

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

February 29, 2012

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No.300-31 (LS) "AN ACT TO AMEND § 60113 OF ARTICLE 1, CHAPTER 60 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZATION OF THE GUAM DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES", which I signed into law on February 27, 2012 as Public Law 31-186.

*Senseramente,*

RAY TENORIO  
*I Maga'lahren Guåhan para pa'go*  
Acting Governor of Guam

31-11-137<sup>1</sup> *clw*  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 2/29/12  
Time 3:18  
Received by *[Signature]*

Attachment: copy of Bill

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN**  
**2012 (SECOND) Regular Session**

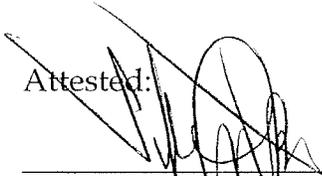
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Substitute Bill No. 300-31 (LS), "AN ACT TO AMEND § 60113 OF ARTICLE 1, CHAPTER 60 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZATION OF THE GUAM DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES"**, was on the 17<sup>th</sup> day of February, 2012, duly and regularly passed.



\_\_\_\_\_  
**Judith T. Won Pat, Ed.D.**  
**Speaker**

Attested:



\_\_\_\_\_  
**Tina Rose Muña Barnes**  
**Legislative Secretary**

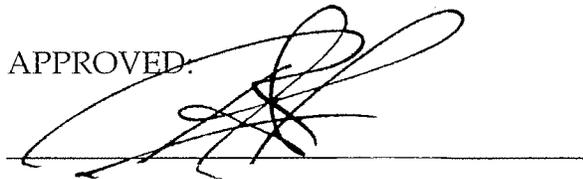
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This Act was received by *I Maga'lahen Guåhan* this 17 day of FEB, 2012, at  
1:22 o'clock P.M.



\_\_\_\_\_  
**Assistant Staff Officer**  
**Maga'lahi's Office**

APPROVED:



**RAYMOND S. TENORIO**  
**Acting Governor of Guam**

Date:

Feb. 27, 2012

Public Law No. 31-186

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
**2011 (FIRST) Regular Session**

**Bill No. 300-31 (LS)**

As substituted by the Committee on Rules,  
Federal, Foreign & Micronesian Affairs, and  
Human & Natural Resources; and amended on the Floor.

Introduced by:

Sam Mabini, Ph.D.  
T. C. Ada  
V. Anthony Ada  
F. F. Blas, Jr.  
B. J.F. Cruz  
Chris M. Dueñas  
Judith P. Guthertz, DPA  
Sam Mabini, Ph.D.  
T. R. Muña Barnes  
Adolpho B. Palacios, Sr.  
v. c. pangelinan  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
M. Silva Tajeron  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* § 60113 OF ARTICLE 1, CHAPTER  
60 OF TITLE 5, GUAM CODE ANNOTATED,  
RELATIVE TO AUTHORIZATION OF THE GUAM  
DEPARTMENT OF AGRICULTURE TO ADMINISTER  
AND COLLECT FEES.**

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

**2 Section 1. Legislative Findings and Intent.** *I Mina'Trentai Unu Na*  
**3 *Liheslaturan*** finds that the Guam Department of Agriculture needs the  
**4 authorization to administer and collect fees, fines and penalties.**

1           **Section 2.** § 60113 of Article 1, Chapter 60 of Title 5, Guam Code  
2 Annotated, is hereby *amended* to read as follows:

3           **“§ 60113. Authority to Receive Money.**

4           (a) The Department is authorized to receive monies derived from  
5 all fees provided under this Division, from the sale and rental of equipment,  
6 and from the sale of livestock, produce, fertilizers, plants, seeds, and  
7 pesticides. Such monies *shall* be promptly transmitted to the Treasurer of  
8 Guam, together with an accounting of the source from which such monies  
9 are derived, and deposited in the General Fund.

10           (b) The Department is authorized to receive monies from fees  
11 associated with the processing and issuance of “Clearing, Grading, and  
12 Construction Permits”, and *shall* develop and adopt a fee schedule for such  
13 permits. Monies from the “Clearing, Grading, and Construction Permit” fees  
14 *shall* be deposited in the “Plant Nursery Revolving Fund”.

15           **Section 3. Severability.** *If* any provision of this Law or its application to  
16 any person or circumstance is found to be invalid or contrary to law, such  
17 invalidity *shall not* affect other provisions or applications of this Law which can be  
18 given effect without the invalid provisions or applications, and to this end the  
19 provisions of this Law are severable.

