

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
9-32 (COR)	V.C. Pangelinan	AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.	1/8/2013, 2:49 p.m.	1/10/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land;	02/01/2013, 9:00am	02/15/13 4:10 P.M.	Fiscal Note Requested 2/13/13



I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FEB 15 2013

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

Speaker

I Mina'trentai Unu Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

2013 FEB 15 PM 4: 10

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

RE: Committee Report on Bill No. 9-32 (LS), As Introduced

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 9-32 (LS), as introduced, "An Act To *Add* New §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *Amend* Sections of Chapter 58 OF Title 12 Guam Code Annotated, Relative to Establishing the Qualifying Certificate Review Board, The Qualifying Certificate Accountability and Transparency Website, and for Other Purposes" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

- 3 TO PASS
- _____ TO NOT PASS
- 2 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan
Chairman

**COMMITTEE REPORT
ON**

Bill No. 9-32 (LS), As Introduced

Sponsored by Senator Vicente (ben) C. Pangelinan

**“An Act To Add New §§58148, 58148.1,
58148.2, 58148.3, and 58149 to Chapter
58 of Title 12, Guam Code Annotated, and
Amend Sections of Chapter 58 OF Title
12 Guam Code Annotated, Relative to
Establishing the Qualifying Certificate
Review Board, The Qualifying Certificate
Accountability and Transparency
Website, and for Other Purposes”**



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FEB 15 2013
MEMORANDUM

To: All Members

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

From: Senator Vicente (Ben) Cabrera Pangelinan
Chairman

Subject: Committee Report on Bill No. 9-32 (LS), As Introduced

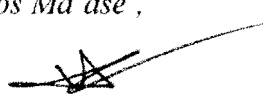
Transmitted herewith for your consideration is the Committee Report on Bill No. 9-32 (LS), as introduced, "An Act To *Add* New §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *Amend* Sections of Chapter 58 OF Title 12 Guam Code Annotated, Relative to Establishing the Qualifying Certificate Review Board, The Qualifying Certificate Accountability and Transparency Website, and for Other Purposes" sponsored by Senator Vicente (ben) C. Pangelinan.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 9-32 (LS), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note
7. Copy of COR referral
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

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

Si Yu'os Ma'åse',


Vicente (Ben) Cabrera Pangelinan
Chairman




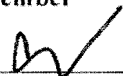
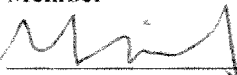
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I MINA' TRENTAI DOS NA LIHESLATURAN GUÁHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Bill 9-32 (LS): An Act To *Add* New §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *Amend* Sections of Chapter 58 OF Title 12 Guam Code Annotated, Relative to Establishing the Qualifying Certificate Review Board, The Qualifying Certificate Accountability and Transparency Website, and for Other Purposes.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	✓				
 Vice Speaker Benjamin J. F. Cruz Vice Chairperson	✓				
 Speaker Judith T. Won Pat, Ed.D Member	✓				
Senator Tina Rose Muña-Barnes Member					
 Senator Dennis Rodriguez, Jr. Member			✓ 12/15/17		
 Senator Michael San Nicolas Member			✓		
Senator Michael Limtiaco Member					
Senator Tommy Morrison Member					



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Committee Report

Bill 9-32 (LS): An Act To *Add* New §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *Amend* Sections of Chapter 58 OF Title 12 Guam Code Annotated, Relative to Establishing the Qualifying Certificate Review Board, The Qualifying Certificate Accountability and Transparency Website, and for Other Purposes.

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on February 1, 2013 at 9:00am in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were published in the newspaper of general circulation as required by the Open Government Law and disseminated via hand-delivery and e-mail to all senators and broadcasting outlets on January 25, 2013 (5-Day Notice), and again on January 30, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (Ben) C. Pangelinan, Chairman
Vice Speaker BJ Cruz, Vice Chairman
Speaker Judith Won Pat, Member
Senator Dennis Rodriguez Jr., Member
Senator Mike San Nicolas, Member
Senator Tommy Morrison, Member
Senator Tom Ada
Senator Rory Respicio
Senator Tony Ada
Senator Chris Duenas
Senator Brant McCreadie
Senator Aline Yamashita

(b) Appearing before the Committee

Former Senator Al Ysreal, 12th Guam Legislature
Former Vice Speaker Ted Nelson, 23rd Guam Legislature

(c) Written Testimonies Submitted

Mr. Al Ysreal
Mr. Albert Perez - Chief Economist, Bureau of Statistics and Plans

II. COMMITTEE PROCEEDINGS

Chairman Pangelinan: The next item on the agenda is Bill No. 09-32. It's an act to add new Section 58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58, Title 12 Guam Code Annotated and to amend Sections of Chapter 58, Title 12 Guam Code Annotated, relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency website and for other purposes. We have [former] Senator Ysrael on the GEDA bill.

