



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JAN 09 2012

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

Speaker

I Mina'trentai Unu na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

the People

Chairman

Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

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

RE: Committee Report on Bill No. 327-31 (COR), As Amended

Vice Chairman

Committee on Education

Dear Speaker Won Pat:

Member

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

Transmitted herewith is the Committee Report Bill No. 327-31 (COR): "An act to amend §40135 and to add new Sections 40137, 40138, 40139, 40140, 40141 and 40142, all of Chapter 40, Division 4, Title 5 of the Guam Code Annotated relative to gymnasium revolving funds within various island municipalities." sponsored by Senator Mana Silva Taijeron which was referred to and amended by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Member

Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Committee votes are as follows:

5 TO PASS

0 TO NOT PASS

0 TO REPORT OUT ONLY

0 TO ABSTAIN

0 TO PLACE IN INACTIVE FILE

Member

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

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

**COMMITTEE REPORT
ON**

Bill No. 327-31 (COR), As Amended:

“An act to amend §40135 and to add new Sections 40137, 40138, 40139, 40140, 40141 and 40142, all of Chapter 40, Division 4, Title 5 of the Guam Code Annotated relative to gymnasium revolving funds within various island municipalities.”



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

~~JAN 09 2012~~ © JAN 06 2012

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 327-31 (COR), As Amended

Transmitted herewith is the Committee Report Bill No. 327-31 (COR):
"An act to amend §40135 and to add new Sections 40137, 40138, 40139,
40140, 40141 and 40142, all of Chapter 40, Division 4, Title 5 of the
Guam Code Annotated relative to gymnasium revolving funds within
various island municipalities." sponsored by Senator Mana Silva Tajjeron
which was referred to and amended by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 327-31 (COR)
4. Copy of Bill No. 327-31 (COR), As Amended
5. Public Hearing Sign-in Sheet
6. Copies of Submitted Testimony & Supporting Documents
7. Copy of COR Referral of Bill No. 327-31 (COR)
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda
10. Fiscal Notes

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 my office.

Si Yu'os Ma'åse'

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

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

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

Member
Committee on the Guam
Military Buildup and
Homeland Security

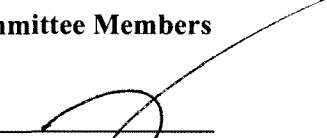
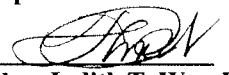
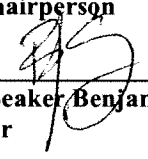

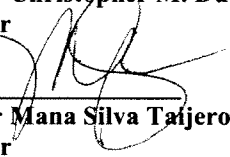
Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

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

Bill No. 327-31 (COR), As Amended: An act to amend §40135 and to add new Sections 40137, 40138, 40139, 40140, 40141 and 40142, all of Chapter 40, Division 4, Title 5 of the Guam Code Annotated relative to gymnasium revolving funds within various island municipalities.

Committee Members	To Pass	To Not Pass	Report Out	Abstain	Inactive Files
 _____ Senator Vicente C. Pangelinan Chairperson	✓	_____	_____	_____	_____
 _____ Speaker Judith T. Won Pat, Ed.D. Vice Chairperson	✓	_____	_____	_____	_____
 _____ Vice Speaker Benjamin J.F. Cruz Member	1/6/12 ✓	_____	_____	_____	_____
_____ Senator Tina Rose Muña-Barnes Member	_____	_____	_____	_____	_____
 _____ Senator Judith P. Guthertz Member	u	_____	_____	_____	_____
_____ Senator Dennis Rodriguez, Jr. Member	_____	_____	_____	_____	_____
_____ Senator V. Anthony Ada Member	_____	_____	_____	_____	_____
_____ Senator Christopher M. Dueñas Member	_____	_____	_____	_____	_____
 _____ Senator Mana Silva Tajeron Member	✓	_____	_____	_____	_____



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 327-31 (COR): An act to amend §40135 and to add new Sections 40137, 40138, 40139, 40140, 40141, all of Chapter 40, Division 4, Title 5 of the Guam Code Annotated relative to gymnasium revolving funds within various island municipalities.