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2012 (SECOND) Regular Session

Date: 2/17/12

## VOTING SHEET

SBill No. 300-31(COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_  
 \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera		✓			
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

14
1
0
0
0

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence

SENATOR RORY J. RESPICIO  
MAJORITY LEADER

CHAIRPERSON  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
THIRTY-FIRST GUAM LEGISLATURE

December 14, 2011

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

**RE: Committee Report on Bill No. 300-31 (LS) As Substituted**

*Hafa Adai* Speaker Won Pat:

The Committee on Rules, Federal, Foreign & Micronesia Affairs, and Human and Natural Resources hereby reports out its findings and recommendations on **Substitute Bill No. 300-31 (LS) – “AN ACT TO AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60; § 60113 ~~ITEM “A,” AND THE ADDITION OF A NEW §60113 ITEM “B”~~, RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.**

Committee votes are as follows:

<u>1</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>5</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Very Truly Yours,

  
Rory J. Respicio  
Chairperson

SENATOR RORY J. RESPICIO  
MAJORITY LEADER

CHAIRPERSON  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
THIRTY-FIRST GUAM LEGISLATURE

**Committee Report on  
Bill No. 300-31 (LS)  
As Substituted by the Committee on  
Human & Natural Resources**

**AN ACT AMENDING TITLE 5 GUAM  
CODE ANNOTATED, CHAPTER 60, §  
60113 ~~ITEM "A," AND THE ADDITION~~  
~~OF A NEW §60113 ITEM "B,"~~ RELATIVE  
TO AMENDING THE AUTHORIZATION  
OF THE DEPARTMENT OF  
AGRICULTURE TO ADMINISTER AND  
COLLECT FEES.**

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

December 5, 2011

**MEMORANDUM**

**To:** All Members  
*Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human & Natural Resources*

**From:** Senator Rory J. Respicio *Rory J. Respicio*

**Subject:** Committee Report on Bill No. 300-31 (LS) As Substituted

Transmitted herewith for your review and consideration is the **Committee Report on Substitute Bill No. 300-31 (LS) – AN ACT TO AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, § 60113 ~~ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B"~~, RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.**

This report includes the following supporting documents:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 300-31(LS) As Substituted
- Bill No. 300-31 (LS) As Introduced
- Public Hearing Sign-in Sheet
- Copy of Submitted Testimony
- Referral of Bill No. 300-31(LS)
- Fiscal Note for Bill No. 300-31(LS)
- Public Hearing Notices
- 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!*

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
 COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
 AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**COMMITTEE VOTE SHEET**

**Substitute Bill No. 300-31 (LS) – “AN ACT TO AMENDING TITLE 5 GUAM  
 CODE ANNOTATED, CHAPTER 60, § 60113 ~~ITEM “A,” AND THE~~  
~~ADDITION OF A NEW §60113 ITEM “B”~~, RELATIVE TO AMENDING  
 THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO  
 ADMINISTER AND COLLECT FEES.”**

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Rory J. Respicio Chairperson				12/14/11 ✓		
Senator Judith P. Guthertz Vice-Chairperson		✓				
Speaker Judith T. Won Pat, Ed.D. Member						
Vice-Speaker Benjamin J.F. Cruz Member						
Legislative Secretary Tina Rose Muña Barnes Member						
Senator Thomas C. Ada Member				12/12/11 ✓		
Senator vicente c. pangelinan Member						
Senator Dennis G. Rodriguez, JR. Member						
Senator Adolpho B. Palacios Member				12/12/11 ✓		
Senator Aline A. Yamashita, Ph.D. Member				12/12/11 ✓		
Senator Christopher M. Duenas Member				12/13/11 ✓		

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**COMMITTEE REPORT DIGEST**

**I. OVERVIEW**

**BILL NO. 300-31 (LS) - "AN ACT TO ~~AMENDING~~ TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, § 60113 ~~ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B"~~ RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES"** was introduced by Senator Sam Mabini, Ph.D. on September 1, 2011; and was subsequently referred to the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human and Natural Resources on September 2, 2011.

Senator Rory J. Respicio, Chairperson of the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human and Natural Resources convened a public hearing on Bill 300 on Friday, October 7, 2011 at 2:00 P.M. in the Legislature's Public Hearing Room to receive public testimony on the measure.

**Public Notice Requirements**

In accordance with the Open Government Law, notices were disseminated to all senators and to all main media broadcasting outlets, first on September 30, 2011, and again on October 5, 2011.

**Senators Present**

Senator Rory J. Respicio, Chairperson  
Senator Sam Mabini, Ph.D.

**II. SUMMARY OF TESTIMONY & DISCUSSION**

**Senator Respicio called the hearing to order at 2:06 PM** and stated that notices were properly made in accordance with the Open Government Law. He then recognized Senator Mabini to give her remarks as the bill's sponsor.

**Senator Mabini** explained that Bill 300-31 is actually a compliment to a previous bill which is now Public Law 81-31, which gave the Department of Agriculture the authority to be included in the application for the permit from Department of Public Works for clearing, grading, and construction. What Bill 300 does is allows Department of Agriculture to collect fees based on their part in the processing of such application, as mandated by Public Law 81-31.

Senator Respicio thanks Senator Mabini for her remarks. He then proceeds to read into the record written testimony (attached) submitted by Mariquita Taitague, Director of the Department of Agriculture, stating that Department of Agriculture intends to submit written testimony at a later date.