(a) Bill Sponsor Summary

Chairman Pangelinan: Thank you very much. The bill is authored by myself. Very quickly, the bill would provide a new layer of review for recommendations on the issuance of the Qualifying Certificate Program. Right now, all applications with the Qualifying Certificate Program are reviewed and analyzed by the staff of the Guam Economic Development Authority. Revenues derived from the granting of qualifying certificates goes to support the operations of GEDA. And in such, in my opinion presents an inherent conflict in that when you grant a qualifying certificate, you get more money for your operations. And therefore, there may be a built in bias in that process to grant these so we can get more money for our operations. And so what we wanted to do is present a more macro-review with regards to the government of Guam itself and its operations with regards to the revenues that may be abated or rebated with the granting of these QCs and taking a look from a government-wide perspective rather than from an agency or entity, insular perspective. And so the bill would set up a review board for recommendations to the Guam Economic Development Authority Board before making a recommendation to the Governor on whether or not these qualifying certificates and tax abatements should be granted.

That is the basic intent of the bill and I'll go ahead and begin with [former] Senator Ysrael.

(b) Testimony

1. Mr. Al Ysreal

Mr. Ysrael: My name Alfred C. Ysrael, I'm a private individual; a taxpaying private individual, a productive individual in our island community. Let's cut to the chase, regrettably my recommendation would be, is that this bill is redundant. If something is broken you throw it away if it can't be fixed. And GEDA cannot be fixed. Adding another layer of bureaucracy is redundant. In my opinion, it's a personal opinion, GEDA has become redundant and has outlived its usefulness. GEDA's main purpose right now is to act as a financing expert to GovGuam for their bond issues. The era of qualifying certificates are long gone. Why continue GEDA when they're not enforcing their own rules and regulations against or towards the QC holders? I was the recipient of a QC holder until I read the conditions and knowing the way the bureaucracy works, those conditions would be selectively enforced against me. I know that from practical experience.

To begin with, there are, starting at Section 58100, which is the legislative findings and intent for GEDA, all the way up to Sections 58118, these are the conditions that GEDA has imposed on the QC holders, none of which have been enforced or collected. And one of the provisions of GEDA QC holders is the fact that if they don't follow or enforce the conditions, their benefits are retroactively refunded. That would be quite a windfall for GovGuam to get back all the refunds that they've been receiving over the last 30 years. One in particular has had their QC renewed on three different occasions. The incentive to invest in Guam is not there anymore, it is lucrative. We don't have to give them this incentive anymore. I'm sorry, but I was just told about this 30 minutes ago at 8:30 this morning.

So therefore, if there's going to be, if anything is going to make sense, is to do two things. Require the GEDA officials to enforce the rules and conditions. Second, abolish GEDA. The one thing for example, that they're supposed to do, under Paragraph 58118 as part of their condition is that no resident employee of a beneficiary shall be paid less than the prevailing wage rate established by the Department of Labor nor shall employees be laid off nor have his or her work week reduced to less than 40 hours. That's one of the main conditions. It hasn't been enforced. I know that for a fact. Every hotel pays barely minimum wage, that's the only way they can do it. Why has not somebody been enforcing these rules of GEDA and allowing the QC holders to keep continuing receiving their many tax rebates, their real estate rebates, and sometimes even their gross receipts tax?

Another condition is the Authority shall be the sole judge whether beneficiaries' employment is management or non-management. Authority shall report to the Legislature the titles and compensation of all trainees including those placed in management positions. That has not been enforced because that's a prerogative of management. And yet this is one of the conditions.