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on November 17, 2011 at 1:00 pm in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on November 10, 2011 (5-Day Notice), and again on November 15, 2011 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator Judith P. Guthertz, DPA, Member
Senator V. Anthony Ada, Member
Senator Mana Silva Taijeron, Member
Senator Adolpho Palacios
Senator Frank Blas, Jr.
Senator Aline Yamashita

(b) Appearing before the Committee

None

(c) Written Testimonies Submitted

Ms. Melissa B. Savares, Dededo Mayor & MCOG President
Mr. Vicente S. Taitague, Talofof Mayor

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator Silva-Taijeron: Current law created the municipal planning council revolving funds in each of our nineteen (19) municipalities. It allows our mayors and vice mayors to create charges for the various facilities

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
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Member
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Micronesian Affairs and
Human & Natural
Resources

Member
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Municipal Affairs,
Tourism, Housing, and
Recreation

Member
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Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

including community centers, gymnasiums, and sporting venues. However, public law 23-45 established revolving funds for the villages of Agana Heights and Tamuning, which is made up of the money collected from the use of the gyms and which is separate from the municipal funds.

Since P.L. 23-45, five (5) more gyms have been built in the villages of Agat, Dededo, Talofof, Yigo, and Yona. Bill 327-31 would do two things. First of all it would add any money collected from the use of the gymnasiums to the respective village gymnasium revolving fund instead of the municipal revolving fund this, of course, would apply to the seven villages already with gyms. Secondly, as already the case in the Agana Heights and Tamuning gyms, the gym creates the revolving fund in the five other villages that have gymnasiums built. A few weeks ago I met with the Mayors Council of Guam and they aired their concerns and they did support this legislation and I am currently working on an amended version of the bill that after consultation with the Mayors council will be submitted to the committee.

Now what the amendment would do, as suggested by the Mayors, would add some accountability on how the funds will be spent and transparency. All for the good of how the funds would be spent.

Thank you Mr. Chair for hearing this bill today.

Panel Comments and Questions

Senator Guthertz: I would like to commend the sponsor of the bill. I think that anything we can do to empower of municipalities and our mayors we should support and we should start thinking about more devolution of the government to the smallest units of our community and that would be our village, village councils and our mayors. That way they can get done the work that needs to get done in their communities and not to depend, as much as they do, on the central government for their resources and for approvals and clearances before they can do their work. This is an excellent bill and I commend the author.

Chairman Pangelinan: This concludes the testimony on Bill No. 327-31. There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at senbenp@guam.net or through our website at senbenp.com

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land hereby reports out Bill No. 327-31 (COR), As Introduced, by the committee with the recommendation To Pass.

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

Bill No. 327-31 (COR)

Introduced by:

M. Silva Taijeron 

2011 OCT -11 PM 1:14
MST

AN ACT TO AMEND §40135 AND TO ADD NEW SECTIONS 40137, 40138, 40139, 40140, 40141, ALL OF CHAPTER 40, DIVISION 4, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO GYMNASIUM REVOLVING FUNDS WITHIN VARIOUS ISLAND MUNICIPALITIES.

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

2 **Section 1.** *I Liheslaturan Guåhan* finds that Public Law 23-45 established
3 village Gymnasium Revolving Funds for the municipalities of Agana Heights and
4 Tamuning. These sections of Guam law authorized the municipal planning councils
5 of the respective villages to establish, charge, collect, and approve money for the use
6 of their village's gymnasium. The monies collected would be deposited into the
7 revolving fund and would be used for personnel, operations, and maintenance of the
8 gymnasium.

9 *I Liheslaturan Guåhan* finds that, since the passage of P.L. 23-45, subsequent
10 gymnasiums have been constructed in other villages throughout Guam. Therefore, it
11 is the intent of *I Liheslaturan Guåhan* to establish Gymnasium Revolving Funds in
12 the municipalities of Agat, Dededo, Talofoyo, Yigo, and Yona.

13 **Section 2.** §40135, Chapter 40, Division 4, Title 5 of the Guam Code
14 Annotated is hereby *amended* to read:

1 **“§ 40135. Creation of the Municipal Planning Council Revolving**
2 **Fund.**

3 There is hereby established nineteen (19) Municipal
4 Planning Council Revolving Funds under the control and custody
5 of the respective village Municipal Planning Councils. Each
6 village shall establish their own fund that will be separate and
7 apart from other funds, including the General Fund. The Mayors’
8 Council of Guam is hereby authorized to set charges for the use of
9 community centers, ~~gymnasiums~~ and all sports facilities, except
10 village gymnasiums. These proposed fees shall be submitted to the
11 Guam Legislature for approval. The Mayor and the Municipal
12 Planning Councils of each village are hereby authorized to raise
13 funds through charging commercial enterprises to advertise on the
14 walls of their sports facilities, raise funds through fund-raising
15 efforts, to include approving concessionaire activities within each
16 Municipality as approved by its Municipal Planning Council,
17 solicit corporate sponsorship and to accept contributions that are
18 solely beneficial to the sports facilities or village. These revenues
19 shall be deposited into the Municipal Planning Council Funds of
20 each village and will be used for the operation and maintenance of
21 these facilities and to fund special projects identified by the
22 Municipal Planning Councils.