There being no further discussion, **Senator Respicio adjourned the hearing on Bill 300 at 2:08 PM.**

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

The Committee made changes to grammar, diction, structure and format of Bill No. 300-31 (LS). The most notable change made was to clarify that the Department of Agriculture would be authorized to collect fees for processing "Clearing, Grading and Construction" permits, whether or not approved; and not be limited to collecting fees for just the approved permits. Changes made to the introduced bill are indicated by strikethroughs (for deletions) and underlines (for addition) in the substitute version, enclosed with this digest.

The Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources hereby reports out **Substitute Bill No. 300-31 (LS)** with the recommendation...

*I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

Bill No. 300-31(L5)

Introduced by:

Sam Mabini, Ph.D

2011 SEP - 5 AM 10:13  
MUM  
SM

**AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B", RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.**

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

**Section 1. Legislative findings and intent.** *I Mina'Trentai Unu Na Liheslaturan* finds the Department of Agriculture needs to be authorized to administer and collect fees, fines and penalties.

**Section 2:** Title 5 GCA, Chap. 60 § 60113 is amended to read as follows:

“§ 60113. Authority to Receive Money.

The Department is authorized to receive monies derived from all fees provided under this Division, from the sale and rental of equipment, and from the sale of livestock, produce fertilizers, plants, seeds, and pesticides, fines, penalties, and fees associated from the approval of the Department of Agriculture for the 'Clearing, Grading and Construction' permit by the Building and Permits Division of the Department of Public Works. Such monies shall be promptly transmitted to the Treasurer of Guam, together with an accounting of the source from which such monies are derived, and deposited in the General Fund.

**Section 3:** Item (c) of §60113, Chapter 60, 5 Guam Code Annotated is added to read as follows:

“(b) The Director of the Department of Agriculture, or a designated representative, shall develop and adopt a fee structure for fees associated from the approval of the 'Clearing, Grading and Construction' permit by the Department of Agriculture. All fees associated from the approval of the Department of Agriculture for the 'Clearing, Grading and Construction' permit

1 by the Building and Permits Division of the Department of Public Works, shall be used at the  
2 discretion of the Director of the Department of Agriculture. These fees may be used for, but are  
3 not limited to, costs associated and accrued by the Forestry and Soil Resources Division,  
4 Department of Agriculture, for approval of the 'Clearing, Grading and Construction' permit."

5 **Section 4. Effective Date.** This Act shall take effect upon enactment.

6 **Section 5. Severability.** If any provision of this Law or its application to any person or  
7 circumstance is found to be invalid or contrary to law, such invalidity shall not affect other  
8 provisions or applications of this Law which can be given effect without the invalid provisions  
9 or applications, and to this end the provisions of this Law are severable.

*I MINA 'TRENTAI UNU NA LIHESLATURAN GUÁHAN*  
2011 (FIRST) Regular Session

**Bill No. 300-31 (LS)**

As Substituted by the Committee on Rules;  
Federal, Foreign & Micronesian Affairs; and  
Human & Natural Resources.

**Introduced by:**

**Sam Mabini, Ph.D**

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**AN ACT ~~TO AMENDING~~ TITLE 5 GUAM CODE ANNOTATED,  
CHAPTER 60, § 60113 ~~ITEM "A," AND THE ADDITION OF A NEW~~  
~~§60113 ITEM "B",~~ RELATIVE TO AMENDING THE  
AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE  
TO ADMINISTER AND COLLECT FEES.**

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

**Section 1. Legislative findings and intent.** *I Mina 'Trentai Unu Na Liheslaturan* finds the Department of Agriculture needs to be authorized to administer and collect fees, fines and penalties.

**Section 2:** ~~Title 5 GCA, Chap. 60~~ § 60113 is hereby amended to read as follows:

**"§ 60113. Authority to Receive Money.**

(a) The Director of the Department is authorized to receive monies derived from all fees provided under this Division; from the sale and rental of equipment; and from the sale of livestock, produce fertilizers, plants, seeds, and pesticides; and from fines, penalties, and fees associated from with the approval of the Department of Agriculture for the processing of 'Clearing, Grading and Construction' permits by the Building and Permits Division of the Department of Public Works. Such monies shall be promptly transmitted to the Treasurer of Guam, together with an accounting of the source from which such monies are derived, and deposited in the General Fund.

~~**Section 3:** Item (e) of §60113, Chapter 60, 5 Guam Code Annotated is added to read as follows:~~

~~"(b) The Director of the Department of Agriculture, or a designated representative, shall develop and adopt a fee structure for fees associated from with the approval processing of the 'Clearing, Grading and Construction' permit by the Department of Agriculture. All such fees~~

1 ~~associated from the approval of the Department of Agriculture for the ‘Clearing, Grading and~~  
2 ~~Construction’ permit by the Building and Permits Division of the Department of Public Works,~~  
3 ~~shall be used at the discretion of the Director of the Department of Agriculture. These fees may~~  
4 ~~be used for, but are not limited to, costs associated and accrued by the Forestry and Soil~~  
5 ~~Resources Division, Department of Agriculture, for approval of the ‘Clearing, Grading and~~  
6 ~~Construction’ permit.”~~

7 ~~**Section 4. Effective Date.** This Act shall take effect upon enactment.~~

8 **Section 5. Severability.** If any provision of this Law or its application to any person or  
9 circumstance is found to be invalid or contrary to law, such invalidity shall not affect other  
10 provisions or applications of this Law which can be given effect without the invalid provisions  
11 or applications, and to this end the provisions of this Law are severable.