Paragraph 58113, this is my favorite paragraph. Retroactive suspension, rescission, or revocation of a QC may be retroactive to the act or omission giving rights to the suspension. Nothing has been enforced. It was only enforced once in the entire history of GEDA - against me. When I relocated a restaurant from the roof, to the first floor, they said that was a violation and then therefore I am in violation. Local shareholders requiring the beneficiary to offer ten percent or more of its corporate equity to qualified residents of Guam on terms and conditions to be established by the GEDA authority. I can't think of any hotel that's done that who has received QCs. Public investments conditioning the tax benefits on the beneficiaries investing in or creating public improvements separate from its proposed activities. It goes on and on and these are conditions by which they received their QC.; conditions, which have not been enforced or applied or put into effect. So gentlemen, your proposed bill is redundant. If anything, it should be revoked completely and more importantly, the Department of Labor or some other enforcing bodies should go and look into possibility of a refund of all of their tax benefits in the past. Thank you gentlemen. I'm open to questions if there's any.

PANEL COMMENTS AND QUESTIONS

Chairman Pangelinan: Thank you very much [former] Senator Ysrael. Senator, the reason why we've introduced this bill is because, as you mentioned, non-enforcement. These QC recipients come in, apply to GEDA, GEDA gets fees from granting QCs for them to fund themselves for their off-island trips, their pay raises outside of the GovGuam employees. So they grant QCs then they come in and ask for modifications and modification, more fees and so forth. And we don't hear about these modifications and no one reviews them except the GEDA internally and so forth. So that's why we're adding, we're opening up those doors for that review process to the other entities that have an interest other than the interest of GEDA itself.

This would open up the doors, put a little bit of transparency and accountability and public scrutiny over it, requiring additional public hearings for these modifications, and hopefully put some of these things out in the open, rather than keeping them behind closed doors, internal to GEDA and the granting of that. While I understand the recommendation of 'let's just do away with it,' I'm sure there's somebody here that may jump on that. But if we can't do it, or we don't do it, how do we open up that process right now that stops some of these things due to the fact that we're going to provide greater public participation, public scrutiny over these qualifying certificates. So that's our intention here and it's not a perfect approach, but it certainly is better than the system that exists today.

Mr. Ysrael: Senator, if I may respond. The road to hell is paved with good intentions. Adding another layer of bureaucracy adding another board supervision.... After six years of experience with government entities and boards, you notice one thing, that the boards become polluted, become infected, and they become part of the problem. Have any of our board members really acted on behalf of, or for the benefit of the public? They eventually become part of the problem. They become infected with the

bureaucratic mentality of the permanent civil service organization because of the benefits that the board members will receive from them.

A great case is our Public Utilities Agency. They're here to protect our public and this gentleman asked to give us relief. I recall full well just about two weeks ago, a statement made by GPA to the effect is, there will be savings made by this so-called smart meters, and we may pass it on to the consumers. I'm quoting his exact words because its embedded in my mind and it may be passed on to the consumers rather than saying it will be passed on to the consumers. Have any of the benefits been passed on to the consumers?

Chairman Pangelinan: I share the same frustrations.

Mr. Ysrael: And why add another bureaucracy? Something is rotten, get rid of it, or better, still bring all those agencies back again into the realm of the control of the Legislature and the Executive. Right now, the agencies are independent and there's nothing you can do about them as you yourself know from your own experience.

Chairman Pangelinan: Thank you very much. Any comments or questions? Senator?

Vice Speaker Cruz: I just want to make one comment, Senator Ysrael I know you said you just had a short notice about this, I think you could still submit written testimony and I know that you can write, because I've seen it. Sit down and write your testimony so we can have it on record. To have everything that you believe we should have. And so I just wanted to remind you that you can. I know you can do much better than that. Go ahead and send us written testimony.

Mr. Ysrael: I can't sleep at tonight...Thank you gentlemen, and ladies.

Chairman Pangelinan: Thank you. Any other public testimony on Bill No. 09-32? Mr. [former] Vice Speaker? Yes, yes, of course. Thank you very much Mr. [former] Vice Speaker, welcome.

2. Mr. Ted Nelson

Mr. Nelson: Thank you Mr. Speaker. Senators, my name is Ted Nelson and I feel nauseated from the testimony of this man right next to me [referring to Mr. Al Ysrael]. Mr. Chairman, can you please give GEDA the authority to investigate companies that are operating illegally or questionably on private property in Gogna? I think that this is something that's more serious. I think that if GEDA can do that, it will benefit this island, it will benefit Chamorros who are denied of their right for their ancestral property. I think GEDA should be the policing agency and if any one of these organizations, hotels, whatever they are, beach clubs are getting GEDA to give them the biggest properties, I think that you should amend the law to authorize them to investigate this type of activity. Thank you.

