told them, you should have told us that since the very beginning. I think the communication between them and us, maybe I failed to get that information early but I really feel that they knew I was coming up with this why didn't they tell me so I can prepare myself. And yes for my next mango festival I do intend to have public health be part of my committee so that they don't break that to me again at the last minute.

Senator Barnes: Thank you Senator Ada. I do have the executive director from the mayor's council here, Mr. Angel Sablan I also do have one more constituent from the audience who would like to present oral testimony. I want to go ahead and call him up to the table. Mr. Cohen. I will go ahead and have Mr. Sablan state his presentation.

Angel Sablan: Good morning madam chair. For the record I'm Angel Sablan, Executive Director for the Mayors Council of Guam. Good morning senators. First of all for the record I would like to state that I received a call from Mayor Robert Lizama of Yigo and he is in support of the intent of this legislation. He did not sign the signature page for the support of this bill because he never received the documents for his signature. But he is in support of the intent. What he is hearing he would like me to pass on to you, he has had and has conducted very successful carnivals in Yigo in the past years but has since stopped doing the carnivals. Simply because of the stumbling blocks he faces just like this the sanitary permit conditions and requirements that have been put on all the mayors. For the record senators we are not asking that public health be put out of the picture or any other entity be put out of the picture. What we are asking is the same waiver they give the Chamorro village vendors. They require village carnivals to have triple sinks but you don't see any triple sinks at the Chamorro village for those vendors.

Senator Barnes: Point of information for the record, having known someone who was the former director there, my spouse and knowing the rules and regulations as a vendor there, I do know that's in place. And I stated for the record earlier that there have been some exceptions in place in reference to this program, promoting culture and working with traditional foods and all that. But there is a program in place that works closely with on the Chamorro Village concept on the Wednesday night market, there are some exemptions but there still sanitary regulations in place, As long as they are in place and the director oversees the operations and it does not have violations then the process goes on. But yes there are exemptions in reference to having the standards like the triple sinks, the water availability the and all that. There has been waivers in the past depending on the administration and former directors what flexibilities can be allotted and again

this is one way of addressing that and Senator Ada you bring up a very good point. But for point of information, there are exemptions in place when it comes to the night market at Chamorro Village.

Mr. Sablan: What we want to see in place is if there are thirty vendors that have food, you don't require thirty vendors to have triple sinks and attachment basins. As long as there are one common area triple sinks and attachment basins it should satisfy the vendors that are there selling food. For your information senators each vendor has to pay \$130 for a temporary sanitary permit to sell even for one night. I mean Tan Maria can't even afford \$130 for a sanitary permit just to sell \$40 worth of doughnuts. So what we are saying if there can be a way, sure we'll provide the triple sink but just one triple sink for everybody, one attachment basin for everybody so they can use it in a common area. That should be able to satisfy and have more vendors come and support a night market and support a mini carnival. But to require that every vendor enclose their booth for flies and screen everything out you don't see that over there, but you don't have to have it in a night market. Who barbecues inside a screened enclosure? Everybody barbecues outside. In all fairness to public health, these are regulations and policies that have gone through the AAA policies. And at that time nobody objected to it. The exceptions that were given to the Chamorro Village I believe are by law or grandfathered in at that time. They told the liberation committee that if we want something like that, go back to the legislature and see if they can also give you the same exemptions that they are giving to the Chamorro Village. Because right now they have to follow what the policies are because they are in existence. But we are trying to see for night markets for one day event or weekend events, why impose \$130 on a poor old lady that's trying to make \$40 or \$50 dollars event. That person won't get her money back. A temporary license in itself cost more than an annual license. They charge you \$50 for a temporary license an annual license for \$40. It just does not really make any scenes. So we are here to ask for these kind of events, if we can, we want the process to be there, we want the fire department to be there, we want GPA to be there and DPW, and Public Health but don't put the same requirements you do on a tempory function or event as you would do on something that's going to be there for ever. Because then nobody will want to do it. Or people who want to circumvent the process just to do it. We had to do that for liberation. Every vendor had to come up with their own triple sink. Every food vendor had to have an attached basin. every vendor had to follow the way they wanted it painted. Every vendor had to be screened in. So a vendor before they even start the carnival spent over \$500 just to get their permits. Aside from the \$130 sanitary permit, aside from the \$125 business license. They had to spend all this money. If we can get a minimal fee charged to these vendors I'm sure we can get the Yigo carnival back again. They quit that because like what I said, the many restrictions they give each of these vendors to follow; it's just not worth it in the end. Their time, their money and their efforts.

Senator Barnes: Thank you Mr. Sablan. Before I proceed with Mr. Cohen I'd like to welcome the speaker who has joined us this morning. Before I give her the opportunity to speak I'm going to have Mr. Cohen say a few words in reference to this bill.

Thank you! Good afternoon madam chair. I'm not sure if I understand the bill but I'm here to represent the Recycle Association of Guam. Is there any chance this bill includes things like flea markets and rummage sales.

Senator Barnes: The intent is to empower the mayors.

Mr. Cohen: Of course we support flea markets and rummage sales because it's a way to divert items from being in the landfills, so in that aspect we would like to see the mayors have this and give us a chance to donate their items like in a rummage sale or make a little extra money which is positive for the island.

Senator Barnes: Thank you

Mr. Cohen: Thank you

Senator Barnes: Thank you Mr. Co, Speaker Won Pat

Speaker Won Pat: Thank you very much madam chair. You know I was listening to this discussion and I think what we really need to look at here is because I've been having this conversation with Public Health, Environmental Health Division within public health which regulates exactly what you just eluded to because we are having some similarities with the DOE schools in terms of a healthful and safe environment and that division we have not looked at their regulations for literally over twenty years. I met with the Director on this a couple of weeks ago. We want to look at it and do a revamping by doing that, I think it's important to get the mayors involved here as well so you can discuss what your needs are in your individual villages, aside from what we do with the flea market, rummage sale, and the actual liberation carnival. What has been done in the past is surely not what we are practicing today. I think one of my colleagues had mentioned the health aspect in terms of contaminated foods and you talked about how you are making sure your vendors adhere to sanitary conditions in terms of serving food because that has always been a problem for any diseases and Salmonella and causing individuals to get sick. There have been some changes and I'm hoping we will be able to work closely with the environmental division at public health so we can address your issues. The other issue that I want to briefly touch and you are right we need to look into the legislation that created the liberation festivities and who actually has the authority because based on the Organic Act it's basically all line agencies are under the Governor. The only time the Organic Act was actually changed was education where it changed from Governor to Government. And that allowed the government to create a board so the commissioners were also created and these festivities were created by legislation. We need to look at that as well to see who is authorized because if it's in the Organic Act that it's the Governor so matter what we do it's not going to work. It will be considered inorganic. In terms I think you will have the support of this body in terms of empowering the mayors when it comes to their village because it will be you up front addressing the needs of the individuals and constituents. That's all I have to say madam chair.