**Fiscal Note on  
Bill No. 300-31 (LS)**

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 300-31 (LS)**

**AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B", RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Agriculture	Dept./Agency Head: Mariquita F. Taitague, Director
Department's General Fund (GF) appropriation(s) to date:	2,501,622
Department's Other Fund (Guam Plant Inspection & Permit Fund) appropriation(s) to date:	48,317
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$2,549,939</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 31-75 & 31-77)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? /X/ Yes    / / No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A    / / Yes    / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_  
/ / N/A
- Does the Bill establish a new program/agency? / / Yes    /X/ No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A    / / Yes    / / No  
Is there a federal mandate to establish the program/agency? / / Yes    / / No
- Will the enactment of this Bill require new physical facilities? / / Yes    /X/ No
- Was Fiscal Note coordinated with the affected dep/agency? If no, indicate reason: /X/ Yes    / / No  
/ / Requested agency comments not received by due date      / / Other: \_\_\_\_\_

Analyst: <u>Arthur R. Mariano</u>	Date: <u>10/7/11</u>	Director: <u>John A. Rios, Acting Director</u>	Date: <u>10/7/11</u>
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**Footnotes:**  
In its current form, the subject legislation would have a positive impact on the General Fund. While provisions in Bill 300-31(LS) may result in increased revenues from the assessing of fines, penalties and fees from "Clearing, Grading and Construction" permits, the Bureau is not able to quantify such revenues absent additional data from the Department of Agriculture and/or the Department of Public Works. Also, it appears that the subject legislation is technically deficient as Section 3 of the Bill amends "Item (c) of §60113, Chapter 60, 5 Guam Code Annotated" while the provision that immediately follows cites "(b)." Lastly, in reviewing the Guam Code on the Compiler of Law's website, there is currently no sub-sections existing under §60113 of Chapter 60, 5 GCA and that §60114 relative to the establishment of the Plant Protection and Quarantine Revolving Fund has since been repealed by P.L. 28-52:1.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 300-31 (LS)**  
**(for revenue generating provisions)**

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	1/	\$0	\$0	\$0	\$0
Other Fund:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total	1/	\$0	\$0	\$0	\$0

**Comments:**

1/: While provisions in Bill 300-31 (LS) may result in increased General Fund revenues from the assessing of fines, penalties and fees from "Clearing, Grading and Construction" permits, the Bureau is not able to quantify such revenues absent additional data from the Department of Agriculture and/or the Department of Public Works.

**Referral of  
Bill No. 300-31 (LS)**



# COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

2011 SEP -2

AM 11:46  
W

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY MEMBERS:**

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

**MINORITY MEMBERS:**

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

September 2, 2011

**MEMORANDUM**

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

Attorney Therese M. Terlaje  
Legislative Legal Counsel

**From:** Senator Rory J. Respicio

**Subject:** Referral of Bill Nos. 300-31 (LS) through 302.-31 (LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 300-31 (LS) through 302.-31 (LS).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

(1) Attachment

*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
**Bill Log Sheet**

**September 1, 2011**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
300-31 (LS)	S.Mabini, Ph.D.	AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B", RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.	9/01/11 10:13 a.m.	9/2/11		Committee on Rules, Federal Foreign & Micronesia n Affairs and Human & Natural Resources			

**Public Hearing Notices  
for Bill No. 300-31 (LS)**



Rory Respicio <cor@guamlegislature.org>

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# First Notice of Public Hearing Notice for Friday, October 7, 2011

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Senator Rory J. Respicio <cor@guamlegislature.org>

Fri, Sep 30, 2011 at 4:07 PM

To: phnotice@guamlegislature.org

Hafa adai,  
Attached, please find the First Notice of Public Hearing Notice for Friday, October 7, 2011 at 2:00 pm.

Thank you,  
Rory

—  
**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

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 **2011.09.30\_PR1\_PH-2011.10.07.pdf**  
218K

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**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of Sept. 22, 2011, 3:17pm**

aguon4guam@gmail.com  
alerta.jermaine@gmail.com  
aline4families@gmail.com  
audrey@judiwonpat.com  
berlene@senatorpalacios.com  
bruce.lloyd.media@gmail.com  
carlo@tinamunabarnes.com  
chechsantos@gmail.com  
chelsea@tinamunabarnes.com  
cherbert.senatordrodriguez@gmail.com  
cipo@guamlegisalature.org  
clerks@guamlegisalature.org  
colleen@judiwonpat.com  
cor@guamlegislature.org  
cyrus@senatorada.org  
doc.wyppenbachsantos@gmail.com  
duenasenator@gmail.com  
edleonguerrero@gmail.com  
edpocaigue@judiwonpat.com  
edwardglee671@yahoo.com  
elaine@tinamunabarnes.com  
etajalle@guamlegislature.org  
evelyn4families@gmail.com  
faith.r@senatormabini.com  
fbtorres@judiwonpat.com  
floterlaje@gmail.com  
frank.blasjr@gmail.com  
gavin@tinamunabarnes.com  
guamnativesun@yahoo.com  
jamespcastro@gmail.com  
jane@tinamunabarnes.com  
jason@senatorpalacios.com  
jcamacho@senatorada.com  
jean@tinamunabarnes.com  
jennifer@senatorpalacios.com  
jmesngon.senatordrodriguez@gmail.com  
john.calvo@noaa.gov  
joshua.tenorio@senatorbjcruz.com  
judiguthertz@gmail.com  
julian@senatorpalacios.com  
leonguerrero.angela@gmail.com  
leslie.g@senatormabini.com  
lou4families@gmail.com  
louise\_atalig@yahoo.com  
markaflague@gmail.com