PANEL COMMENTS AND QUESTIONS

Chairman Pangelinan. Thank you very much Mr. [former] Vice Speaker. Thank you very much [former] Senator Ysrael. We'll go ahead then and conclude the receipt of oral testimony this morning. As the Vice Speaker noted, written testimony will continue to be received by the Committee on any and all of the bills that are up for a public hearing this morning. We encourage you to do so.

This concludes the testimony on Bill No. 9. 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, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 9-32 (LS) with the recommendation to report out only.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) REGULAR SESSION

2013 JAN - 8 PM 2:49

Bill No. 9-32(care)

Introduced by:

V.C. Pangelinan

AN ACT TO *ADD* NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND *AMEND* SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **SECTION 1. Legislative Findings and Intent.** Pursuant to and in
2 conformance with the practice of the open government laws of Guam, this
3 Act is prescribed by *I Liheslaturan Guåhan* for the benefit of Guam resident
4 taxpayers and local businesses operating without the benefits of a Qualifying
5 Certificate, who bear the cost of tax revenues rebated and abated resulting
6 from the granting who bear the loss of tax revenues resulting from the
7 granting of Qualifying Certificates (QCs) by the Guam Economic
8 Development Authority (GEDA).

9 *I Liheslatura* finds that certain companies are granted amendments to
10 the terms and conditions of specific QC requirements without maximum
11 opportunity for internal government and public scrutiny proper scrutiny. The

1 reasons for such actions vary; the most common reason being the company's
2 inability to fulfill contractually binding obligations due to financial or
3 economic hardship.

4 *I Liheslaturan Guåhan* further finds that for whatever reason
5 amendments to the terms and conditions of the QCs are granted, there are
6 concerns about the government's due diligence during this process and
7 public disclosure and administrative transparency when granting these
8 amendments.

9 *I Liheslaturan Guåhan* further finds that the importance of fulfilling
10 QC obligations, which are binding contractual agreements between the
11 recipient and the people of Guam is paramount, however stricter
12 administrative and enforcement initiatives adopted and performed by the
13 GEDA, is necessary. Improvement of current monitoring and enforcement
14 practices while enhancing the government's ability to responsibly manage
15 QC entitlements, and to prevent any effort to minimize or circumvent the
16 full force and effect of the tax policies of Guam, are essential for maximum
17 positive impact of the QC program.

18 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish a
19 Qualifying Certificate Review Board, to review all new applications for
20 Qualifying Certificates, all applications requesting to amend original or
21 amended QCs, and/or all extensions of QCs, and to ensure transparency in
22 the discussions, recommendations, and approval of those applications.
23 Furthermore, it is also the intent of *I Liheslaturan Guåhan* to create the
24 Qualifying Certificate Accountability and Transparency Website for the sole
25 purpose of increasing accountability and transparency within the Qualifying
26 Certificate Program.

1 **SECTION 2. Establishment of the Qualifying Certificate**
2 **Review Board.** New §§ 58148, 58148.1, 58148.2, and 58148.3 are hereby
3 *added* to Chapter 58 of Title 12, Guam Code Annotated, to read as follows:

4 “**§ 58148. The Qualifying Certificate Review Board.** The
5 Qualifying Certificate Review Board is hereby established, herein referred to
6 as “*Review Board*,” whose members *shall* consist of the Administrator of the
7 Guam Economic Development Authority (GEDA), the Director of Revenue
8 and Taxation, the Attorney General of Guam or his/her designee, the Chief
9 Economist of the Department of Labor, and the Chief Economist of the
10 Bureau of Statistics and Plans. The members *shall* convene and elect a
11 Chairperson, and thereafter when called upon by the Chairperson *shall*
12 review all new Qualifying Certificate applications, all applications to amend
13 original or amended Qualifying Certificates, and all applications for
14 extension of the term of all existing Qualifying Certificates’ terms and
15 conditions.

