

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

May 14, 2012

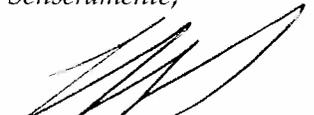
Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

31-12-15<sup>5</sup> WTC  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 5/15/12  
Time 4:00 PM  
Received by [Signature]

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 342-31 (COR) entitled, "AN ACT TO AMEND §58104 OF CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE INCLUSION OF GREEN TECHNOLOGY AS AN ACCEPTABLE ACTIVITY FOR THE ELIGIBILITY OF A QUALIFYING CERTIFICATE APPLICATION", which I signed into law on May 9, 2012 as Public Law 31-207.

*Senseramente,*

  
EDDIE BAZA CALVO

Attachment: copy of Bill

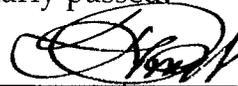
2012 MAY 16 AM 8:47  
[Signature]

1595

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

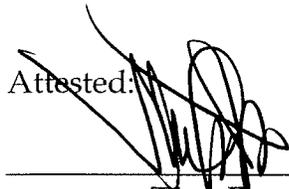
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 342-31 (COR)**, "AN ACT TO AMEND §58104 OF CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE INCLUSION OF GREEN TECHNOLOGY AS AN ACCEPTABLE ACTIVITY FOR THE ELIGIBILITY OF A QUALIFYING CERTIFICATE APPLICATION", was on the 27<sup>th</sup> day of April, 2012, duly and regularly passed.



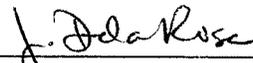
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 27<sup>th</sup> day of Apr., 2012, at 2:00 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date: MAY 09 2012

Public Law No. 31-207

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

**Bill No. 342-31 (COR)**

As amended on the Floor.

Introduced by:

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

**AN ACT TO *AMEND* §58104 OF CHAPTER 58, TITLE  
12, GUAM CODE ANNOTATED, RELATIVE TO THE  
INCLUSION OF GREEN TECHNOLOGY AS AN  
ACCEPTABLE ACTIVITY FOR THE ELIGIBILITY OF  
A QUALIFYING CERTIFICATE APPLICATION.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Qualifying Certificate program was created as an economic incentive to  
4 entice potential investors to Guam. Qualifying Certificates are granted on the basis of  
5 investment commitment, the potential for creating new employment and the

1 expansion of island industries. According the Guam Economic Development  
2 Authority, the Qualifying Certificate program has realized approximately One Billion  
3 Five Hundred Million Dollars (\$1,500,000,000.00) since its inception.

4 *I Liheslaturan Guåhan* further finds that when an application is approved, a  
5 contract is executed between the government of Guam and the beneficiary of the  
6 Qualifying Certificate. This contract allows for certain tax rebates and abatements on  
7 the basis that the beneficiary meets certain requirements, including employment and  
8 investment, pursuant to existing statute.

9 *I Liheslaturan Guåhan* further finds that Guam is home to many natural  
10 resources, including its waters, winds, and land. In recent years, there have been  
11 collective efforts to identify innovative ways of preserving and protecting our  
12 environment. There must be a concerted attempt to expand local industries on Guam  
13 that strengthen and reinforce current environmental and conservation efforts.  
14 Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure that green technology is  
15 an acceptable activity for the eligibility of a Qualifying Certificate application.

16 **Section 2.** §58104 of Chapter 58, Title 12, Guam Code Annotated, is hereby  
17 *amended* to read:

18 **“§ 58104. Eligibility Defined.**

19 A Qualifying Certificate *shall only* be issued to the following entities:

20 Any trust, partnership, sole proprietorship, Limited Liability Partnership  
21 (LLP), Limited Liability Company (LLC), or corporation formed under the  
22 laws of Guam, *or* possessions corporation as defined in §58106 of this Chapter,  
23 engaged, *or* about to engage in any of the following activities, and in the  
24 following order of priority:

1           (1) The establishment of industries and activities that support  
2 current initiatives associated with the preservation and protection of  
3 Guam’s natural resources, also known as green technology. Such  
4 industries and activities *shall* include, but *not* be limited to, energy  
5 efficiency, renewable energy and environmental cleanup. For the  
6 purposes of this Section, “renewable energy” is energy which comes  
7 from natural resources such as sunlight, wind, rain, tides, and geothermal  
8 heat, and other forms of electrical power generation which are renewable  
9 (naturally replenished);

10           (2) The manufacture, distribution and sale of non-petroleum  
11 based fuels that include, but are *not* limited to, biofuels such as biodiesel  
12 and ethanol and hydrogen fuels.