Senator Barnes: *Buen Probencho*, Madam Speaker. If there is no further. Senator Ada you may.

Senator Ada: I just wanted to say, I'm certainly in favor of this bill and would like to be part of the mark up this bill. But I will express one disappointment that I have, that there was more discussion than I really cared, and this is my opinion that I really cared about the emphasis on the gambling aspect to this. And I'll tell you right now, I'm not a gambling man and for me that could be a deal breaker for me if we were to put something in here to promote gambling opposed to activities that promote the culture. I have no problems with the booths where a little kid pays a \$1 for the excitement of pulling a fishing pole and getting a toy but frankly this over and under stuff. I don't want to generate discussion on that because everybody has their opinion about the Cock Fighting is culturally related and all that but this will be a deal breaker if by this vehicle it allows us to go in there and promote those sort of activities. I just want you to be aware of my position on that. Okay? And I respect your position, whatever position you have. Thank you madam chair.

Senator Barnes: You're both welcome Senator Ada and definitely that was not the intent to advocate for gambling. And I do know that each of the mayors within their own different villages want to get creative and be able to get resources to assist and when we have activities that are culturally sensitive to the community and invites participants from other villages and tourism and those who have the time to come and celebrate there and in the community centered activities that will generate resources and bring people together and bring good fellowship. I think in my heart that the empowerment is involved. There are provisions in place that gives the authority to the Executive Chief to empower the mayors but this legislative intent is to give the authority to the mayors not just as first line responders but them who take care of all the activities within their village residence. And I think it is important that as we continue to look at avenues to empower the mayors to give them the authority and work with the ordinance, special activities and functions that they have. I think it's important that we work together in giving that and that's where my sincere intent. And so with that being said, Senator Ada I truly understand where you are coming from and I am not a gambling person also. I used to be a part of helping out and assisting in the game of chance and having fun. But for me being a gambler I'm not. And I don't think that's the intent. The intent is to empower the mayors and give them the authority they need to take away some of the obstacles and barriers in place and to also find creative resources so they don't have to come back to this body to literally beg for more money. They need to work with them in finding resources so they can share and support their village activities. I also see Mayor Gogue here who wants to chime in. So for the record I want to invite you to give your testimony.

Mayor Gogue: Just for the record my name is Mayor Gogue for the village of Chalan Pago. If we take a look at the bill, and I'm obviously in support of the bill and I appreciate Mayor Terllaje's testimony. On the onset he not only talked about the approval of concession but the approval of events. When Senator Taitague asked about the process of, typically we want to a fiesta or an event within our municipalities. Basically what we do is send a letter to the Governor

authorizing us to hold an event and to approve concessions regardless what those concessions are. And that's starts the paper work we get from the Governor endorsing the events we want to sponsor or include in our fiestas to go to Revenue and Tax to get the business license, go to Public Health to get the sanitary permit. One of the main reasons why I've been endorsing particular bill and concept is we as elected officials should have our own empowerment through our letterhead through our signature saying we are going to host an event within our municipality and through our signature we want to have our staff start the process. Why do I need to wait for the Governors signature to go to Revenue and Tax and get the approval for business license to conduct an event in my village? As an elected official, I feel my community has given me their faith and knowing what we want to conduct in our village that is safe and appropriate for all ages. We've been asked to promote our culture with GVB's "We are Guam Campaign". If we want to associate that with an event we still have to request the Governors approval to host an event that includes any kind of concessions. Through the Governors approval we get all the necessary approvals and through the endorsement with the vendors for the event. Senator Ada I'm in concurrence with you. I'm not a big gambler; in fact I have had Chalan Pago Feiest and Ordot during my term. I didn't host a cock fight or fiesta event that's associate with fundraising. The church is doing there thing and its in honor of the patriant saint. One of the reasons why I chose not to do all of these concessionary activities because it's a real painful process. I couldn't see the scenes in having to wait for the Governors authority to host what would be a celebration to our fiesta. And so as we want to promote our culture and tourism, we like Mayor Tayama down in Agat creates events like the mango festival. Mayor Chargulaf wants to bring back Fiestan Tasi. Even these events require the Governors authority to hold these events and to allow us any concession in support of an event. Through our planning council if an event is going to benefit the community that's where the process should start. We don't need the authority of the Governor to pursue these activities. Through the endorsement from the community to host any type of event we take that to Revenue & Tax to start the process.

Senator Barnes: Thank you Mayor Gogue. With that being said, if there are no other testimonies to be provided we do have the ten day process for this bill 196-30. We invite written testimony to be submitted to 155 Hesler Place, Hagatna, Guam 06010 Suite 101, or Senator Tina Muna Barnes. My email address is tinamunabarnes@gmail.com and through the clerks office here at the legislature. Bill 196 is publicly heard so thank you to all the mayors who did testimonies and I want to thank you for your patience and time. I know it's almost 12:30 and we do have one more bill.

III. FINDINGS & RECOMMENDATIONS

The Committee on Municipal Affairs, Aviation, Housing and Recreation noted that the introduced version of Bill No. 196-30 was erroneously filed by Senator Tina Rose Muna Banres. The error was a technical one. The substantial content of the bill remained the same. It was noted by Senator Tina Muna Barnes during the public hearing that there was an existing discrepancy on page 2-3, where one line

of text was unintentionally excluded. The necessary revision is made in the substitute version of the bill.

The Committee on Municipal Affairs, Aviation, Housing and Recreation hereby reports out Bill No. 196-30 (COR) as substituted by the Committee, with the recommendation to *I Mina'Trenta na Liheslaturan Guahan* **TO REPORT OUT ONLY** for further discussion and debate on the session floor.



richie ruw <rlikeke05@gmail.com>

Fwd: Bill #196

1 message

Dennis G. Rodriguez Jr. <dgrjr@densonguam.com>
Reply-To: dgrjr@densonguam.com
To: rlikeke05@gmail.com

Thu, Oct 22, 2009 at 10:57 AM

On Sun 04/10/09 2:41 PM , Dennis G. Rodriguez Jr. <dgrjr@densonguam.com> wrote:

- > Sorry, here is the attachment.
- > ----- Original Message -----
- > From: Dennis G. Rodriguez Jr. dgrjr@densonguam.com
- > To: tterlaje@guam.net
- > Sent: Fri 02/10/09 3:46 PM
- > Subject: Fwd: Bill #196
- > Hafa Adai Therese,
- >
- > The senator asked me to look into the concerns on Bill 196.
- > Apparently, our office transmitted the draft version to the Clerk's
- > office. Attached is the version that should have been sent in. The
- > only difference was the transition of page 2 to 3. The substantial
- > content of the bill remained the same.
- >
- > The senator did mention during the public hearing that there was a
- > discrepancy on page 2-3. Please advise if it will be sufficient to
- > make those corrections on the bill while it is in our committee
- > awaiting a committee report.
- >
- > Thank you,
- >
- > Dennis, Jr.
- >