maryfejeran@gmail.com  
mis@guamlegislature.org  
mtorres.senatordrodriguez@gmail.com  
nsantos@senatorada.org  
office@senatorada.org  
oliviampalacios@gmail.com  
peterlg@gmail.com  
phillipsguam@gmail.com  
pris@senatorpalacios.com  
richard@tinamunabarnes.com  
rob.tupaz@gmail.com  
roryforguam@gmail.com  
Santos.duenas@gmail.com  
sem@guamlegislature.org  
senator@senatorbjcruz.com  
senator@senatorpalacios.com  
senator@tinamunabarnes.com  
senatordrodriguez@gmail.com  
senatorsam@senatormabini.com  
senatortonyada@guamlegislature.org  
senbenp@guam.net  
sgrarmes@guamlegislature.org  
speaker@judiwonpat.com  
tanya4families@gmail.com  
telo.taitague@guam.gov  
tinaokada@gmail.com  
tom@senatorada.org  
tterlaje@guam.net  
uriah@tinamunabarnes.com  
victoria@senatorpalacios.com  
wilcastro671@gmail.com  
tcastro@guam.net  
faith.r@senatormabini.com  
val.g@senatormabini.com  
jeff.m@senatormabini.com  
myracle.m@senatormabini.com  
senatormabini@senatormabini.com  
mcarlson@guamlegislature.org  
rfteehan@yahoo.com  
ataylor.senatordrodriguez@gmail.com  
msuarez.senatordrodriguez@gmail.com  
vkomiyama.senatordrodriguez@gmail.com

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
**COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN**  
**AFFAIRS; AND HUMAN & NATURAL RESOURCES**

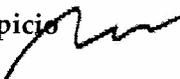


*I Mina'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

September 30, 2011

**MEMORANDUM**

**To: All Members**  
Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human & Natural Resources

**From: Senator Rory J. Respicio** 

**Subject: First Notice of Public Hearing – Friday, October 7, 2011, 2:00 P.M.**

*Håfa Adai!* Please be advised that I will be conducting a **public hearing on Friday, October 7, 2011, beginning at 2:00 P.M.**, in the Public Hearing Room to receive testimony on the following items (to be heard in the order indicated):

1. Bill No. 281-31 (COR) - T.R. Muña Barnes – “AN ACT TO *ADD* A NEW SUBSECTION (D) TO §9303 OF ARTICLE 3 CHAPTER 9 TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE TRANSMITTAL TO THE COMPILER OF LAWS THE ADOPTION, REPEAL, RECISSION OR AMENDMENT OF RULES AND REGULATIONS.”
2. Bill No. 282-31 (COR) - T.R. Muña Barnes – “AN ACT ADD AMEND § 51502 OF CHAPTER 51, OF DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO EXEMPTING THE GUAM RECYCLING FUND FROM THE TRANSFER AUTHORITY OF *I MAGA'LAHEN GUÅHAN*.”
3. Bill No. 300-31 (LS) - Sam Mabini, Ph.D. – “AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B", RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.”

Written testimony should be addressed to Senator Rory J. Respicio, Chairperson, Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human & Natural Resources, and may be submitted via email to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); fax to (671) 472-3547; or hand-delivery/mail to 155 Hesler Place, Hågatña, Guam 96910. Should special assistance or accommodations be required, please contact Elaine Tajalle at my office at (671) 472-7679 or by e-mail at [etajalle@guamlegislature.org](mailto:etajalle@guamlegislature.org). *Si Yu'os ma'åse'!*

cc: All Senators  
Clerk of the Legislature  
Legal Counsel  
Sergeant-at-Arms/AV  
MIS



Mary Maravilla <marymaravilla19@gmail.com>

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## Public Hearing Notice for October 7, 2011

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Senator Rory J. Respicio <cor@guamlegislature.org> Fri, Sep 30, 2011 at 4:05 PM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@k57.com

Bcc: marymaravilla19@gmail.com

Hafa adai Newsrooms,  
Attached, please find a Public Hearing notice for October 7, 2011.