23 All disbursement transactions on the revolving funds shall
24 be as stipulated herein:

1 (a) the Municipal Planning Council of each village
2 shall approve all expenditures for that particular village;

3 (b) the minutes of the meetings must verify the
4 authorization given by the Municipal Planning Council;

5 (c) there must be two (2) authorized signatures;
6 authorized signatures shall be determined by the Mayor and
7 the Chairperson of the Municipal Planning Council or a
8 member designee;

9 (d) the Mayor shall be responsible for receipts and
10 other substantiation as determined by the Municipal
11 Planning Council for all checks issued; and

12 (e) each Mayor shall submit a financial statement at
13 the end of each fiscal year to the Mayors' Council of Guam.

14 The Mayors shall take all action to ensure that the revolving
15 funds are operating in the conformity with all existing statutes,
16 rules and regulations, codes, executive orders and any other
17 authority which is applicable to the operations of the Revolving
18 Funds. Any balance remaining in the funds at the end of the fiscal
19 year shall carry over into the next fiscal year or until expended."

20 **Section 2.** A new §40137 is hereby *added* to Chapter 40, Division 4, Title 5 of
21 the Guam Code Annotated to read:

22 **"§ 40137. Establishment and Use of the Agat Gymnasium Fund.**

23 There is established, separate and apart from any other
24 government fund, an Agat Gymnasium Revolving Fund. The Agat
25 Municipal Planning Council is authorized to establish, charge, collect,

1 and approve money for the use of the Agat village gymnasium. The
2 Fund shall be used for personnel, operations, and maintenance of the
3 Agat Gymnasium. The Agat Mayor shall be the custodian and certifying
4 officer of the Fund.”

5 **Section 3.** A new §40138 is hereby *added* to Chapter 40, Division 4, Title 5 of
6 the Guam Code Annotated to read:

7 **“§ 40138. Establishment and Use of the Dededo Gymnasium Fund.**

8 There is established, separate and apart from any other
9 government fund, a Dededo Gymnasium Revolving Fund. The Dededo
10 Municipal Planning Council is authorized to establish, charge, collect,
11 and approve money for the use of the Dededo village gymnasium. The
12 Fund shall be used for personnel, operations, and maintenance of the
13 Dededo Gymnasium. The Dededo Mayor shall be the custodian and
14 certifying officer of the Fund.”

15 **Section 4.** A new §40139 is hereby *added* to Chapter 40, Division 4, Title 5 of
16 the Guam Code Annotated to read:

17 **“§ 40139. Establishment and Use of the Talofoto Gymnasium Fund.**

18 There is established, separate and apart from any other
19 government fund, a Talofoto Gymnasium Revolving Fund. The
20 Talofoto Municipal Planning Council is authorized to establish, charge,
21 collect, and approve money for the use of the Talofoto village
22 gymnasium. The Fund shall be used for personnel, operations, and
23 maintenance of the Talofoto Gymnasium. The Talofoto Mayor shall be
24 the custodian and certifying officer of the Fund.”

1 **Section 5.** A new §40140 is hereby *added* to Chapter 40, Division 4, Title 5 of
2 the Guam Code Annotated to read:

3 **“§ 40140. Establishment and Use of the Yigo Gymnasium Fund.**

4 There is established, separate and apart from any other
5 government fund, a Yigo Gymnasium Revolving Fund. The Yigo
6 Municipal Planning Council is authorized to establish, charge, collect,
7 and approve money for the use of the Yigo village gymnasium. The
8 Fund shall be used for personnel, operations, and maintenance of the
9 Yigo Gymnasium. The Yigo Mayor shall be the custodian and certifying
10 officer of the Fund.”

11 **Section 6.** A new §40141 is hereby *added* to Chapter 40, Division 4, Title 5 of
12 the Guam Code Annotated to read:

13 **“§ 40141. Establishment and Use of the Yona Gymnasium Fund.**

14 There is established, separate and apart from any other
15 government fund, a Yona Gymnasium Revolving Fund. The Yona
16 Municipal Planning Council is authorized to establish, charge, collect,
17 and approve money for the use of the Yona village gymnasium. The
18 Fund shall be used for personnel, operations, and maintenance of the
19 Yona Gymnasium. The Yona Mayor shall be the custodian and
20 certifying officer of the Fund.”