Mayors_Empowerment_Bill.doc
60K

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

Bill No. 196-30 (COR)

(As substituted by the Committee on Municipal Affairs, Aviation, Housing and Recreation)

Introduced by:

T.R. MUNA-BARNES
T. TAITAGUE

**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**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative findings and intent. *I Liheslaturan*

3 *Guåhan* finds that the responsibilities and authorities of our village mayors
4 have evolved over a long period of time. Since the enactment of Public
5 Law 14-27, it is common knowledge that other elected leaders yield to
6 village mayors to seek out what the people from their respective village's
7 desire for the betterment of their community. As the powers,
8 responsibilities, and duties of village mayors continue to evolve, it is
9 certain that it has always been the intent of the Guam Legislature to
10 provide mayors with greater authority and autonomy to conduct the
11 business of ensuring our peoples needs are taken cared of in the community
12 level. Mayors, today are not just the custodians of their jurisdiction that

1 maintain a clean and beautiful neighborhood. Our mayor's have been
2 granted authority to act as peace officers and are obliged to assist in
3 maintaining law in order, mayors have also be given powers to issue
4 citations for the violations of sanitary, health, and litter laws in their village.
5 As our island prepares for the onslaught of the migration of 8,000 marines
6 and their families, our community's needs will continue to grow rapidly.
7 Our mayor's will no doubt become burdened with development in their
8 villages that they will need to financially cope with. The limited resources
9 of the government of Guam has resulted in shortfalls in the annual budget
10 provided to the individual mayors and to the Mayor's Council of Guam.
11 Mayor's need to look outside this funding stream in order to deal with
12 these challenges. Therefore it is the intent of *I Liheslaturan Guåhan* to
13 empower village mayors with the special authority to approve any lawful
14 concessionary activities that are officially sponsored or organized by their
15 office or the Mayor's Council of Guam.

16 **Section 2.** A new §40115.A is hereby added to 5 Guam Code
17 Annotated Chapter 40:

18 **“§40115.A. Mayor's Empowered with Approving Authority.**
19 Notwithstanding any other provisions of law, individual Mayor's are
20 granted special authority to approve any lawful concessionary activities

1 that are officially sponsored by their mayoral office or by the Mayor's
2 Council of Guam. The net proceeds of such concessionary activity shall be
3 for the direct benefit of their village or any other non-profit organization.

4 This special authority granted to Mayor's does not negate any other
5 governmental requirement from being obtained, such as but not limited to,
6 health and sanitary permits if such concessionary activity involve the
7 handling of consumables. A certificate of approval affixed with the
8 approving mayor's signature shall constitute the official authorization for a
9 concessionary activity. Such document shall indicate the nature of activity
10 and its activity's duration, which shall not exceed sixty (60) days from
11 issuance of approval. A copy of the certificate shall be transmitted to the
12 Speaker of *I Liheslaturan Guahan*.

13 **Section 3. Effective Date.** This Act shall take effect upon its
14 Enactment.

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

Bill No. B196-30(COR)

Introduced by:

T.R. MUNA-BARNES

2009 JUL 30 PM 5:51

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12 these challenges. Therefore it is the intent of *I Liheslaturan Guåhan* to
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15 lawful concessionary activities that are officially sponsored or organized by
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15 **Section 3. Effective Date.** This Act shall take effect upon its
16 Enactment.



I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

SEPTEMBER 18, 2009 – PUBLIC HEARING

Bill No. B196-30 (COR) – T.R. Muna-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.

NAME (PRINT)	REPRESENTING?	IN FAVOR?	OPPOSE?	CONTACT #
<i>Ernest T. Chargoalaf</i>	<i>mayors</i>	<input checked="" type="checkbox"/>		<i>722-272</i>
ERNEST T. CHARGOALAF	MAYORS	<input checked="" type="checkbox"/>		828-8312
CAROL S. JAYAMA	MCOG	<input checked="" type="checkbox"/>		888-1492
<i>Mayor Paul Jorlani</i>	<i>MCOG</i>	<input checked="" type="checkbox"/>		<i>789-1525</i>
MAYOR PAUL JORLANI	MAYORS			
<i>Cole Herndon</i>	<i>Rep. A. Guam</i>	<input checked="" type="checkbox"/>		<i>707-2904</i>



MUNICIPALITY OF YONA

Mayors' Council of Guam

Konsehelon Mahot Guåhan

Jose "Pedo" T. Terlaje

Mayor

P. O. Box 786 Hagåtña, Guam 96932 / 265 Sister Eucharita Drive, Yona, Guam 96915

September 16, 2009

YONA MUNICIPAL PLANNING COUNCIL

Mayor Jose "Pedo" Terlaje, Chairman

Ignacio Q. Peredo, Vice Chairman

Anthony T. Ooka, Treasurer

Victoria C. Quinata, Secretary

Anthony A. Baza, Member

Mamuel Q. Cruz, Member

Frankie F. Fernandez, Member

Joaquin C. Fernandez, Member

Jesse Garcia, Member

Ronald A. Lujan, Member

Madeleine Sophie M. Losongco, Member

Honorable Tina Muna Barnes
Senator, 30th Guam Legislator
155 Hesler Place
Hagatna, Guam 96910

Dear Senator Barnes:

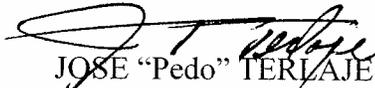
As per our conversation, attached is the results of the survey made by the undersigned on reference Bill No. B196-30 (COR).

Please be advised that the undersigned will also be making verbal testimony regarding my support of the bill to include recommended changes on some of the verbiage as introduced.

Additionally, several mayors and vice mayors have been advised to present testimony on reference bill on September 18, 2009.

Once again, Un Dankulu Na Si Yu'os Ma'ase.