13           (3) agriculture;

14           (4) aquaculture;

15           (5) mariculture;

16           (6) manufacturing;

17           (7) commercial fishing;

18           (8) services;

19           (9) tourism;

20           (10) improvement of real property for purposes which are  
21 specifically determined by the Authority to be beneficial, desirable, and  
22 necessary for the economic development of Guam;

23           (11) insurance issuance, either by commercial insurers,  
24 reinsurers, *or* captive insurers which meet the requirements of Title 22,  
25 GCA, Chapter 15, Article 3;

1 (12) export trading company, as defined in Title 11, GCA,  
2 §26101(d), *if* the main office of the export trading company is  
3 established on Guam;

4 (13) producing water *or* disposing of wastewater, *or* both, jointly  
5 with the Guam Waterworks Authority;

6 (14) operating on a military base on Guam a Base Operating  
7 Service Contract;

8 (15) a small business entity operating on a military base on  
9 Guam, a Base Operating Service contract, *or* as a subcontractor to a BOS  
10 Contractor; and

11 (16) a global internet infrastructure services company(ies)  
12 providing internet connectivity and co-location facilities, and its/their  
13 tenant-sellers in the sales of goods, services and information over the  
14 internet; provided that:

15 (i) the seller is legally established in and operates from  
16 Guam;

17 (ii) the sale *does not* include the local sale of goods,  
18 services and information;

19 (iii) the sale is conducted exclusively through the internet;  
20 and

21 (iv) the seller *does not* sell *or* distribute in any fashion  
22 material that is harmful to minors, as that term is defined in the  
23 Internet Tax Freedom Act, a part of the Omnibus Appropriations  
24 Act of 1998, Public Law Number 105-277. For the purposes of

1                   this Subsection, a “minor” is a person under the age of eighteen  
2                   (18) years.”

3           **Section 3. Effective Date.** The provisions of this Act *shall* become effective  
4 ninety (90) days upon enactment.

5           **Section 4. Severability.** *If* any provision of this Law or its application to any  
6 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*  
7 *not* affect other provisions or applications of this Law which can be given effect  
8 without the invalid provisions or application, and to this end the provisions of this  
9 Law are severable.

# I MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN

2011 (SECOND) Regular Session

Date: 04/27/12

## VOTING SHEET

Bill No. 342-31 (COR)

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

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

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
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					EA
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.		✓			
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.		*			
YAMASHITA, Aline A.	✓				

TOTAL                                      12      2                      0                      0                      1

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence



*Ufisinin Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guåhan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

December 12, 2011

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

**Speaker**

**I Mina'Trentai Unu Na Liheslaturan Guåhan**

155 Hesler Place

Hagåtña, Guam 96910

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

**RE: Committee Report – Bill No. 342-31(COR)**

12-13-11 15:13:00

**Dear Speaker Won Pat:**

Transmitted herewith, for your consideration, is the **Committee Report on BILL NO. 342-31(COR)- An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application;** Sponsored by Senator Mana Silva Tajeron, and referred to the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform. Bill No. 342-31(COR) was publicly heard on December 01, 2011.

Committee votes are as follows:

- TO PASS**
- NOT TO PASS**
- ABSTAIN**
- TO REPORT OUT ONLY**
- TO PLACE IN INACTIVE FILE**

Senseramente,

**Senator Dennis G. Rodriguez, Jr.**

**Chairman**

Attachments



*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guåhan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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**COMMITTEE REPORT  
ON**

**Bill 342-31 (COR)**

**Sponsored by: Senator Mana Silva Taijeron**

**BILL NO. 342-31(COR)- An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application.**



*Ufisinan Todu Guam*  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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December 09, 2011

MEMORANDUM

**To:** **ALL MEMBERS**  
Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform.

**From:** **Senator Dennis G. Rodriguez, Jr.**   
Committee Chairperson

**Subject:** **Committee Report on Bill no. 342-31(COR).**

Transmitted herewith, for your consideration, is the **Committee Report on BILL NO. 342-31(COR)- An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application;** Sponsored by Senator Mana Silva Tajjeron.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 342-31 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 342-31 (COR)
- Notices of Public Hearing (1<sup>st</sup> and 2<sup>nd</sup>)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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

*Si Yu'os Ma'åse'!*

Attachments



*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guåhan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

**COMMITTEE VOTING SHEET**

**BILL NO. 342-31(COR)- An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application; Introduced by Sen. Mana Silva Taijeron.**

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman					✓ 12/9	
ADOLPHO B. PALACIOS, Sr. Vice Chairman						
JUDITH T. WON PAT, Ed.D. Speaker						
BENJAMIN J. F. CRUZ Vice-Speaker						
TINA ROSE MUÑA BARNES Legislative Secretary						
THOMAS C. ADA					✓ 12/12/11	
VICENTE C. PANGELINAN						
RORY J. RESPICIO						
JUDITH P. GUTHERTZ, DPA					12/12/11	
FRANK F. BLAS, Jr.					12/12/11	
V. ANTHONY ADA					12/12/11	
ALINE A. YAMASHITA, Ph.D.					12/12/11	
SAM MABINI, Ph.D.					12/12/11	
MANA SILVA TAIJERON						
CHRISTOPHER M. DUENAS					12/12/11	



*Ufisinan Todu Guam*  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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**COMMITTEE REPORT DIGEST**

**Bill No. 342-31(COR)**

**I. OVERVIEW:** The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on December 01, 2011. The hearing convened at 9AM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 342-31(COR)- An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application;** Sponsored by Senator Mana Silva Tajjeron.

**Public Notice Requirements**

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on November 23, 2011 (5-day notice), and again on November 28, 2011 (48-hour notice).

**Senators Present**

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Adolpho B. Palacios, Sr.	Vice-Chairman
Senator Thomas C. Ada	Committee Member
Senator Vicente C. Pangelinan	Committee Member
Senator Aline A. Yamashita, Ph.D.	Committee Member
Senator V. Anthony Ada	Committee Member
Senator Mana Silva Tajjeron	Committee Member

The public hearing on agenda item Bill No. 342-31(COR) was called to order at 9:04AM.