Thank you,  
Rory

--

**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

September 30, 2011  
For Immediate Release

**First Notice of Public Hearing**  
**Friday, October 7, 2011 – 2:00 PM**

**(Hagåtña, Guam)** Please be advised that the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources will be conducting a public hearing on **Friday, October 7, 2011**, beginning at **2:00 PM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following:

1. **Bill No. 281-31 (COR)** - T.R. Muña Barnes – "AN ACT TO ADD A NEW SUBSECTION (D) TO §9303 OF ARTICLE 3 CHAPTER 9 TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE TRANSMITTAL TO THE COMPILER OF LAWS THE ADOPTION, REPEAL, RECISSION OR AMENDMENT OF RULES AND REGULATIONS."
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3. **Bill No. 300-31 (LS)** - Sam Mabini, Ph.D. – "AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B", RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES."

For copies of the above mentioned bills please click on the link (bill number) or visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery/mail to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at 472-7679.

###



Rory Respicio <cor@guamlegislature.org>

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## Second Notice of Public Hearing: Fri, 10/7, 2PM

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Senator Rory J. Respicio <cor@guamlegislature.org>  
To: phnotice@guamlegislature.org

Wed, Oct 5, 2011 at 11:57 AM

Hafa Adai,

Please see attached for the second notice of public hearing scheduled for this Friday, October 7th at 2pm in the Public Hearing Room.

Thank you,  
Rory

—

**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547



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**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of Sept. 22, 2011, 3:17pm**

aguon4guam@gmail.com  
alerta.jermaine@gmail.com  
aline4families@gmail.com  
audrey@judiwonpat.com  
berlene@senatorpalacios.com  
bruce.lloyd.media@gmail.com  
carlo@tinamunabarnes.com  
chechsantos@gmail.com  
chelsea@tinamunabarnes.com  
cherbert.senatorrodriguez@gmail.com  
cipo@guamlegislature.org  
clerks@guamlegislature.org  
colleen@judiwonpat.com  
cor@guamlegislature.org  
cyrus@senatorada.org  
doc.wytenbachsantos@gmail.com  
duenasenator@gmail.com  
edleonguerrero@gmail.com  
edpocaigne@judiwonpat.com  
edwardglee671@yahoo.com  
elaine@tinamunabarnes.com  
etajalle@guamlegislature.org  
evelyn4families@gmail.com  
faith.r@senatormabini.com  
fbtorres@judiwonpat.com  
floterlaje@gmail.com  
frank.blasjr@gmail.com  
gavin@tinamunabarnes.com  
guamnativesun@yahoo.com  
jamespcastro@gmail.com  
jane@tinamunabarnes.com  
jason@senatorpalacios.com  
jcamacho@senatorada.com  
jean@tinamunabarnes.com  
jennifer@senatorpalacios.com  
jmesngon.senatorrodriguez@gmail.com  
john.calvo@noaa.gov  
joshua.tenorio@senatorbjcruz.com  
judiguthertz@gmail.com  
julian@senatorpalacios.com  
leonguerrero.angela@gmail.com  
leslie.g@senatormabini.com  
lou4families@gmail.com  
louise\_atalig@yahoo.com  
markaflague@gmail.com

maryfejeran@gmail.com  
mis@guamlegislature.org  
mtorres.senatorrodriguez@gmail.com  
nsantos@senatorada.org  
office@senatorada.org  
oliviampalacios@gmail.com  
peterlg@gmail.com  
phillipsguam@gmail.com  
pris@senatorpalacios.com  
richard@tinamunabarnes.com  
rob.tupaz@gmail.com  
roryforguam@gmail.com  
Santos.duenas@gmail.com  
sem@guamlegislature.org  
senator@senatorbjcruz.com  
senator@senatorpalacios.com  
senator@tinamunabarnes.com  
senatorrodriguez@gmail.com  
senatorsam@senatormabini.com  
senatortonyada@guamlegislature.org  
senbenp@guam.net  
sgrarmes@guamlegislature.org  
speaker@judiwonpat.com  
tanya4families@gmail.com  
telo.taitague@guam.gov  
tinaokada@gmail.com  
tom@senatorada.org  
tterlaje@guam.net  
uriah@tinamunabarnes.com  
victoria@senatorpalacios.com  
wilcastro671@gmail.com  
tcastro@guam.net  
faith.r@senatormabini.com  
val.g@senatormabini.com  
jeff.m@senatormabini.com  
myracle.m@senatormabini.com  
senatormabini@senatormabini.com  
mcarlson@guamlegislature.org  
rfteehan@yahoo.com  
ataylor.senatorrodriguez@gmail.com  
msuarez.senatorrodriguez@gmail.com  
vkomiyama.senatorrodriguez@gmail.com

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

October 5, 2011

**MEMORANDUM**

**To: All Members**  
Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources

**From: Senator Rory J. Respicio** *Rory J. Respicio*

**Subject: Second Notice of Public Hearing – Friday, October 7, 2011, 2:00 P.M.**

*Håfa Adai!* Please be advised that I will be conducting a **public hearing on Friday, October 7, 2011, beginning at 2:00 P.M.**, in the Public Hearing Room to receive testimony on the following items (to be heard in the order indicated):