16 **§ 58148.1. Applications for New Qualifying Certificates.** After
17 careful review and scrutiny of the applications for new Qualifying
18 Certificates, it *shall* be the duty of the Review Board to provide a detailed
19 report to include, but not be limited to, those specific findings as required in
20 § 58109, Chapter 58, Title 12 GCA, to the GEDA Board of Directors.

21 **§ 58148.2. Applications Requesting Amendments or Extensions of**
22 **Existing Qualifying Certificates.**

23 (a) **Reporting Requirements.** After careful review and scrutiny of the
24 applications to amend original or amended Qualifying Certificates
25 and/or for the extension of the term of existing Qualifying
26 Certificates’ terms and conditions, it *shall* be the duty of the

1 Review Board to provide a detailed report to the GEDA Board of
2 Directors, to include:

- 3 (1). an analysis of the direct impact of the amendment on
4 additional or lost revenue to the government of Guam.
- 5 (2). an analysis of the direct impact of the amendment on Net
6 Profit Margin presented in gross dollars and a percentage
7 taken or calculated in the audit report required in Subsection
8 (c).
- 9 (3). the Net Profit Margin percentage used in Subsection (2)
10 *shall* be compared against a published reasonable industry
11 standard, such as Standard and Poors Key Industry Ratios.
- 12 (4). when amendments reduce requirement thresholds of the
13 recipient, the Review Board *shall* assume the maximum
14 impact.
- 15 (5). the Review Board *shall* submit its report with
16 recommendations and findings to *I Maga'låhen Guåhan, I*
17 *Liheslaturan Guåhan*, and the Board of Directors of the
18 GEDA.

19 (b) Upon receipt of an application to amend or extend an original or
20 amended Qualifying Certificate, the Chairperson of the Review
21 Board *shall* represent the government of Guam in any subsequent
22 discussion, meetings or any other administrative matter(s) or
23 affair(s) that pertain specifically to the amendments or any binding
24 obligation or agreements to an existing Qualifying Certificate.

25 (c) The Administrator of the GEDA *shall* within seven (7) days of its
26 receipt forward to the Chairperson of the Review Board all
27 applications to amend or extend original or amended Qualifying

1 Certificates. The Review Board in processing all applications may
2 recommend amending, reconsidering, suspending and revising all
3 applications to amend original or amended Qualifying Certificate
4 or extension of Qualifying Certificates and *shall* be provided the
5 applicant's audited financial statement by an independent auditor
6 within eighteen (18) months of the date of the application, the
7 terms and conditions of the current Qualifying Certificate and
8 other documents necessary for the preparation of its report and
9 recommendation. The GEDA *shall* further provide the Review
10 Board with complete administrative data, information, record(s),
11 exhibits and correspondence of the applicant(s), which are
12 essential or relevant to the applicant's Qualifying Certificate
13 amendment request.

14 (d) The GEDA *shall* advise all Qualifying Certificate recipients of the
15 provisions contained in this Section and *shall* perform its
16 prescribed administrative obligations accordingly. The provisions
17 of this Section *shall* affect *only* those applicants whose application
18 for amendment, revision, or extension is received after April 30,
19 2013.

20 (e) Notwithstanding any other laws, procedures or rules and
21 regulations of the government of Guam applicable to the
22 Qualifying Certificate program established pursuant to Chapter 58
23 of Title 12 GCA, the provisions of this Section *shall* serve to
24 lawfully augment the existing policies of Guam, which relate to the
25 amendment of original and amended terms and conditions of
26 Guam's Qualifying Certificate Program.

1 **§ 58148.3. Review Board Meetings.** The Review Board *shall* provide
2 public notification pursuant to the Open Government Law, Chapter 8, Title 5
3 GCA, of all meetings scheduled to review and discuss the applications
4 submitted. Review Board meetings *shall* include a public hearing component
5 pursuant to the Administration Adjudication Law and the Open Government
6 Law.

7 (a) For applications for new Qualifying Certificates, the Review Board
8 *shall* cause to be performed, all required publication of
9 applications and public notices to be at the expense of the
10 applicant, pursuant to Chapter 58, Title 12 GCA. The GEDA’s
11 staff *may* be utilized to perform the duties required in this
12 Subsection (a).

13 (b) The individual, corporation, business or entity requesting
14 amendments or extensions to a Qualifying Certificate *shall* pay for
15 the cost of the public notification and any audits, if necessary, at
16 such amounts as determined by the Review Board.”