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

**Chairman Dennis G. Rodriguez, Jr.**, convened the Public Hearing on Bill 342-31(COR). **Chairman Rodriguez invited Sen. Silva Taijeorn, as the author of Bill 342-31 (COR), to explain the intent of the bill.**

We'll move onto bill 342. We have Mr. Karl Pangelinan the administrator of GEDA who had a written testimony. No one else wishes to testify. I'll have the author give a brief synopsis of her bill.

Senator Mana Silva-Tajjeron: Thank you Mr. Chair and good morning this bill was introduced prior to the introduction I point out that it was in direct collaboration with the Guam Economic Developmental Authority who helped and gave input throughout as we developed this bill. What bill 342 does is it expands the eligibility of the qualifying certificate application to include industries and activities that promote the



*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guåhan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

---

protection of Guam's natural resources. Qualifying certificates administered GEDA are granted by the basis of investment, commitment, and the potential for creating employment, and the expansion of the island industries. We believe that now more than ever we must do what we can to protect our environment the bill extends eligibility for businesses that promote mental awareness and work toward preserving Guam's natural resources with tax breaks offered I'm hopeful that the legislation will attract off-island investors who will utilize green technology and further encourage local businesses to follow suit. This bill extends the QT eligibility to ensure energy efficiency, renewable energy, and environmental clean-up. And again, this bill was drafted with direct consultation and input from GEDA. Thank you Mr. Chair.

Chairman: Thank you very much Senator Tajeron. There being no other testimonies bill 342 has been duly heard by this body.

There being no other testimony, or comments by Senators, Chairman Rodriguez declared the bill as having been heard, and concluded the public hearing on Bill No. 342-31(COR). The committee would continue to accept written testimony for a period of ten (10) days subsequent to the public hearing.

**Fiscal Note:** Received on October 31, 2011, attached.

### **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby reports out Bill No. 342-31(COR), with the recommendation to Report Out Only.

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

Bill No. 342-31 (Gov)

Introduced by:

M. Silva Tajeron 

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2011 Oct 12 PM 10:05  
M. Silva Tajeron

**AN ACT TO AMEND §58104, CHAPTER 58, TITLE 12 OF THE GUAM CODE ANNOTATED RELATIVE TO THE INCLUSION OF GREEN TECHNOLOGY AS AN ACCEPTABLE ACTIVITY FOR ELIGIBILITY OF A QUALIFYING CERTIFICATE APPLICATION.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the Qualifying Certificate program was created as an economic incentive to entice potential investors to Guam. Qualifying Certificates are granted on the basis of investment commitment, the potential for creating new employment and the expansion of island industries. According the Guam Economic Development Authority, the Qualifying Certificate program has realized approximately one billion, five hundred million dollars (\$1,500,000,000.00) since its inception.

*I Liheslaturan Guåhan* further finds that when an application is approved, a contract is executed between the government of Guam and the beneficiary of the Qualifying Certificate. This contract allows for certain tax rebates and abatements on the basis that the beneficiary meets certain requirements, including employment and investment, pursuant to existing statute.

1            *I Liheslaturan Guåhan* further finds that Guam is home to many natural  
2 resources including its waters, winds and land. In recent years, there have been  
3 collective efforts to identify innovative ways of preserving and protecting our  
4 environment. There must be a concerted attempt to expand local industries in Guam  
5 that strengthen and reinforce current environmental and conservation efforts.  
6 Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure that green technology is  
7 an acceptable activity for eligibility of a Qualifying Certificate application.

8            **Section 2.** §58104, Chapter 58, Title 12 of the Guam Code Annotated is  
9 hereby *amended* to read:

10            **“§ 58104. Eligibility Defined.**

11            A Qualifying Certificate *shall* only be issued to the following entities:

12  
13            Any trust, partnership, *sole* proprietorship, Limited Liability Partnership  
14 (LLP), Limited Liability Company (LLC), corporation formed under the laws  
15 of Guam, *or* possessions corporation as defined in §58106 of this Chapter,  
16 engaged, *or* about to engage in any of the following activities:

- 17            (1) agriculture;
- 18            (2) aquaculture;
- 19            (3) mariculture;
- 20            (4) manufacturing;
- 21            (5) commercial fishing;
- 22            (6) services;
- 23            (7) tourism;

1 (8) improvement of real property for purposes which are specifically  
2 determined by the Authority to be beneficial, desirable, and necessary for  
3 the economic development of Guam;

4 (9) insurance issuance, either by commercial insurers, reinsurers, *or*  
5 captive insurers which meet the requirements of Title 22, GCA, Chapter  
6 15, Article 3;

7 (10) export trading company, as defined in Title 11, GCA, §26101(d), *if*  
8 the main office of the export trading company is established on Guam;

9 (11) producing water *or* disposing of wastewater, *or* both, jointly with  
10 the Guam Waterworks Authority;

11 (12) operating on a military base on Guam a Base Operating Service  
12 Contract;

13 (13) a small business entity operating on a military base on Guam, a Base  
14 Operating Service contract, *or* as a subcontractor to a BOS Contractor;  
15 and

16 (14) a global internet infrastructure services company(ies) providing  
17 Internet connectivity and co-location facilities and its/their tenant-sellers  
18 in the sales of goods, services and information over the Internet;  
19 provided that:

20 (i) the seller is legally established in and operates from Guam;

21 (ii) the sale does *not* include the local sale of goods, services and  
22 information;

23 (iii) the sale is conducted exclusively through the Internet; and

24 (iv) the seller does *not* sell *or* distribute in any fashion material  
25 that is harmful to minors as that term is defined in the Internet Tax

1 Freedom Act, a part of the Omnibus Appropriations Act of 1998,  
2 Public Law Number 105-277. For purposes of this Paragraph, a  
3 "minor" is a person under the age of eighteen (18).