1. Bill No. 281-31 (COR) - T.R. Muña Barnes – “AN ACT TO *ADD* A NEW SUBSECTION (D) TO §9303 OF ARTICLE 3 CHAPTER 9 TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE TRANSMITTAL TO THE COMPILER OF LAWS THE ADOPTION, REPEAL, RECISSION OR AMENDMENT OF RULES AND REGULATIONS.”
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Written testimony should be addressed to Senator Rory J. Respicio, Chairperson, Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources, and may be submitted via email to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); fax to (671) 472-3547; or hand-delivery/mail to 155 Hesler Place, Hågatña, Guam 96910. Should special assistance or accommodations be required, please contact Elaine Tajalle at my office at (671) 472-7679 or by e-mail at [etajalle@guamlegislature.org](mailto:etajalle@guamlegislature.org). *Si Yu'os ma'åse'!*

cc: All Senators  
Clerk of the Legislature  
Legal Counsel  
Sergeant-at-Arms/AV  
MIS



Rory Respicio <cor@guamlegislature.org>

## Second Notice of Public Hearing: Fri, 10/7, 2PM

Senator Rory J. Respicio <cor@guamlegislature.org>

Wed, Oct 5, 2011 at 11:55 AM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@k57.com  
 Bcc: kenq@kuam.com, clynt@spbgum.com, am800guam@gmail.com, info@chinesetimesguam.com, publisher@glimpsesofiguam.com, managingeditor@glimpsesofiguam.com, gktv23@hotmail.com, hana@guam-shinbun.com, khmg@hbcguam.net, mahoquinene@guam.net, admin@leapguam.com, richdevera@gmail.com, ajuan@kijifm104.com, koreatv@kuentos.guam.net, koreannews@guam.net, kcn.kelly@gmail.com, ksto@ite.net, kstonews@ite.net, kstokish@gmail.com, sabrina@kuam.com, jason@kuam.com, nick@kuam.com, nick.delgado@kuam.com, john@kuam.com, mindy@kuam.com, joan@kuam.com, jesselujan27@yahoo.com, mabuhaynews@yahoo.com, gerry@mvguam.com, amier@mvguam.com, zita@mvguam.com, janela@mvguam.com, therese.hart.writer@gmail.com, editor@mvguam.com, gina@mvguam.com, Jennifer@mvguam.com, reporter3@glimpsesofiguam.com, miseke@mvguam.com, roly@ktkb.com, rgibson@k57.com, parroyo@k57.com, tcoffman@k57.com, thebigshow@guamcell.net, monty.mcdowell@amiguam.com, norman.aguilar@guamcc.edu, cmhanson@guam.net, news@k57.com, thebigshow@k57.com, jtyquiengco@spbgum.com, onlyonguam@acubedink.com, dcristost@guam.gannett.com, rliantiaco@guampdn.com, slimtiaco@guampdn.com, egthompson@guampdn.com, gdumat-ol@guampdn.com, odngirairiki@guampdn.com, roneggers@sbcglobal.net, mwatanabe@guampdn.com, llmatthews@guampdn.com, bmkelman@guampdn.com, cmelyan@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, aalladi@guampdn.com, ylee2@guam.gannett.com, life@guampdn.com, kevin@spbgum.com, betsy@spbgum.com, carlsonc@pstripes.osd.mil, guam@pstripes.osd.mil, tritent@pstripes.osd.mil, AmrheinS@pstripes.osd.mil, FilePS&Sstorieshere@stripes.osd.mil, kai@spbgum.com, malainse@gmail.com, pdkprg@gmail.com, info@guamwave.com, bbautista@spbgum.com, pacificjournalist@gmail.com, editor@saipantribune.com, mcpherson.kathryn@abc.net.au, hill.bruce@abc.net.au, xiosormd@gmail.com, xiosormd@yahoo.com, action@weareguahan.com, admin@weareguahan.com, ricknauta@hitradio100.com, officemanager@hitradio100.com, "Rory J. Respicio" <roryforguam@gmail.com>, tinaokada <tinaokada@gmail.com>, eugenemarques@gmail.com, sem@guamlegislature.org, communications@guam.gov, frankaguon23@gmail.com, oliviampalacios@gmail.com, hansonguam@gmail.com, tjaitano@cs.com, phillipsguam@gmail.com, mlwheeler2000@yahoo.com, marymaravilla19@gmail.com, mspeps@hotmail.com, troy.torres@guam.gov, communication@guam.gov

Hafa Adai, Newsrooms:

Please see attached for the second notice of public hearing scheduled for this Friday, October 7, 2011 at 2:00 PM in the Legislature's Public Hearing Room.