Sincerely,


JOSE "Pedo" TERLAJE
Mayor, District of Yona

Office of the Legislative Secretary
Senator Tina Rose Padilla Barnes
Date 9-16-09
Time 1:25 P.M.
Received by G. McDonald



"Strength of People United"

YONA MAYOR'S OFFICE
TEL: (671) 789-1525/4798
FAX: (671) 789-1821

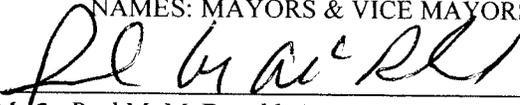
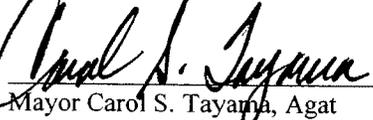
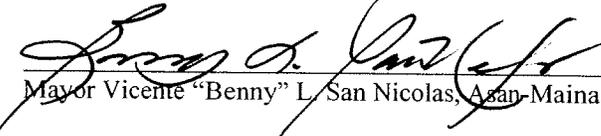
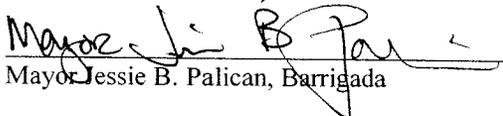
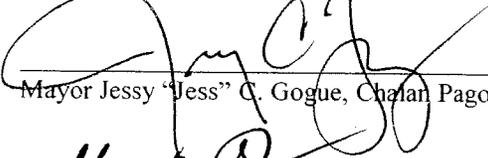
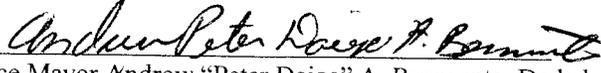
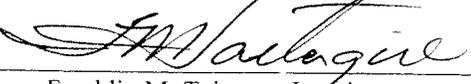


Village Flower "Bougainvillea"

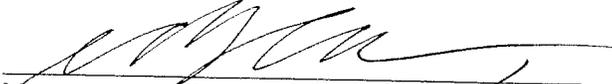
PETITION IN SUPPORT OF BILL 196-30 COR

This particular act is to add a new section to Chapter 40, Title 5, Guam Code Annotated, relative to recognizing village mayors as the direct administrative representatives of our people and to empower them with Special Approving Authorities.

Note! In simple terms – giving the Mayors & Vice Mayors of Guam the authority to set and approve their own concessionary activities, events and any other lawful activities to raise funds associated to support sponsorship, on and off island medical services, school and the community. Most especially activities associated with our culture, tradition and heritage.

NAMES: MAYORS & VICE MAYORS	SUPPORT	NON-SUPPORT
 Mayor Paul M. McDonald, Agana Heights	✓	
 Mayor Carol S. Tayama, Agat	✓	
<i>Off Island Medical Treatment</i> Vice Mayor Jesus B. Chaco, Agat		
 Mayor Vicente "Benny" L. San Nicolas, Agaña-Maina	✓	
 Mayor Jessie B. Palican, Barrigada	✓	
 Vice Mayor June U. Blas, Barrigada	✓	
 Mayor Jessy "Jess" C. Gogue, Chalan Pago-Ordot	✓	
 Mayor Melissa B. Savares, Dededo	✓	
 Vice Mayor Andrew "Peter Daigo" A. Benavente, Dededo	✓	
 Mayor John A. Cruz, Hagatna	✓	
 Mayor Franklin M. Taitague, Inarajan	✓	

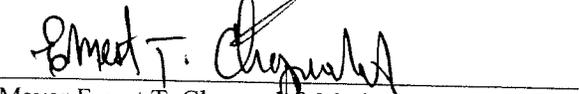
PETITION IN SUPPORT OF BILL 196-30 COR


Mayor Nonito "Nito" C. Blas, Mangilao

YES


Vice Mayor Allan "Al" R.G. Ungacta, Mangilao

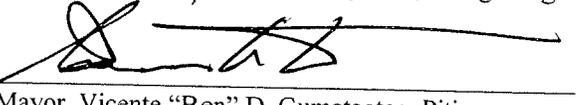
YES


Mayor Ernest T. Charguano, Merizo

YES


Mayor Andrew "Andy" C. Villagomez, Mongmong-Toto-Maite

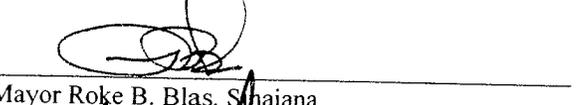
✓


Mayor, Vicente "Ben" D. Gumataotao, Piti

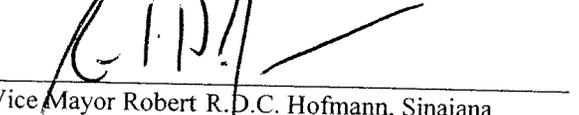
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Mayor Dale E. Alvarez, Santa Rita

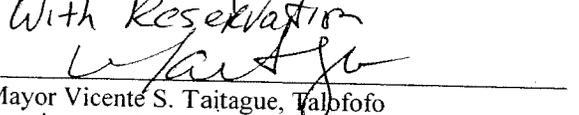
✓


Mayor Roke B. Blas, Sinajana

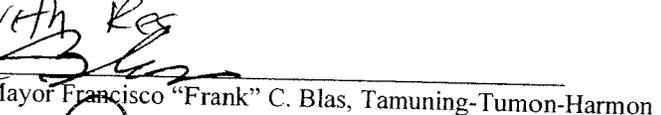
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Vice Mayor Robert R.D.C. Hofmann, Sinajana

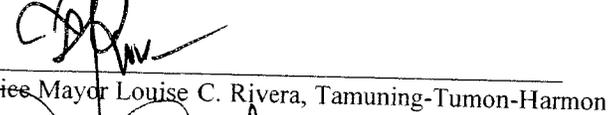
✓

With Reservation

Mayor Vicente S. Taitague, Talofofo

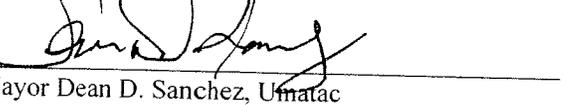
✓

With Res

Mayor Francisco "Frank" C. Blas, Tamuning-Tumon-Harmon

✓


Vice Mayor Louise C. Rivera, Tamuning-Tumon-Harmon

✓


Mayor Dean D. Sanchez, Umatac

yes ✓

Mayor Robert "Bob" S. Lizama, Yigo

Vice Mayor Ronald "Ron" J. Flores, Yigo


Mayor Jose "Pedo" T. Terlaje, Yona

Yes



CERTIFICATION OF THE ADOPTION OF A MAYORS' COUNCIL RESOLUTION

THIS IS TO CERTIFY THAT RESOLUTION NO. 09-10 "RELATIVE TO ENDORSING AND SUPPORTING THE PASSAGE AND ENACTMENT OF BILL NO. B193-30 (COR): "AN ACT TO PLACE THE MERIZO PIER PARK UNDER THE ADMINISTRATIVE JURISDICTION OF THE MERIZO MAYOR'S OFFICE" WAS APPROVED UNANIMOUSLY ON THE 16TH DAY OF SEPTEMBER 2009.