4 (15) The manufacture, distribution and sale of non-petroleum based fuels  
5 that include, but are *not* limited to biofuels such biodiesel and ethanol  
6 and hydrogen fuels.

7 (16) The establishment of industries and activities that support current  
8 initiatives associated with the preservation and protection of Guam's  
9 natural resources, also known as green technology. Such industries and  
10 activities shall include, but not be limited to, energy efficiency,  
11 renewable energy and environmental cleanup."

12 **Section 3. Enactment.** The provisions of this Act shall become effective  
13 ninety (90) days upon enactment.

14 **Section 4. Severability.** *If* any provision of this Law or its application to any  
15 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
16 *not* affect other provisions or applications of this Law which can be given effect  
17 without the invalid provisions or application, and to this end the provisions of this  
18 Law are severable.





**GEDA**  
GUAM ECONOMIC  
DEVELOPMENT AUTHORITY

*Aturidãd Inadilãnton Ikunumihaan Guahan*

EDDIE BAZA CALVO  
GOVERNOR OF GUAM  
I MAGA' LAHEN GUAHAN  
RAY TENORIO  
LT. GOVERNOR OF GUAM  
I SEGUNDO NA MAGA' LAHEN GUAHAN  
KARL PANGELINAN  
ADMINISTRATOR  
ADMINISTRADOT

WRITTEN TESTIMONY ON  
BILL 342-31 AN ACT TO AMEND §58104, CHAPTER 58, TITLE 12 OF THE GUAM  
CODE ANNOTATED RELATIVE TO THE INCLUSION OF GREEN TECHNOLOGY AS  
AN ACCEPTABLE ACTIVITY FOR ELIGIBILITY OF A QUALIFYING CERTIFICATE  
APPLICATION.

Submitted by

KARL A. PANGELINAN  
Administrator  
Guam Economic Development Authority  
November, 28, 2011

On behalf of the Guam Economic Development Authority I am submitting written testimony in favor of Bill 342-31 as it supports on-going initiatives to preserve and protect Guam's environment and also the efforts of our Lt. Governor's Island Beautification Task Force.

By encouraging the development of Green Technology it will also result in the creation of economic activity around technologies and products that will benefit the island's environment as well as creating new jobs and careers. There is Green Technology that currently exists globally that have been tried and true in other countries but have yet to be explored here on Guam such as wind technology, geothermal energy, ocean currents, solar energy etc. However, it is also recognized that investments in these technology require substantial investment of capital and with the addition of this industry to the QC program, potential developers of such technology would have access to tax breaks that may attract them to make the investment. We ask that you look favorably on Bill 342-31.

In closing, I further would like to clarify that so long as the tax rebate and abatement does not apply to BPT taxes collected by the Government this bill will not have an impact on the current 2011 Business Privilege Tax (BPT) Bond.

Thank you for this opportunity to submit my comments. If you or any member of the committee have any questions or wish to discuss this further, please contact me at 647-4332.

KARL A. PANGELINAN  
Administrator

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 342-31 (COR)**

**AN ACT TO AMEND §58104, CHAPTER 58, TITLE 12 OF THE GUAM CODE ANNOTATED RELATIVE TO THE INCLUSION OF GREEN TECHNOLOGY AS AN ACCEPTABLE ACTIVITY FOR ELIGIBILITY OF A QUALIFYING CERTIFICATE APPLICATION.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Economic Development Authority	Dept./Agency Head: Karl Pangellnan, Administrator
Department's General Fund (GF) appropriation(s) to date:	N/A
Department's Other Fund (Specify) appropriation(s) to date:	N/A
Total Department/Agency Appropriation(s) to date:	N/A

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance <sup>1</sup>	\$0	\$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
Total:	\$0	\$0	\$0

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
Total	\$0	\$0	\$0	\$0	\$0	\$0

- 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? \$ \_\_\_\_\_ /x/ 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 /x/ No
- Will the enactment of this Bill require new physical facilities? // Yes /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes /x/ No\*  
// Requested agency comments not received by due date // Other: \_\_\_\_\_

\*Due to other budgetary priorities and impending deadline, the Bureau is unable to coordinate with affected agency.

Analyst: Dina P. Rivera Date: 10/17/11 Director: [Signature] Date: 10/21/11  
 Dina P. Rivera Juan M. Rios, Acting Director

**Footnotes:**  
 It is the intent of *Liheslaturan Guahan* to ensure that green technology is an acceptable activity for eligibility of a Qualifying Certificate application which shall include but not be limited to energy efficiency, renewable energy and environmental cleanup. The Bill has a potential fiscal impact. However, in its present form, that impact cannot be determined at this time.