Thank you,  
 Rory

--  
**Rory J. Respicio**  
 Senator

Majority Leader and Chairperson  
 Committee on Rules;  
 Federal, Foreign & Micronesian Affairs;  
 and Human & Natural Resources  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
 155 Hesler Place, Ste. 302  
 Hagåtña, Guam 96910  
 Phone: (671) 472-7679  
 Fax: (671) 472-3547

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

October 5, 2011  
For Immediate Release

**Second Notice of Public Hearing**  
**Friday, October 7, 2011 – 2:00 PM**

**(Hagåtña, Guam)** Please be reminded that the Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human & Natural Resources will be conducting a public hearing on **Friday, October 7, 2011**, beginning at **2:00 PM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following:

1. **Bill No. 281-31 (COR)** - T.R. Muña Barnes – "AN ACT TO ADD A NEW SUBSECTION (D) TO §9303 OF ARTICLE 3 CHAPTER 9 TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE TRANSMITTAL TO THE COMPILER OF LAWS THE ADOPTION, REPEAL, RECISSION OR AMENDMENT OF RULES AND REGULATIONS."
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For copies of the above mentioned bills please click on the link (bill number) or visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery/mail to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at 472-7679.

###



Rory Respicio <cor@guamlegislature.org>

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## Notice of Public Hearing on Bill 300: Fri, 10/7, 2PM

---

Senator Rory J. Respicio <cor@guamlegislature.org>

Wed, Oct 5, 2011 at 4:19 PM

To: doagridir@yahoo.com

Bcc: "Rory J. Respicio" <roryforguam@gmail.com>, tinaokada <tinaokada@gmail.com>, Elaine Tajalle <etajalle@guamlegislature.org>

Hafa Adai, Director Taitague:

Please be advised that there is a public hearing scheduled for Bill 300 this Friday, October 7th at 2:00 PM in the Legislature's Public Hearing Room. Please see attached notice for more information.

Thank you,  
Rory

—

**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

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**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**PUBLIC HEARING**

**Friday, October 7, 2011 • 2:00 PM**

**Legislature's Public Hearing Room • Hagåtña, Guam**

**AGENDA**

- I. Call to Order**
- II. Announcements**
- III. Items for Public Consideration**
  - 1. Bill No. 281-31 (COR) - T.R. Muña Barnes – “AN ACT TO ADD A NEW SUBSECTION (D) TO §9303 OF ARTICLE 3 CHAPTER 9 TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE TRANSMITTAL TO THE COMPILER OF LAWS THE ADOPTION, REPEAL, RECISSION OR AMENDMENT OF RULES AND REGULATIONS.”**
  - 2. Bill No. 282-31 (COR) - T.R. Muña Barnes – “AN ACT ADD AMEND § 51502 OF CHAPTER 51, OF DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO EXEMPTING THE GUAM RECYCLING FUND FROM THE TRANSFER AUTHORITY OF I MAGA'LAHEN GUÅHAN.”**
  - 3. Bill No. 300-31 (LS) - Sam Mabini, Ph.D. – “AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B", RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.”**
- IV. Closing Remarks**
- V. Adjournment**

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For copies of the above mentioned bills, please visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [cor@guamlegislature.com](mailto:cor@guamlegislature.com), or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at our office. For more information, please call 472-7679. We look forward to your attendance and participation. *Si Yu'os ma'åse'!*

*I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

Bill No. 300-31(LS)

Introduced by:

Sam Mabini, Ph.D

2011 SEP - 5  
MUM  
AM 10:13

**AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED,  
CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW  
§60113 ITEM "B", RELATIVE TO AMENDING THE  
AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE  
TO ADMINISTER AND COLLECT FEES.**

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

**Section 1. Legislative findings and intent.** *I Mina'Trentai Unu Na Liheslaturan* finds the Department of Agriculture needs to be authorized to administer and collect fees, fines and penalties.

**Section 2:** Title 5 GCA, Chap. 60 § 60113 is amended to read as follows:

“§ 60113. Authority to Receive Money.

The Department is authorized to receive monies derived from all fees provided under this Division, from the sale and rental of equipment, and from the sale of livestock, produce fertilizers, plants, seeds, and pesticides, fines, penalties, and fees associated from the approval of the Department of Agriculture for the 'Clearing, Grading and Construction' permit by the Building and Permits Division of the Department of Public Works. Such monies shall be promptly transmitted to the Treasurer of Guam, together with an accounting of the source from which such monies are derived, and deposited in the General Fund.

**Section 3:** Item (c) of §60113, Chapter 60, 5 Guam Code Annotated is added to read as follows:

“(b) The Director of the Department of Agriculture, or a designated representative, shall develop and adopt a fee structure for fees associated from the approval of the 'Clearing, Grading and Construction' permit by the Department of Agriculture. All fees associated from the approval of the Department of Agriculture for the 'Clearing, Grading and Construction' permit

1 by the Building and Permits Division of the Department of Public Works, shall be used at the  
2 discretion of the Director of the Department of Agriculture. These fees may be used for, but are  
3 not limited to, costs associated and accrued by the Forestry and Soil Resources Division,  
4 Department of Agriculture, for approval of the ‘Clearing, Grading and Construction’ permit.”

5 **Section 4. Effective Date.** This Act shall take effect upon enactment.

6 **Section 5. Severability.** If any provision of this Law or its application to any person or  
7 circumstance is found to be invalid or contrary to law, such invalidity shall not affect other  
8 provisions or applications of this Law which can be given effect without the invalid provisions  
9 or applications, and to this end the provisions of this Law are severable.