21 **Section 7. Enactment.** The provisions of this Act shall become effective upon
22 enactment.

23 **Section 3. Severability.** *If* any provision of this Law or its application to any
24 person or circumstance is found to be invalid or contrary to law, such invalidity shall
25 *not* affect other provisions or applications of this Law which can be given effect

- 1 without the invalid provisions or application, and to this end the provisions of this
- 2 Law are severable.

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

Bill No. 327-31 (COR)

As Amended by the Committee on
Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement and Land

Introduced by:

M. Silva Taijeron

**AN ACT TO AMEND §40135 AND TO ADD NEW SECTIONS
40137, 40138, 40139, 40140, 40141 AND 40142, ALL OF
CHAPTER 40, DIVISION 4, TITLE 5 OF THE GUAM CODE
ANNOTATED RELATIVE TO GYMNASIUM REVOLVING
FUNDS WITHIN VARIOUS ISLAND MUNICIPALITIES.**

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

2 **Section 1.** *I Liheslaturan Guåhan* finds that Public Law 23-45 established
3 village Gymnasium Revolving Funds for the municipalities of Agana Heights and
4 Tamuning. These sections of Guam law authorized the municipal planning
5 councils of the respective villages to establish, charge, collect, and approve money
6 for the use of their village's gymnasium. The monies collected would be deposited
7 into the revolving fund and would be used for personnel, operations, and
8 maintenance of the gymnasium.

9 *I Liheslaturan Guåhan* finds that, since the passage of P.L. 23-45,
10 subsequent gymnasiums have been constructed in other villages throughout Guam.
11 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish Gymnasium
12 Revolving Funds in the municipalities of Agat, Dededo, Talofoyo, Yigo, and Yona.

1 **Section 2.** §40135, Chapter 40, Division 4, Title 5 of the Guam Code
2 Annotated is hereby *amended* to read:

3 **“§ 40135. Creation of the Municipal Planning Council**
4 **Revolving Fund.**

5 There is hereby established nineteen (19) Municipal
6 Planning Council Revolving Funds under the control and
7 custody of the respective village Municipal Planning Councils.
8 Each village shall establish their own fund that will be separate
9 and apart from other funds, including the General Fund. The
10 Mayors’ Council of Guam is hereby authorized to set charges
11 for the use of community centers, ~~gymnasiums~~ and all sports
12 facilities, except village gymnasiums. These proposed fees shall
13 be submitted to the Guam Legislature for approval. The Mayor
14 and the Municipal Planning Councils of each village are hereby
15 authorized to raise funds through charging commercial
16 enterprises to advertise on the walls of their sports facilities,
17 raise funds through fund-raising efforts, to include approving
18 concessionaire activities within each Municipality as approved
19 by its Municipal Planning Council, solicit corporate sponsorship
20 and to accept contributions that are solely beneficial to the
21 sports facilities or village. These revenues shall be deposited
22 into the Municipal Planning Council Funds of each village and
23 will be used for the operation and maintenance of these facilities
24 and to fund special projects identified by the Municipal
25 Planning Councils.

1 All disbursement transactions on the revolving funds
2 shall be as stipulated herein:

3 (a) the Municipal Planning Council of each village
4 shall approve all expenditures for that particular
5 village;

6 (b) the minutes of the meetings must verify the
7 authorization given by the Municipal Planning
8 Council;

9 (c) there must be two (2) authorized signatures;
10 authorized signatures shall be determined by the
11 Mayor and the Chairperson of the Municipal
12 Planning Council or a member designee;

13 (d) the Mayor shall be responsible for receipts and
14 other substantiation as determined by the
15 Municipal Planning Council for all checks issued;
16 and

17 (e) each Mayor shall submit a financial statement at
18 the end of each fiscal year to the Mayors' Council
19 of Guam.

20 The Mayors shall take all action to ensure that the
21 revolving funds are operating in the conformity with all existing
22 statutes, rules and regulations, codes, executive orders and any
23 other authority, which is applicable to the operations of the
24 Revolving Funds. Any balance remaining in the funds at the end

1 of the fiscal year shall carry over into the next fiscal year or
2 until expended.”

3 **Section 3.** A new §40137 is hereby *added* to Chapter 40, Division 4, Title 5
4 of the Guam Code Annotated to read:

5 **“§ 40137. Establishment and Use of the Agat Gymnasium**
6 **Fund.**

7 There is established, separate and apart from any other
8 government fund, an Agat Gymnasium Revolving Fund. The
9 Agat Municipal Planning Council is authorized to establish,
10 charge, collect, and approve money for the use of the Agat
11 village gymnasium. The Fund shall be used for personnel,
12 operations, and maintenance of the Agat Gymnasium. The Agat
13 Mayor shall be the custodian and certifying officer of the Fund.”