# 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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY MEMBERS:**

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Judith T. Won Pat

Vice Speaker  
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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

October 11, 2011

**MEMORANDUM**

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

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

**From:** Senator Thomas C. Ada   
*Acting Chairperson*

**Subject:** Referral of Bills No. 340-31(COR) through 344-31(COR)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 340-31 (COR) through 344-31(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 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!*

(2) Attachment

2011 OCT 11 PM 4: 27 

*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet  
October 11, 2011**

Page 2 of 3

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?
342-31 (COR)	M. Silva Tajeron	AN ACT TO AMEND §58104, CHAPTER 58, TITLE 12 OF THE GUAM CODE ANNOTATED RELATIVE TO THE INCLUSION OF GREEN TECHNOLOGY AS AN ACCEPTABLE ACTIVITY FOR ELIGIBILITY OF A QUALIFYING CERTIFICATE APPLICATION.	10/10/11 10:05 a.m.	10/11/11		Committee on Health & Human Services, Senior Citizens, Economic Development and Election Reform			
343-31 (COR)	T. R. Muna Barnes	AN ACT TO CREATE THE GUAM FILM OFFICE BY ADDING A NEW ARTICLE 4 TO CHAPTER 50 OF DIVISION 2 OF TITLE 12, GUAM CODE ANNOTATED.	10/10/11 11:07 a.m.	10/11/11		Committee on Health & Human Services, Senior Citizens, Economic Development and Election Reform			



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

## 1st Notice of Public Hearing December 1, 2011

2 messages

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Wed, Nov 23, 2011 at  
11:21 AM

To: "Adolpho B. Palacios" <senator@senatorpalacios.com>, Aline Yamashita <aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <speaker@judiwonpat.com>, Mana Silva Taijeron <senatormana@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>  
Bcc: phnotice@guamlegislature.org

Ufisinan Todu Guam  
SENATOR DENNIS G. RODRIGUEZ, Jr.  
I Mina'trentai Unu Na Liheslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Senators,

Please find attached 1st notice of Public Hearing for December 1, 2011. Have a great day!

Sincerely,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatorrodriguez@gmail.com](mailto:Cherbert.senatorrodriguez@gmail.com)

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

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By accepting and reviewing the Confidential information, you agree to indemnify us against any losses or expenses, including attorney's fees that we may incur as a result of any unauthorized use or disclosure of this data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

Senators 1st Notice Public Hearing Dec. 1, 2011.pdf  
88K

**Clifton Herbert <cherbert.senatorrodriguez@gmail.com>**

**Wed, Nov 23, 2011 at  
11:29 AM**

To: clynt@spbgum.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, editor@mvariety.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbgum.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbgum.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofiguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Amritha Alladi <aalladi@guampdn.com>, Erin Thompson <egthompson@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, gerry partido <gerrypartido.mvguam3@gmail.com>, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Jr <news@lifenevns.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbgum.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <lmatthews@guampdn.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, aktemkar@guampdn.com  
Bcc: jmesngon.senatorrodriguez@gmail.com

Ufisinan Todu Guam

**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
I Mina'trentai Unu Na Liheslaturan Guáhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

*Hafa Adai Newsrooms!*

Please find attached 1st Notice of Public Hearing for December 1, 2011  
Thanks and have a Happy Thanksgiving!

[Quoted text hidden]

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)**

**As of Nov. 23, 2011**

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vkomiyama.senatordrodriguez@gmail.com  
wilcastro671@gmail.com



SENATOR DENNIS G. RODRIGUEZ, JR.

TO: ALL SENATORS  
FROM: SENATOR DENNIS G. RODRIGUEZ, JR.   
CHAIRPERSON  
SUBJECT: 1<sup>st</sup> NOTICE OF PUBLIC HEARING

1<sup>st</sup> NOTICE OF PUBLIC HEARING  
Thursday, December 1, 2011 9:00AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on December 1, 2011, at *Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

9:00AM

- **Bill 342-31(COR)**-An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application. *(Introduced by M. Silva-Taijeron)*
- **Bill 343-31(COR)**- An act to create the Guam Film Office by adding a new Article 4 to Chapter 50 of Division 2 of Title 12, Guam Code Annotated. *(Introduced by T.R. Muna-Barnes)*
- **Bill 350-31(COR)**- An act to amend §58110 and to add a new §58110(I) both to Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of local professional advice for support as a condition of benefit for qualifying certificate beneficiaries. *(Introduced by M. Silva-Taijeron)*
- **Bill 351-31(COR)**- An act relative to regulating the practice of massage or massage therapy in Guam, by *adding* a new Article 23 to Chapter 12 of Title 10, Guam Code Annotated; and to adopt and codify the rules and regulations for practice of massage and massage therapy as a new Article 16 of Chapter 4 - Division 1, Title 26, Guam Administrative Rules and Regulations. *(Introduced by D.G. Rodriguez, Jr.)*
- **Bill 361-31(COR)**- An act to add a new sub section 21008.1(A)(B)(C)(D) and (E) to Chapter 21 of Title 3 Guam Code Annotated relative to providing a mechanism to enhance the registration process of the Guam Decolonization Registry by enlisting the assistance of all employers in Guam beginning with the Executive, Legislative and Judicial Branches of the Government of Guam and the Mayors' Council of Guam. *(Introduced by J.P. Guthertz)*
- **Bill 364-31(COR)**- An act to add a new Chapter 20 to Title 10 Guam Code Annotated, relative to establishing a task force on diabetes prevention and awareness. *(Introduced by B.J.F. Cruz)*

**Chairman,**  
Committee on  
Health & Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520  
E-mail: senatordrodriguez@gmail.com