VICE MAYOR LOUISE C. RIVERA, SECRETARY
Mayors' Council of Guam

GUAM LEGISLATURE
REPRODUCTION/MAIL ROOM
DATE: 9/18/09
TIME: 9:00 AM [] PM
RECEIVED BY: [Signature]

Office of the Legislative Secretary
Senator Tina Rose Mufia Barnes
Date: 9/21/09
Time: _____
Received by: [Signature]



MAYORS' COUNCIL OF GUAM

Resolution No. 09-10

Introduced By:

Mayor E.T. Chargualaf
Mayor C. S. Tayama
Mayor R.B. Blas
Vice Mayor L.C. Rivera
Mayor F.M. Taitague
Mayor F.C. Blas
Mayor J.T. Terlaje
Mayor D.E. Alvarez
Vice Mayor A.A. Benavente
Mayor N.C. Blas
Vice Mayor J.U. Blas
Vice Mayor J.B. Chaco
Mayor J.A. Cruz
Vice Mayor R.J. Flores
Mayor J.C. Gogue
Mayor V.D. Gumataotao
Vice Mayor R.R.D.C. Hofmann
Mayor R.S. Lizama
Mayor P.M. McDonald
Mayor J.B. Palican
Mayor V.L. San Nicolas
Mayor D.D. Sanchez
Mayor M.B. Savares
Mayor V.S. Taitague
Vice Mayor A.R.G. Ungacta
Mayor A.C. Villagomez

RELATIVE TO ENDORSING AND SUPPORTING THE PASSAGE AND ENACTMENT OF BILL NO. B193-30 (COR): "AN ACT TO PLACE THE MERIZO PIER PARK UNDER THE ADMINISTRATIVE JURISDICTION OF THE MERIZO MAYOR'S OFFICE"

1 **BE IT RESOLVED BY KONSEHELON MAHOT GUÅHAN:**

2 **WHEREAS**, the Office of Mayor of Malesso has taken responsibility for the
3 upkeep of the Merizo Pier Park for the past year by disposing of its trash, repainting
4 the pavilions, providing water service to all pavilions, inclusive of installing shower
5 heads for the use of all who come to the pier for recreation, fishing , and boating; and

6 **WHEREAS**, the Office of the Mayor of Malesso has provided maintenance and
7 upkeep services through the its own appropriated funds; and

8 **WHEREAS**, it is the Office of the Mayor of Malesso that can expediently,
9 efficiently, and effectively provide the care and maintenance of the Merizo Pier Park
10 due to its proximity; and

11 **WHEREAS**, it is the Office of the Mayor of Malesso and its residents that have a
12 vested interest in keeping the Merizo Pier Park in its best form and shape; and

13 **WHEREAS**, the Merizo Pier Park is an integral part of the culture and history of
14 the people of Malesso; and

15 **WHEREAS**, it is the Mayor of Malesso that can best coordinate, promote, and
16 effectuate programs, events, and festivities at the Merizo Pier Park; and

17 **WHEREAS**, the placement of jurisdiction of the Merizo Pier Park under the
18 control of the Mayor of Malesso will not result in any additional expense to the
19 Department of Parks and Recreation; and

20 **WHEREAS**, the placement of jurisdiction of the Merizo Pier Park under the
21 control of the Mayor of Malesso will result in giving back to Malesso a park that has
22 always been theirs to enjoy and share with all the people of Guam and our tourists; *now*
23 *therefore be it*

1 BE IT RESOLVED, that the *Konsehelon Mahot Guãhan* does hereby endorse and
2 support the passage and enactment of Bill No. B193-30 (COR); *and be it further*

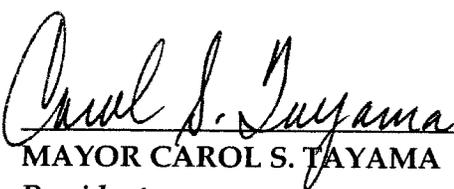
3 RESOLVED, that the *Konsehelon Mahot Guãhan* requests the Senators of *I Mina*
4 *Trenta Na Liheslaturan Guãhan* to fully support Bill No. B193-30 (COR) and to
5 expeditiously pass the measure; *and be it further*

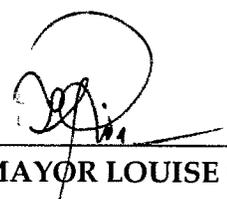
6 RESOLVED, that the President certify, and the Secretary attest to, the adoption
7 hereof, and that copies of the same be thereafter transmitted to all the Honorable
8 Senators of *I Mina Trenta Na Liheslaturan Guãhan*, the Honorable Ernest T. Chargualaf,
9 Mayor of Malesso, to the Malesso Municipal Planning Council, and to the Honorable
10 Felix P. Camacho, *I Maga'láhen Guãhan*.

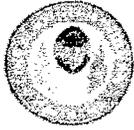
DULY ADOPTED ON THE 16TH DAY OF SEPTEMBER 2009.

CERTIFIED BY:

ATTESTED BY:


MAYOR CAROL S. TAYAMA
President


VICE MAYOR LOUISE C. RIVERA
Secretary



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. E. Cruz
VICE SPEAKER**

**Tina Rose Mufia 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 Guahan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Intro	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
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 Tina Muña Barnes

Legislative Secretary

Mina Tiente Na Liheslaturan Guahan / Thirtieth Guam Legislature

September 10, 2009

Memorandum

TO: All Senators

FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation

SUBJECT: Public Hearing Notice

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

1.) Appointment: John H. Edwards, II, as a member of Guam Boxing & Wrestling Commission

2.) Bill No. B196-30 (COR) – T.R. Muna-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.

3.) Bill No. B198-30 (COR) – T.R. Muna-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.

4.) Bill No. B193-30 (COR) – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.

An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

5.) Bill No. B151-30 (COR) – A.B. Palacios, Sr.