14 **Section 4.** A new §40138 is hereby *added* to Chapter 40, Division 4, Title 5
15 of the Guam Code Annotated to read:

16 **“§ 40138. Establishment and Use of the Dededo Gymnasium**
17 **Fund.**

18 There is established, separate and apart from any other
19 government fund, a Dededo Gymnasium Revolving Fund. The
20 Dededo Municipal Planning Council is authorized to establish,
21 charge, collect, and approve money for the use of the Dededo
22 village gymnasium. The Fund shall be used for personnel,
23 operations, and maintenance of the Dededo Gymnasium. The
24 Dededo Mayor shall be the custodian and certifying officer of
25 the Fund.”

1 **Section 5.** A new §40139 is hereby *added* to Chapter 40, Division 4, Title 5
2 of the Guam Code Annotated to read:

3 “§ 40139. **Establishment and Use of the Talofofu**
4 **Gymnasium Fund.**

5 There is established, separate and apart from any other
6 government fund, a Talofofu Gymnasium Revolving Fund. The
7 Talofofu Municipal Planning Council is authorized to establish,
8 charge, collect, and approve money for the use of the Talofofu
9 village gymnasium. The Fund shall be used for personnel,
10 operations, and maintenance of the Talofofu Gymnasium. The
11 Talofofu Mayor shall be the custodian and certifying officer of
12 the Fund.”

13 **Section 6.** A new §40140 is hereby *added* to Chapter 40, Division 4, Title 5
14 of the Guam Code Annotated to read:

15 “§ 40140. **Establishment and Use of the Yigo Gymnasium**
16 **Fund.**

17 There is established, separate and apart from any other
18 government fund, a Yigo Gymnasium Revolving Fund. The
19 Yigo Municipal Planning Council is authorized to establish,
20 charge, collect, and approve money for the use of the Yigo
21 village gymnasium. The Fund shall be used for personnel,
22 operations, and maintenance of the Yigo Gymnasium. The Yigo
23 Mayor shall be the custodian and certifying officer of the Fund.”

24 **Section 7.** A new §40141 is hereby *added* to Chapter 40, Division 4, Title 5
25 of the Guam Code Annotated to read:

1 **“§ 40141. Establishment and Use of the Yona Gymnasium**
2 **Fund.**

3 There is established, separate and apart from any other
4 government fund, a Yona Gymnasium Revolving Fund. The
5 Yona Municipal Planning Council is authorized to establish,
6 charge, collect, and approve money for the use of the Yona
7 village gymnasium. The Fund shall be used for personnel,
8 operations, and maintenance of the Yona Gymnasium. The
9 Yona Mayor shall be the custodian and certifying officer of the
10 Fund.”

11 **Section 8.** A new §40142 is hereby *added* to Chapter 40, Division 4, Title 5
12 of the Guam Code Annotated to read:

13 **“§ 40142. Gymnasium Revolving Fund.**

14 (1) There are hereby established Gymnasium Revolving
15 Funds for eligible municipalities, in accordance with this
16 chapter, which will be separate and apart from other funds,
17 including the General Fund. The Mayors’ Council of Guam is
18 hereby authorized to set charges for the use of village
19 gymnasiums. These proposed fees shall be submitted to the
20 Guam Legislature for approval. The Mayor and the Municipal
21 Planning Councils of each village are hereby authorized to raise
22 funds through charging commercial enterprises to advertise on
23 the walls of their gymnasium, raise funds through fund-raising
24 efforts, to include approving concessionaire activities within
25 each municipality’s gymnasium as approved by its Municipal

1 Planning Council, and to accept contributions that are solely
2 beneficial to the gymnasium. These revenues shall be deposited
3 into the Gymnasium Revolving Fund of each eligible
4 municipality and shall be expended in accordance with the
5 provisions of this Chapter.

6 All disbursement transactions on the Gymnasium
7 Revolving Fund shall be as stipulated herein:

8 (a) the Municipal Planning Council of each village
9 shall approve all expenditures for that particular
10 village;

11 (b) the minutes of the meetings must verify the
12 authorization given by the Municipal Planning
13 Council;

14 (c) there must be two (2) authorized signatures;
15 authorized signatures shall be determined by the
16 Mayor and the Chairperson of the Municipal
17 Planning Council or a member designee;

18 (d) the Mayor shall be responsible for receipts and
19 other substantiation as determined by the
20 Municipal Planning Council for all checks issued;
21 and

22 (e) each Mayor shall submit a financial statement at
23 the end of each fiscal year to the Mayors' Council
24 of Guam.