Comments should be addressed to Senator Dennis Rodriguez, Sr., Chairman, and may be submitted via hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



Joseph Anthony Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

## Fwd: December 1, 2011

1 message

Clifton Herbert &lt;cherbert.senatorrodriguez@gmail.com&gt;

Fri, Dec 9, 2011 at 2:25 PM

To: Joseph Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

----- Forwarded message -----

From: **Clifton Herbert** <cherbert.senatorrodriguez@gmail.com>

Date: Wed, Nov 23, 2011 at 12:16 PM

Subject: December 1, 2011

To: <clynt@spbguam.com>, <dcrisostomo@guampdn.com>, <dmgeorge@guampdn.com>, <dtamondong@guampdn.com>, <editor@mvariety.com>, <gdumat-ol@guampdn.com>, <gerry@mvquam.com>, <hottips@kuam.com>, <jason@kuam.com>, <john@kuam.com>, <jtyquiengco@spbguam.com>, <marvic@mvquam.com>, <mindy@kuam.com>, <mpieper@guampdn.com>, <mvariety@pticom.com>, <news@spbguam.com>, <nick.delgado@kuam.com>, <parroyo@k57.com>, <reporter3@glimpsesofofquam.com>, <ricknauta@hitradio100.com>, <sabrina@kuam.com>, <slimtiaco@guampdn.com>, <thebigshow@k57.com>, <therese.hart.writer@gmail.com>, <zita@mvquam.com>, "Amritha Alladi" <aalladi@guampdn.com>, "Erin Thompson" <egthompson@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, "gerry partido" <gerrypartido.mvquam3@gmail.com>, "James" <officemanager@hitradio100.com>, "Jesse Lujan" <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvquam.com>, "Jr" <news@lifeneews.com>, "Katrina" <life@guampdn.com>, "Kevin Kerrigan" <kevin@spbguam.com>, "Kevin Kerrigan" <news@k57.com>, "Lannie Walker" <lannie@kuam.com>, "Laura Matthews" <llmatthews@guampdn.com>, "Oyaol Ngirairikl" <odngirairikl@guampdn.com>, "Pacific Daily News" <news@guampdn.com>, "rgibson@k57.com" <rgibson@k57.com>, "William Gibson" <breakfastshowk57@gmail.com>, aktemkar@guampdn.com,

--

Ufisinan Todu Guam  
 SENATOR DENNIS G. RODRIGUEZ, Jr.  
 I Mina'trentai Unu Na Liheslaturan Guåhan  
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatorrodriguez@gmail.com](mailto:Cherbert.senatorrodriguez@gmail.com)

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By accepting and reviewing the Confidential information, you agree to indemnify us against any losses or expenses, including attorney's fees that we may incur as a result of any unauthorized use or disclosure of this data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

--

Uffisinan Todu Guam  
SENATOR DENNIS G. RODRIGUEZ, Jr.  
I Mina'trentai Unu Na Liheslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Hafa Adai Newsrooms!

Please find attached 1st Notice of Public Hearing for December 1, 2011  
Thanks and have a Happy Thanksgiving!

Sincerely,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatorrodriguez@gmail.com](mailto:Cherbert.senatorrodriguez@gmail.com)

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

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**Public Hearing 1st Notice Dec. 1, 2011.doc**

541K

## SENATOR DENNIS G. RODRIGUEZ, JR.

### **PRESS RELEASE**

#### FIRST NOTICE OF PUBLIC HEARING

Thursday, December 1, 2011 9:00AM

**Chairman,**  
Committee on  
Health & Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

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Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service

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176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)

(i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

## 2nd Notice of Public Hearing

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Mon, Nov 28, 2011 at 3:59 PM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senator@senatorpalacios.com>, Aline Yamashita <aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <speaker@judiwonpat.com>, Mana Silva Taijeron <senatormana@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatortonyada@guamlegislature.org>  
 Bcc: phnotice@guamlegislature.org

--

Ufisinan Todu Guam  
 SENATOR DENNIS G. RODRIGUEZ, Jr.  
 I Mina'trentai Unu Na Liheslaturan Guåhan  
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Good Afternoon Senators,

Please find attached notice regarding the Public Hearing that is scheduled for December 1, 2011. Thank you and have a wonderful evening!

Sincerely,  
 Clifton

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: [671.649.8638](tel:671.649.8638)

Email: [Cherbert.senatorrodriguez@gmail.com](mailto:Cherbert.senatorrodriguez@gmail.com)

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SENATOR DENNIS G. RODRIGUEZ, JR.

TO: ALL SENATORS  
FROM: SENATOR DENNIS G. RODRIGUEZ, JR. *DR*  
CHAIRPERSON  
SUBJECT: 2<sup>nd</sup> NOTICE OF PUBLIC HEARING

2<sup>nd</sup> NOTICE OF PUBLIC HEARING  
Thursday, December 1, 2011 9:00AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on December 1, 2011, at *I Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