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

The public hearing will take place on Friday, September 18, 2009 at 9:00 A.M- 5:00 P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated

Sincerely, *van magahet,*

Tina Rose Muña-Barnes

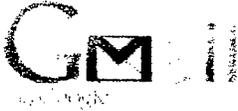
Cc: Clerk of Legislature Protocol

GUAM LEGISLATURE
REPRODUCTION/MAIL ROOM
DATE: <u>9/10/09</u>
TIME: <u>1050</u> [AM] [PM]
RECEIVED BY: <u>[Signature]</u>

Chairperson
Committee on Municipal
Affairs, Aviation, Housing
and Recreation

Vice Chairperson
Tourism, Culture Affairs,
Tourism and Public
Broadcasting





rich jerd <legislative secretary1@gmail.com>

First Notice Public Hearing

5 messages

rich jerd <legislative secretary1@gmail.com>

Thu, Sep 10, 2009 at 3:48 PM

To: speaker@judiwonpat.com, senadotbjcruz@aol.com, tinamunabarnes@gmail.com, roryforguam@gmail.com, judiguthertz@pticom.com, tom@senatorada.org, matt@mattrector.com, senbenp@guam.net, senabpalacios@gmail.com, aguon4guam@gmail.com, sencialvo@gmail.com, ray@raytenorio.com, senator@espaldon.com, senatortelo@gmail.com, frank.blasjr@gmail.com
Cc: psantos@guamlegislature.org, Stephanie Mendiola <sem@guamlegislature.org>, Robert Tupaz <rob.tupaz@gmail.com>, rennae@guamlegislature.org, ez2plez57@yahoo.com, dot@guamlegislature.org, joyunpingco@gmail.com, fbtorres@judiwonpat.com, fred@mattrector.com, clerkoffice1@guamlegislature.com, ciquinata@mail.com, elainevtll@gmail.com, emew@guamlegislature.org, fba_irenem@yahoo.com, vbermudes@guamlegislature.org

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

- 1.) Appointment: John H. Edwards, II, as a member of Guam Boxing & Wrestling Commission
- 2.) Bill No. B196-30 (COR) – **T.R. Muna-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.
- 3.) Bill No. B198-30 (COR) – **T.R. Muna-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.
- 4.) Bill No. B193-30 (COR) – **J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.**
An act to place the Merzo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office
- 5.) Bill No. B151-30 (COR) – **A.B. Palacios, Sr.**
An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

Si Yu'os Ma'ase,



Senator Tina Rose Muna Barnes

Legislative Secretary

(Mina Trenta Na Liheslaturan Guahan / Thirtieth Guam Legislature)

PRESS RELEASE

(September 10, 2009 – For Immediate Release)

**NOTICE OF PUBLIC HEARING
BY SENATOR TINA ROSE MUNA BARNES
FRIDAY, SEPTEMBER 18, 2009 – 9:00 A.M. – 5:00 P.M. - GUAM
LEGISLATURE PUBLIC HEARING ROOM.**

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

1.) Appointment: John H. Edwards, II, as a member of Guam Boxing & Wrestling Commission

2.) Bill No. B196-30 (COR) – T.R. Muna-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.

3.) Bill No. B198-30 (COR) – T.R. Muna-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.

4.) Bill No. B193-30 (COR) – J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.

An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor's Office

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An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as "Alcohol Free Zone" and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

Tina Rose Muna Barnes

Tina Rose Muna Barnes



Senator Tina Muña Barnes

Legislative Secretary

Ministera Treinta Na Liheslaturan Guahan / Thirtieth Guam Legislature

September 11, 2009

Memorandum

TO: All Senators

FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation

SUBJECT: Public Hearing Notice (AS AMENDED)

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

1.) Bill No. B151-30 (COR) – **A.B. Palacios, Sr.**

An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.

2.) Appointment: John H. Edwards, II, as a member of **Guam Boxing & Wrestling Commission & Guam Unarmed Combat Commission.**

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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.

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An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor’s Office

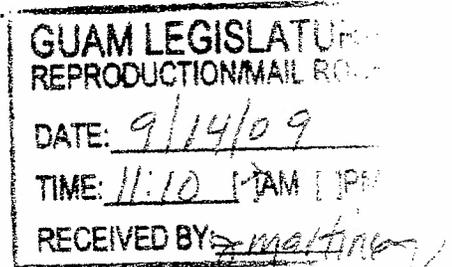
The public hearing will take place on Friday, September 18, 2009 at 9:00 A.M- 5:00 P.M. at the Guam Legislature’s Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated.

Sincerely yours,

Tina Rose Muña-Barnes

Cc: Clerk of Legislature
Protocol
Sergeant At Arms



Chairperson
Committee on Municipal
Affairs, Aviation, Housing
and Recreation

Vice Chairperson
Tourism, Culture Affairs,
Youth and Public
Broadcasting





rich jerd <legislativesecretary1@gmail.com>

P/H Notice As Amended

4 messages

rich jerd <legislativesecretary1@gmail.com>

Mon, Sep 14, 2009 at 11:37 AM

To: speaker@judiwonpat.com, office@senatorada.org, aguon4guam@gmail.com, tinamunabarnes@gmail.com, frank.blasjr@gmail.com, sencalvo@gmail.com, senadotbjcruz@aol.com, senator@espaldon.com, judiguthertz@gmail.com, senabpalacios@gmail.com, senbenp@guam.net, matt@mattrector.com, roryforguam@gmail.com, senatortelo@gmail.com, ray@raytenorio.com, tterlaje@guam.net
 Cc: mark@judiwonpat.com, fba_irenem@yahoo.com, fbtorres@judiwonpat.com, Robert Tupaz <rob.tupaz@gmail.com>, elainevtll@gmail.com, ez2plez57@yahoo.com, mike.lidia9@gmail.com, Stephanie Mendiola <sem@guamlegislature.org>, yong@guamlegislature.org, vbermudes@guamlegislature.org, archives2@guamlegislature.com, clerkoffice1@guamlegislature.com, ciquinata@mail.com, clerkoffice2@guamlegislature.com, clerkoffice3@guamlegislature.com, clerkoflegis@guamlegislature.com, dot@guamlegislature.org, david.peredo@gfd.guam.gov, doc.wytenbachsantos@gmail.com, epogue@hotmail.com, fred@mattrector.com, info@judiwonpat.com, joyunpingco@gmail.com, justin@mattrector.com, jessica@raytenorio.com, josecruzjr17@yahoo.com, jamespcastro@gmail.com, jonbdiaz@gmail.com, mona.duenas@gmail.com, mermae@raytenorio.com, psantos@guamlegislature.org, patrickcepeda@hotmail.com, phillipsguam@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sgtarms@guamlegislature.com, sayama01@yahoo.com, vel.komiyama@yahoo.com

Please find attached copy of Sept. 18, 2009 Public Hearing As Amended.