1 The Mayors shall take all action to ensure
2 that the Gymnasium Revolving Fund is operating
3 in the conformity with all existing statutes, rules
4 and regulations, codes, executive orders and any
5 other authority, which is applicable to the
6 operations of the Gymnasium Revolving Funds.
7 Any balance remaining in the funds at the end of
8 the fiscal year shall carry over into the next fiscal
9 year or until expended.”

10 (2) This section shall be applicable to municipalities
11 which have established a Gymnasium Revolving Fund in
12 accordance with the provisions this Chapter.”

13 **Section 9. Enactment.** The provisions of this Act shall become effective
14 upon enactment.

15 **Section 10. 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 invalidity
17 shall *not* affect other provisions or applications of this Law which can be given
18 effect without the invalid provisions or application, and to this end the provisions
19 of this Law are severable.



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND**
Thursday, November 17, 2011

BILL NO. 327

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net



Office of the Mayor

MUNICIPALITY OF DEDEDO

Melissa B. Savares
Mayor

Andrew Peter A. Benavente
Vice Mayor

November 16, 2011

Honorable Vicente "Ben" Pangelinan
Senator & Chairman, Committee on Appropriations, Taxation, Public Debt, Banking, Insurance,
Retirement & Land
31st Guam Legislature
Hagatna, Guam 96910


Dear Chairman Pangelinan and members of the 31st Guam Legislature,

Buenas yan Hafa Adai! I am in support of Bill No. 327-31, which will add sections to Chapter 40, Division 4, Title 5 of the Guam Code Annotated relative to Non-Appropriated Funds – Revolving Funds within various island municipalities. The Dededo Municipal Planning Council Revolving Fund was created since the mid-1990's upon the creation of the Dededo Flea Market. Since 2005, this NAF – Revolving Fund account has been audited by the Office of the Public Auditor on two occasions. A recommendation given in 2005 following the audit was to consolidate all sub-accounts into one bank account. Sub-ledgers are in existence for the various activities that are on-going in the municipality.

All current projects and expenses are approved by members of the Dededo Municipal Planning Council during regularly scheduled monthly meetings. Minutes of each meeting are attached to the account ledgers for justification of approvals. Quarterly reports are submitted to the OPA, Speaker of the Guam Legislature and the Executive Director of the Mayors' Council of Guam.

I support that fees from adult leagues and tournaments be assessed to help with the cost of maintenance and supplies for the gymnasiums. These fees will be deposited to the Revolving Fund account for expenses relating to the use of the gymnasium.

I look forward to the passing of Bill No. 327-31 by the members of the 31st Guam Legislature. Si Yu'os Ma'ase for your continued support to the Mayors' Council of Guam.


MELISSA B. SAVARES
Mayor of Dededo & President, MCOG

cc: All Senators, 31st Guam Legislature
All Mayors & Vice Mayors, MCOG



GOVERNMENT OF GUAM • P. O. Box 786, Hagatna, Guam 96932
Office: (671) 632-5203 / 5019 • Fax: (671) 637-1129



Talofofu Mayor's Office
The Honorable Mayor Vicente S. Taitague

Tel. 789-1421/3262 Fax. 789-5251
Email: talofofomayor@gmail.com
184 N. San Miguel St. Talofofu, GU 96915



November 18, 2011

To: Senator Vicente (ben) Cabrera Pangelinan

From: Talofofu Mayor

Subject: Testimony for Bill No. 327-31 (COR)

For the record, my name is Vicente S. Taitague, Talofofu Mayor.

The residents of God's Country fully support the intent of bill No. 327-31 (COR). Thanks for the support you have rendered to our community.

Si Yuus Ma'ase

Bureau of Budget & Management Research
Fiscal Note of Bill No. 327-31 (COR)

AN ACT TO AMEND §40135 AND TO ADD NEW SECTIONS 40137, 40138, 40139, 40140, 40141, ALL OF CHAPTER 40, DEIVISION 4, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO GYMNASIUM REVOLVING FUNDS WITHIN VARIOUS ISLAND MUNICIPALITIES.