9:00AM

- **Bill 342-31(COR)**-An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application. *(Introduced by M. Silva-Taijeron)*
- **Bill 343-31(COR)**- An act to create the Guam Film Office by adding a new Article 4 to Chapter 50 of Division 2 of Title 12, Guam Code Annotated. *(Introduced by T.R. Muna-Barnes)*
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- **Bill 361-31(COR)**- An act to add a new sub section 21008.1(A)(B)(C)(D) and (E) to Chapter 21 of Title 3 Guam Code Annotated relative to providing a mechanism to enhance the registration process of the Guam Decolonization Registry by enlisting the assistance of all employers in Guam beginning with the Executive, Legislative and Judicial Branches of the Government of Guam and the Mayors' Council of Guam. *(Introduced by J.P. Guthertz)*
- **Bill 364-31(COR)**- An act to add a new Chapter 20 to Title 10 Guam Code Annotated, relative to establishing a task force on diabetes prevention and awareness. *(Introduced by B.J.F. Cruz)*

**Chairman,**  
Committee on  
Health & Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



Joseph Anthony Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

## 2nd Notice of Public Hearing for December 1, 2011

2 messages

Clifton Herbert &lt;cherbert.senatorrodriguez@gmail.com&gt;

Mon, Nov 28, 2011 at  
3:49 PM

To: clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, editor@mvariety.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Amritha Alladi <aalladi@guampdn.com>, Erin Thompson <egthompson@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, gerry partido <gerrypartido.mvguam3@gmail.com>, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Jr <news@lifeneews.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, aktemkar@guampdn.com

Bcc: jmesngon.senatorrodriguez@gmail.com

Ufisinan Todu Guam  
 SENATOR DENNIS G. RODRIGUEZ, Jr.  
 I Mina'trentai Unu Na Liheslaturan Guåhan  
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Hafa Adai!

Please find attached notice regarding the Pubic Hearing on December 1, 2011. Thank you and have a great evening!

Sincerely,  
 Clifton

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatorrodriguez@gmail.com](mailto:Cherbert.senatorrodriguez@gmail.com)

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**2 attachments**

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542K

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**Clifton Herbert <cherbert.senatorrodriguez@gmail.com>**  
To: Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>

**Fri, Dec 9, 2011 at 2:28 PM**

[Quoted text hidden]

--

Ufisinan Todu Guam  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
I Mina'trentai Unu Na Libeslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

[Quoted text hidden]

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SENATOR DENNIS G. RODRIGUEZ, JR.

**PRESS RELEASE**

SECOND NOTICE OF PUBLIC HEARING

Thursday, December 1, 2011 9:00AM

**Chairman,**  
Committee on  
Health & Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

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Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

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E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)

modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

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Hagatna, GU 96910  
Phone: (671)649-8638

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Committee on Health and Human Services, Economic Development, Senior Citizens and Election Reform: Public hearing 9 a.m. Dec. 1, Legislature's public hearing room, Hagatna. Bill 342-31 (cor), relative to inclusion of green technology as acceptable activity for eligibility of qualifying certificate application. Bill 343-31 (cor), creating Guam Film Office; Bill 350-31 (cor), relative to inclusion of local professional advice for support as a condition of benefit for qualifying certificate beneficiaries; Bill 351-31 (cor), regulating practice of massage or massage therapy in Guam and to adopt and codify rules and regulations for practice of massage/massage therapy; Bill 361-31 (cor), providing mechanism to enhance registration process of Guam Decolonization Registry by enlisting assistance of all employers in Guam beginning with executive, legislative and judicial branches of GovGuam and Mayors Council of Guam; Bill 364-31 (cor), establishing task force on diabetes prevention and awareness. Email testimony: senatordrodriguez@gmail.com. For special accommodations, call 649-8638.

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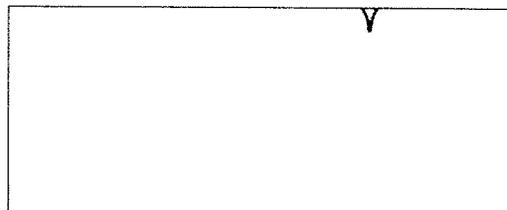
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Legislature's public hearing room

Hagatna, GU 96910  
Phone:

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SENATOR DENNIS G. RODRIGUEZ, JR.

Chairman, Committee on Health & Human Services, Senior Citizens, Economic Development, & Election Reform

Member, Committee on Public Safety, Law Enforcement, & Judiciary

Member, Committee on Youth, Cultural Affairs, Procurement, General Government Operations, & Public Broadcasting

Member, Committee on Municipal Affairs, Tourism, Housing & Recreation

Member, Committee on Rules, Federal, Foreign & Micronesian Affairs, & Human & Natural Resources

Member, Committee on the Guam Military Buildup & Homeland Security

Member, Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, & Land

Member, Committee on Utilities, Transportation, Public Works, & Veterans Affairs

Assistant Majority Whip

AGENDA

Thursday, December 01, 2011 9am Public Hearing Room, I Liheslaturan Guahan

I. CALL TO ORDER

II. ITEMS for PUBLIC CONSIDERATION:

- 1. Bill 342-31(COR)- An act to amend §58104, Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of green technology as an acceptable activity for eligibility of a qualifying certificate application. By Sen. Mana Silva Taijeron
2. Bill 343-31(COR)- An act to create the Guam Film Office by adding a new Article 4 to Chapter 50 of Division 2 of Title 12, Guam Code Annotated. By Sen. Tina Muna Barnes
3. Bill 350-31(COR)- An act to amend §58110 and to add a new §58110(I) both to Chapter 58, Title 12 of the Guam Code Annotated relative to the inclusion of local professional advice for support as a condition of benefit for qualifying certificate beneficiaries. By Sen. Mana Silva Taijeron
4. Bill 351-31(COR)- An act relative to regulating the practice of massage or massage therapy in Guam, by adding a new Article 23 to Chapter 12 of Title 10, Guam Code Annotated; and to adopt and codify the rules and regulations for practice of massage and massage therapy as a new Article 16 of Chapter 4 - Division 1, Title 26, Guam Administrative Rules and Regulations. By Sen. Dennis G. Rodriguez, Jr.
5. Bill 364-31(COR)- An act to add a new Chapter 20 to Title 10 Guam Code Annotated, relative to establishing a task force on diabetes prevention and awareness. By Sen. Benjamin J. F. Cruz