Si Yu'os Ma'ase

*Richard Dohrumal
 Office of Legislative Secretary
 155 Hesler Place
 Hagatna, Guam 96910
 Tel: 671 (472-3455/8) Fx. (671) 472-3400*

Public Hearing Notice As Amended.jpg
 1120K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Mon, Sep 14, 2009 at 11:37 AM

To: legislativesecretary1@gmail.com

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

mike.lidia9@gmail.com



Senator Tina Rose Muna Barnes

Legislative Secretary

I Mina' Trenta Na Lihesiaturan Guahan / Thirtieth Guam Legislature

PRESS RELEASE

(September 11, 2009 – For Immediate Release (AS AMENDED))

**NOTICE OF PUBLIC HEARING
BY SENATOR TINA ROSE MUNA BARNES
FRIDAY, SEPTEMBER 18, 2009 – 9:00 A.M. – 5:00 P.M. - GUAM
LEGISLATURE PUBLIC HEARING ROOM.**

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

- 1.) Bill No. B151-30(COR) – **A.B. Palacios, Sr.**
An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.
- 2.) Appointment: John H. Edwards, II, as a member of **Guam Boxing & Wrestling Commission & Guam Unarmed Combat Commission.**
- 3.) Bill No. B196-30(COR) – **T.R. Muna-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.
- 4.) Bill No. B148-30(COR) – **T.R. Muna-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.
- 5.) Bill No. B193-30(COR) – **J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.**
An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor’s Office

Si Yu'os Muna

Tina Rose Muna Barnes



rich jerd <legislativesecretary1@gmail.com>

Press Release As Amended

5 messages

rich jerd <legislativesecretary1@gmail.com>

Mon, Sep 14, 2009 at 12:10 PM

To: admin@mvguam.com, clynt@kuam.com, carlospguam@yahoo.com, editor@mvguam.com, john@kuam.com, john@marianasmedia.com, jtquiengco@spbgua.com, Kevin Kerrigan <kevin@spbgua.com>, news@guampdn.com, news@spbgua.com, parroyo@k57.com, rgibson@k57.com, sabrina <Sabrina@kuam.com>, therese@mvguam.com, thebigshow@k57.com, agatmayoroffice@hotmail.com, agatvicemayor@yahoo.com, anghet@hotmail.com, bmbroadadmin@teleguam.net, vicemayor@gmail.com, ernest.merizomayoroffice@yahoo.com, fcblas_tatuhamayor@hotmail.com, hagatnamayor@hotmail.com, mayoralvarez@live.com, mayormcdonald@hotmail.com, mayorortai@yahoo.com, msavares@guamcell.net, mtaitano@ghura.org, mtm_mayors_office@yahoo.com, mcogadmin@teleguam.net, nblas_mangilaomayor@yahoo.com, ocp.mayor@gmail.com, piti_mayor@yahoo.com, rbbblas@gmail.com, talomayor@teleguam.net, tatuhamo@eccomm.com, umatacno@gmail.com, vicemayor_allan.ungacta@yahoo.com, vmyigo@yahoo.com, yonamayor@guam.net, joe.duenas@dprguam.gov

Please find attached copy of Sept. 18, 2009 public hearing as amended.

Richard Dohrumai
 Office of legislative Secretary
 155 Hesier Place
 Haganta, Guam 96910
 Tel: (671) 472-3455/6 Fx: (671) 472-3400



EN
 EN

Press Release As Amended
 1199K

Press Release As Amended.jpg
 1199K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Mon, Sep 14, 2009 at 12:11 PM

To: legislativesecretary1@gmail.com

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

jtquiengco@spbgua.com

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the recipient domain. We recommend contacting the other email provider for further information about the cause of this error. The error that the other server returned was: 550 550-5.1.1 The email account that you tried to reach does not exist. Please try



Senator Tina Muña Barnes
 Legislative Secretary
 (Mina Trente Na Lihasiaturan / Guanán / Thinieth Guam Legislature)

September 15, 2009

Memorandum

TO: All Senators
FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation
SUBJECT: Public Hearing Notice (**SECOND NOTICE**)

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

- 1.) Bill No. B151-30 (COR) – **A.B. Palacios, Sr.**
 An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.
- 2.) Appointment: John H. Edwards, II, as a member of **Guam Boxing & Wrestling Commission & Guam Unarmed Combat Commission.**
- 3.) Bill No. B196-30 (COR) – **T.R. Muna-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.
- 4.) Bill No. B198-30 (COR) – **T.R. Muna-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.
- 5.) Bill No. B195-30 (COR) – **J.T. Won Pat, Ed.D. / Telo Taitague / T.R. Muna-Barnes / A.B. Palacios, Sr.**
 An act to place the Merzo Pier Park under the administrative jurisdiction of the Merizo Mayor’s Office

The public hearing will take place on Friday, September 18, 2009 at 9:00 A.M- 5:00 P.M. at the Guam Legislature’s Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated.

Sincerely,

Tina Rose Muña-Barnes

Cc: Clerk of Legislature
 Protocol
 Sergeant At Arms

Chairperson
 Committee on Municipal
 Affairs, Aviation, Housing
 and Recreation

Vice Chairperson
 Tourism, Culture Affairs,
 Youth and Public
 Broadcasting





rich jerd <legislativesecretary1@gmail.com>

PH Second Notice

3 messages

rich jerd <legislativesecretary1@gmail.com>

Tue, Sep 15, 2009 at 2:36 PM

To: speaker@judiwonpat.com, senadotbjcruz@aol.com, tinamunabarnes@gmail.com, roryforguam@gmail.com, judiguthertz@pticom.com, tom@senatorada.org, matt@mattrector.com, senbenp@guam.net, senabpalacios@gmail.com, aguon4guam@gmail.com, sencialvo@gmail.com, ray@raytenorio.com, senator@espaldon.com, senatortelo@gmail.com, frank.blasjr@gmail.com, anghet@hotmail.com, mayormcdonald@hotmail.com, agatmayorsoffice@hotmail.com, agatvicemayor@yahoo.com, bmoadmin@teleguam.net, vmayorjublas@yahoo.com, ocp.mayor@gmail.com, msavares@guamcell.net, hagatnamayor@hotmail.com, mayortai@yahoo.com, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mtm_mayors_office@yahoo.com, umatacmo@gmail.com, yonamayor@guam.net, ernest.merizomayorsoffice@yahoo.com, piti_mayor@yahoo.com, rbblas@gmail.com, vicemayor@gmail.com, fcblas_tatuhamayor@hotmail.com, tatuhamo@eccomm.com, rslizama@yahoo.com, vmyigo@yahoo.com
Cc: archives2@guamlegislature.com, clerkoffice1@guamlegislature.com, clerkoffice4@guamlegislature.com, ciquinata@gmail.com, clerkoffice2@guamlegislature.com, clerkoffice3@guamlegislature.com, clerkoflegis@guamlegislature.com, dot@guamlegislature.org, doc.wyittenbachsantos@gmail.com, derickhills@live.com, ez2plez57@yahoo.com, elainevtil@gmail.com, emew@guamlegislature.org, epgogue@hotmail.com, elg@guamlegislature.org, fba_irenem@yahoo.com, fbtorres@judiwonpat.com, fred@mattrector.com, tterlaje@guamlegislature.org, info@judiwonpat.com, joyunpingco@gmail.com, justin@mattrector.com, jessica@raytenorio.com, josecruzjr17@yahoo.com, Stephanie Mendiola <sem@guamlegislature.org>, mark@judiwonpat.com, mona.duenas@gmail.com, mermae@raytenorio.com, office@senatorada.org, psantos@guamlegislature.org, phillipsguam@gmail.com, patrickcepeda@hotmail.com, phill@raytenorio.com, Robert Tupaz <rob.tupaz@gmail.com>, rennae@guamlegislature.org, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sgtarms@guamlegislature.com, tq@guamlegislature.org, vel.komiyama@yahoo.com, vbermudes@guamlegislature.org, yong@guamlegislature.org

Please find attached copy of public hearing second notice.