Department/Agency Appropriation Information	
Dept./Agency Affected: Mayors Council of Guam	Dept./Agency Head: Various
Department's General Fund (GF) appropriation(s) to date:	8,592,313
Department's Other Fund (Specify) appropriation(s) to date:	2,272,960
Total Department/Agency Appropriation(s) to date:	\$10,865,273

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance ¹		\$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 overdue deadline, the Bureau is unable to coordinate with affected agency.

10/24/11

Analyst: <u>Dina P. Rivera</u>	Date: <u>12/8/11</u>	Director: <u>John A. Rios, Acting Director</u>	Date: <u>10/24/11</u>
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Footnotes:
 The Bill has a potential to generate additional revenues by the establishment of Gymnasium Revolving Funds for the villages of Agat, Dededo, Talofofo, Yigo, and Yona under the Municipal Planning Council of that village. However, in its present form, that impact cannot be determined at this time.



COMMITTEE ON RULES

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MAJORITY LEADER

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VICE CHAIRPERSON
ASST. MAJORITY LEADER

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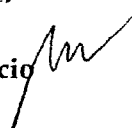
Senator
Christopher M. Duenas

October 5, 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. 326-31(COR) through 336-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 326-31 (COR) through 336-31 (COR).

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!

(6) Attachment

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

October 04, 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?
326-31 (COR)	M. Silva Tajeron	AN ACT TO ADD A NEW SECTION 10313 TO ARTICLE 3, CHAPTER 10, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING ALL GOVERNMENT OF GUAM DEPARTMENTS AND AGENCIES TO ACCEPT APPLICATIONS, FILINGS AND FORMS FOR SERVICES VIA THE INTERNET.	10/04/11 1:44 p.m.	10/5/11		Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting.			
327-31 (COR)	M. Silva Tajeron	AN ACT TO AMEND §40135 AND TO ADD NEW SECTIONS 40137, 40138, 40139, 40140, 40141, ALL OF CHAPTER 40, DIVISION 4, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO GYMNASIUM REVOLVING FUNDS WITHIN VARIOUS ISLAND MUNICIPALITIES	10/04/11 1:44 p.m	10/5/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

November 9, 2011

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

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

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

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am, Thursday, November 17, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Bill No. 232-31 (COR)
An Act to Amend Public Law 30-83; Relative to creating the Festival of Pacific Arts Revolving Fund.

Bill No 263-31 (COR)
An Act to amend §61103(D), repeal §61531.1, and amend §61532 all of Part 4, Chapter 61, Title 21, Guam Code Annotated relative to parking regulations.

Bill No. 287-31 (COR)
An Act to Amend §§26203 (K)(9), (28), (29), (30), (31), and (32) of Article II, Chapter 26, Title 11, Guam Code Annotated, Relative to Increasing the Business Privilege Tax Exemptions from Forty Thousand Dollars (\$40,000) to One Hundred Thousand Dollars (\$100,000) and Limitations of Fifty Thousand Dollars (\$50,000) to One Hundred Twenty-Five Thousand Dollars (\$125,000).

Bill No. 327-31 (COR)
An Act to Amend §40135 and to add New Sections 40137, 40138, 40139, 40140, 40141, All of Chapter 40, Division 4, Title 5 Guam Code Annotated relative to Gymnasium Revolving Funds within various island municipalities.

Bill No. 340-31 (COR)
An Act to Amend §§2101 and 2101.1 and to add a New §2106 to Chapter 2 of title 5 of the Guam Code Annotated Relative to the Jurisdiction of the Guam State Clearinghouse.

Memo to Senators
November 9, 2011
Page 2

Yanggen un nisisita spesiât na setbision, put fabot âgang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guâhan gi www.guamlegislature.com. Yanggen para un na'hâlom testigu-mu, chule' para i ifisinin-mâmi gi 324 West Soledad Avenue gi iya Hagâtña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapâsi nu i fendon gubetnamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagâtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net



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Hafa Adai,
Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Thursday, November 17 beginning at 9:00am at the Guam Legislature Public Hearing Room. Please see attached memo for details.

Saina Ma'ase.