III. ADJOURNMENT

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

Bill No. 342'31 (cov)

Introduced by:

M. Silva Taijeron 

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2011 OCT 10  
FILED  
10:05

**AN ACT TO AMEND §58104, CHAPTER 58, TITLE 12 OF THE  
GUAM CODE ANNOTATED RELATIVE TO THE  
INCLUSION OF GREEN TECHNOLOGY AS AN  
ACCEPTABLE ACTIVITY FOR ELIGIBILITY OF A  
QUALIFYING CERTIFICATE APPLICATION.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the Qualifying Certificate program was created as an economic incentive to entice potential investors to Guam. Qualifying Certificates are granted on the basis of investment commitment, the potential for creating new employment and the expansion of island industries. According the Guam Economic Development Authority, the Qualifying Certificate program has realized approximately one billion, five hundred million dollars (\$1,500,000,000.00) since its inception.

*I Liheslaturan Guåhan* further finds that when an application is approved, a contract is executed between the government of Guam and the beneficiary of the Qualifying Certificate. This contract allows for certain tax rebates and abatements on the basis that the beneficiary meets certain requirements, including employment and investment, pursuant to existing statute.

1           *I Liheslaturan Guåhan* further finds that Guam is home to many natural  
2 resources including its waters, winds and land. In recent years, there have been  
3 collective efforts to identify innovative ways of preserving and protecting our  
4 environment. There must be a concerted attempt to expand local industries in Guam  
5 that strengthen and reinforce current environmental and conservation efforts.  
6 Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure that green technology is  
7 an acceptable activity for eligibility of a Qualifying Certificate application.

8           **Section 2.** §58104, Chapter 58, Title 12 of the Guam Code Annotated is  
9 hereby *amended* to read:

10           **“§ 58104. Eligibility Defined.**

11           A Qualifying Certificate *shall* only be issued to the following entities:

12  
13           Any trust, partnership, *sole* proprietorship, Limited Liability Partnership  
14 (LLP), Limited Liability Company (LLC), corporation formed under the laws  
15 of Guam, *or* possessions corporation as defined in §58106 of this Chapter,  
16 engaged, *or* about to engage in any of the following activities:

- 17           (1) agriculture;  
18           (2) aquaculture;  
19           (3) mariculture;  
20           (4) manufacturing;  
21           (5) commercial fishing;  
22           (6) services;  
23           (7) tourism;

1 (8) improvement of real property for purposes which are specifically  
2 determined by the Authority to be beneficial, desirable, and necessary for  
3 the economic development of Guam;

4 (9) insurance issuance, either by commercial insurers, reinsurers, *or*  
5 captive insurers which meet the requirements of Title 22, GCA, Chapter  
6 15, Article 3;

7 (10) export trading company, as defined in Title 11, GCA, §26101(d), *if*  
8 the main office of the export trading company is established on Guam;

9 (11) producing water *or* disposing of wastewater, *or* both, jointly with  
10 the Guam Waterworks Authority;

11 (12) operating on a military base on Guam a Base Operating Service  
12 Contract;

13 (13) a small business entity operating on a military base on Guam, a Base  
14 Operating Service contract, *or* as a subcontractor to a BOS Contractor;  
15 and

16 (14) a global internet infrastructure services company(ies) providing  
17 Internet connectivity and co-location facilities and its/their tenant-sellers  
18 in the sales of goods, services and information over the Internet;  
19 provided that:

20 (i) the seller is legally established in and operates from Guam;

21 (ii) the sale does *not* include the local sale of goods, services and  
22 information;

23 (iii) the sale is conducted exclusively through the Internet; and

24 (iv) the seller does *not* sell *or* distribute in any fashion material  
25 that is harmful to minors as that term is defined in the Internet Tax

1 Freedom Act, a part of the Omnibus Appropriations Act of 1998,  
2 Public Law Number 105-277. For purposes of this Paragraph, a  
3 "minor" is a person under the age of eighteen (18).

4 (15) The manufacture, distribution and sale of non-petroleum based fuels  
5 that include, but are *not* limited to biofuels such biodiesel and ethanol  
6 and hydrogen fuels.

7 (16) The establishment of industries and activities that support current  
8 initiatives associated with the preservation and protection of Guam's  
9 natural resources, also known as green technology. Such industries and  
10 activities shall include, but not be limited to, energy efficiency,  
11 renewable energy and environmental cleanup."

12 **Section 3. Enactment.** The provisions of this Act shall become effective  
13 ninety (90) days upon enactment.

14 **Section 4. Severability.** *If* any provision of this Law or its application to any  
15 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
16 *not* affect other provisions or applications of this Law which can be given effect  
17 without the invalid provisions or application, and to this end the provisions of this  
18 Law are severable.