Thank you,
Richard Dohrumal

September 15 , 2009

Memorandum

TO: All Senators
FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation
SUBJECT: Public Hearing Notice (**SECOND NOTICE**)

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Senator Tina Rose Muna Barnes

Legislative Secretary

I Mina' Trenta Na Liheslaturen Guahan / Thirtieth Guam Legislature

PRESS RELEASE

SECOND NOTICE

(September 15, 2009 – For Immediate Release)

NOTICE OF PUBLIC HEARING

BY SENATOR TINA ROSE MUNA BARNES

FRIDAY, SEPTEMBER 18, 2009 – 9:00 A.M. – 5:00 P.M. - GUAM

LEGISLATURE PUBLIC HEARING ROOM.

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting the public hearing on the following:

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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.

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An act to place the Merzo Pier Park under the administrative jurisdiction of the Merizo Mayor’s Office

Si Yu'os Muna'ase,

Tina Rose Muna Barnes



rich jerd <legislativesecretary1@gmail.com>

Second Notice

3 messages

rich jerd <legislativesecretary1@gmail.com>

Tue, Sep 15, 2009 at 2:10 PM

To: admin@mvguam.com, clynt@kuam.com, editor@mvguam.com, john@kuam.com, john@marianasmedia.com, jtquiengco@spbguam.com, Kevin Kerrigan <Kevin@spbguam.com>, news@guampdn.com, news@spbguam.com, parroyo@k57.com, rgibson@k57.com, sabrina <Sabrina@kuam.com>, therese@mvguam.com, thebigshow@k57.com, jac.cherry@gmail.com, jeff@marianasmedia.com, jac@marianasmedia.com

Please find attached copy of press release (second notice).

PRESS RELEASE

SECOND NOTICE

(September 15, 2009 – For Immediate Release)

NOTICE OF PUBLIC HEARING

BY SENATOR TINA ROSE MUNA BARNES

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I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hesler Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

PUBLIC HEARING

Friday, September 18, 2009 • 9:00 AM

Public Hearing Room • I Liheslatura • Hagåtña, Guam

AGENDA

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

9:00 AM

1. **Bill No. B151-30 (COR)** – A.B. Palacios, Sr.
An act to authorize the Director of the Department of Parks and Recreation to designate areas within the Guam Territorial Park System as “Alcohol Free Zone” and to provide for penalties non-compliance, by adding a new Subsection 77101 (d), 77104.(i), 77104.1, 77104.2, 77104.2.1, 77104.2.2 to Chapter 77, Title 21 Guam Code Annotated.
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 - a. *Guam Boxing & Wrestling Commission*
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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.
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A.B. Palacios, Sr.
An act to place the Merizo Pier Park under the administrative jurisdiction of the Merizo Mayor’s Office

- IV. Remarks**
- V. Adjournment**

The Public is invited to observe the discussion in person or on the legislative cable TV channel MCV Channel 13. Testimony, questions and comments may be addressed to SENATOR TINA ROSE MUNA BARNES, Chairwoman, Committee on Municipal Affairs, Aviation, Housing and Recreation, by e-mail to tinamunabarnes@gmail.com , fax to 671-472-3400, delivery to the legislative mail room at 155 Hesler Place, Hagatña, Guam 96910.

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

2009 JUL 30 PM 5:51

Bill No. B196-30(COR)

Introduced by:

T.R. MUNA-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**

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

2 **Section 1. Legislative findings and intent. *I Liheslaturan***

3 *Guåhan* finds that the responsibilities and authorities of our village mayors
4 have evolved over a long period of time. Since the enactment of Public
5 Law 14-27, it is common knowledge that other elected leaders yield to
6 village mayors to seek out what the people from their respective village's
7 desire for the betterment of their community. As the powers,
8 responsibilities, and duties of village mayors continue to evolve, it is
9 certain that it has always been the intent of the Guam Legislature to
10 provide mayors with greater authority and autonomy to conduct the
11 business of ensuring our peoples needs are taken cared of in the community
12 level. Mayors, today are not just the custodians of their jurisdiction that

1 maintain a clean and beautiful neighborhood. Our mayor's have been
2 granted authority to act as peace officers and are obliged to assist in
3 maintaining law in order, mayors have also be given powers to issue
4 citations for the violations of sanitary, health, and litter laws in their village.
5 As our island prepares for the onslaught of the migration of 8,000 marines
6 and their families, our community's needs will continue to grow rapidly.
7 Our mayor's will no doubt become burdened with development in their
8 villages that they will need to financially cope with. The limited resources
9 of the government of Guam has resulted in shortfalls in the annual budget
10 provided to the individual mayors and to the Mayor's Council of Guam.
11 Mayor's need to look outside this funding stream in order to deal with
12 these challenges. Therefore it is the intent of *I Liheslaturan Guåhan* to
13 recognize our mayor's as the direct administrative representatives of our
14 people and to empower them with the special authority to approve any
15 lawful concessionary activities that are officially sponsored or organized by
16 their office or the Mayor's Council of Guam.

17 **Section 2.** A new §40115.A is hereby added to 5 Guam Code

18 Annotated Chapter 40:

19 **“§40115.A. Mayor's Empowered with Approving Authority.**

20 Notwithstanding any other provisions of law, individual Mayor's are

1 that are officially sponsored by their mayoral office or granted special
2 authority to approve any lawful concessionary activities
3 by the Mayor's Council of Guam.
4 The net proceeds of such concessionary activity shall be
5 for the direct benefit of their village or any other non-profit organization.
6 This special authority granted to Mayor's does not negate any other
7 governmental requirement from being obtained, such as but not limited to,
8 health and sanitary permits if such concessionary activity involve the
9 handling of consumables. A certificate of approval affixed with the
10 approving mayor's signature shall constitute the official authorization for a
11 concessionary activity. Such document shall indicate the nature of activity
12 and its activity's duration, which shall not exceed sixty (60) days from
13 issuance of approval. A copy of the certificate shall be transmitted to the
14 Speaker of *I Liheslaturan Guahan*.

15 **Section 3. Effective Date.** This Act shall take effect upon its
16 Enactment.