Lisa Cipollone
Chief of Staff
Office of Senator ben c pangelinan
(671) 473-4236
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Public Hearing - First Notice

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Hafa Adai, Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Thursday, November 17 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Huebes, gi diha 17 gi Nubembre 2011 (Thursday, November 17, 2011)

Kuátton Inekungok Pupbleko gi l Liheslaturan Guáhan (Guam Legislature Public Hearing Room)

TAREHA (AGENDA)

alas nuabi gi egga'an (9:00 AM)

Priniponi Siha (Bills)

*Bill No. 232-31 (COR)
An Act to Amend Public Law 30-83; Relative to creating the Festival of Pacific Arts Revolving Fund.*

*Bill No 263-31 (COR)
An Act to amend §61103(D), repeal §61531.1, and amend §61532 all of Part 4, Chapter 61, Title 21, Guam Code Annotated relative to parking regulations.*

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An Act to Amend §§26203 (K)(9), (28), (29), (30), (31), and (32) of Article II, Chapter 26, Title 11, Guam Code Annotated, Relative to Increasing the Business Privilege Tax Exemptions from Forty Thousand Dollars (\$40,000) to One Hundred Thousand Dollars (\$100,000) and Limitations of Fifty Thousand Dollars (\$50,000) to One Hundred Twenty-Five Thousand Dollars (\$125,000).*

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Bill No. 340-31 (COR)

An Act to Amend §§2101 and 2101.1 and to add a New §2106 to Chapter 2 of title 5 of the Guam Code Annotated Relative to the Jurisdiction of the Guam State Clearinghouse.

Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com. Yanggen para un na 'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubemamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net.

Saina Ma'ase.

--
Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
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Office of

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I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

November 15, 2011

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

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

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

Member
Committee on the Guam
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324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

Memo to Senators
November 15, 2011
Page 2

Yanggen un nisisita spesiât na setbision, put fabot âgang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guâhan gi www.guamlegislature.com. Yanggen para un na'hâlom testigu-mu, chule' para i ifisinin-mâmi gi 324 West Soledad Avenue gi iya Hagâtña, pat guatto gi i Kuation Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapâsi nu i fendon gubetnamento.

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Hafa Adai,
Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Thursday, November 17, 2011 beginning at 9:00am at the Guam Legislature Public Hearing Room. Please see attached memo for details of the public hearing.

Thank you.

Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangalinan
(671) 473-4236
cipo@guamlegislature.org

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Public Hearing - SECOND Notice

from Lisa Cipollone cipo@guamlegislature.org

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mailed-by guamlegislature.org

Hafa Adai, Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Thursday, November 18, 2011 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Huebes, gi diha 17 gi Nubembre 2011 (Thursday, November 17, 2011)

Kuátton Inekungok Pupbleko gi Liheslaturan Guáhan (Guam Legislature Public Hearing Room)

TAREHA (AGENDA)

alas nuebi gi egga'an (9:00 AM)

Priniponi Siha (Bills)

Bill No. 232-31 (COR) An Act to Amend Public Law 30-83; Relative to creating the Festival of Pacific Arts Revolving Fund.

Bill No 263-31 (COR) An Act to amend §61103(D), repeal §61531.1, and amend §61532 all of Part 4, Chapter 61, Title 21, Guam Code Annotated relative to parking regulations.

Bill No. 287-31 (COR) An Act to Amend §§26203 (K)(9), (28), (29), (30), (31), and (32) of Article II, Chapter 26, Title 11, Guam Code Annotated, Relative to Increasing the Business Privilege Tax Exemptions from Forty Thousand Dollars (\$40,000) to One Hundred Thousand Dollars (\$100,000) and Limitations of Fifty Thousand Dollars (\$50,000) to One Hundred Twenty-Five Thousand Dollars (\$125,000).

Bill No. 327-31 (COR) An Act to Amend §40135 and to add New Sections 40137, 40138, 40139, 40140, 40141, All of Chapter 40, Division 4, Title 5 Guam Code Annotated relative to Gymnaslum Revolving Funds within various Island municipalities.

Bill No. 340-31 (COR) An Act to Amend §§2101 and 2101.1 and to add a New §2106 to Chapter 2 of title 5 of the Guam Code Annotated Relative to the Jurisdiction of the Guam State Clearinghouse.

Yanggen un nisista spesiát na setbision, put fabot ágang i Ifisnan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisista kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guáhan gi www.guamlegislature.com. Yanggen para

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If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net.

--
 Lisa Cipollone
 Chief of Staff
 Office of Senator ben c. pangelinan
 (671) 473-4236
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Please note the correct date of the public hearing is Thursday, November 17, 2011.

Thank you.

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4.5564:0F010480, 4.4740:05000780, 4.6276:05000780, 4.5721:DD040000, 4.6489:DD040000, 4.2199:DD040000,
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**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

***gi Huebes, gi diha 17 gi Nubembre 2011
(Thursday, November 17, 2011)***

***Kuátton Inekungok Pupbleko gi I Lihselaturan Guáhan
(Guam Legislature Public Hearing Room)***

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(AGENDA)**

***alas nuebi gi egga'an
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