17 **SECTION 3. Creation of the Qualifying Certificate**
18 **Accountability and Transparency Website.** A new § 58149 is hereby
19 *added* to Chapter 58 of Title 12, Guam Code Annotated, to read as follows:

20 **“§ 58149. The Qualifying Certificate Accountability and**
21 **Transparency Website.** The GEDA shall create, or cause to be created, the
22 Qualifying Certificate Accountability and Transparency Website (Q-CAT
23 Website) for the sole purpose of increasing accountability and transparency
24 in the Qualifying Certificate Program. Funding for the Q-CAT Website is
25 hereby continuously appropriated from the annual Qualifying Certificate
26 Program fees charged and collected by the GEDA. The Q-CAT Website
27 shall include, but not be limited to, the following:

1 (a) Electronic copies of all new applications for Qualifying
2 Certificates within fifteen (15) days of receipt of said
3 application(s).

4 (b) Electronic copies of all applications to amend original or amended
5 Qualifying Certificates and/or for the extension of the term of
6 existing Qualifying Certificates' terms and conditions within
7 fifteen (15) days of receipt of said application(s).

8 (c) Electronic copies of the monthly reports required to be submitted
9 pursuant to § 58123, Chapter 58, Title 12 GCA within fifteen (15)
10 days of receipt of said report.

11 (d) All notices of hearings required in § 58125, Chapter 58, Title 12
12 GCA.

13 (e) All recommendations made by the GEDA Board of Directors
14 pursuant to § 58126 to the Governor within five (5) days of making
15 such recommendation.

16 The GEDA is required to create, or cause to be created, the Q-CAT
17 Website within ninety (90) days of the enactment of this Act.”

18 **SECTION 4.** A § 58126 of Chapter 58 of Title 12, Guam Code
19 Annotated, is hereby *amended* to read as follows:

20 **“§ 58126. Recommendations.**

21 The GEDA Board of Directors shall not provide any
22 recommendations to the Governor of Guam without receipt and review of
23 the Review Board’s detailed report as required in §§ 58148.1 and 58148.2.

24 All recommendations of the Authority for issuance, modification, renovation
25 and suspension of Qualifying Certificates shall be forwarded to the
26 Governor of Guam, together with a memorandum of the Authority’s findings
27 in support of its recommendations. Any recommendation of the Authority

1 not approved by the Governor within sixty (60) calendar days from his
2 receipt thereof shall be deemed disapproved on the sixty-first (61st) day
3 following such receipt.”

4 **SECTION 5.** A § 58115(c) of Chapter 58 of Title 12, Guam
5 Code Annotated, is hereby *amended* to read as follows:

6 “(c) The Governor of Guam, the Lieutenant Governor of Guam, and
7 ~~their spouses~~; and person or spouse of such person related by consanguinity
8 of the third degree, which for the purposes of this Section shall include
9 spouses, all children, parents, grandchildren, siblings, grandparents, great-
10 grandchildren, nieces, nephews, uncles, aunts, and great-grandparents, to the
11 Governor and the Lieutenant Governor of Guam;”

12 **SECTION 6. Severability.** *If* any provision of this Act or its
13 application to any person or circumstance is held invalid, the invalidity *shall*
14 *not* affect other provisions or applications of this Act which can be given
15 effect without the invalid provision or application and to this end the
16 provisions of this Act is severable.



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Friday, February 1, 2013

**Bill No. 9-32 (COR)
SIGN UP SHEET**

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
ALFRED YSRAEL	TUMON	646-1384			✓		No

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

Subject: Unenforced GEDA Rules

1. GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA) for their anti-business rules and regulations and written in the charter

Para 58100: LEGISLATIVE FINDINGS AND INTENT:

Para 58110: Conditions of Benefits.

(a) Percentage of Investment: Limiting the tax benefits to a percentage of the capital investment in Guam.

(b) Variable Rate: Varying the rate of tax benefits over the term of the Q.C.

(c) Limitation on Amount. Limiting the tax benefits tax fixed dollar amount

(d) Public Investments: Conditioning the tax benefits on the beneficiary's investing in or creating public improvements separate from its proposed activities.

(e) Local Shareholders: Requiring the Beneficiary to offer ten (10%) per cent or more of its corporate equity to qualified residents of Guam, on terms and conditions to be established by the GEDA Authority.

(f) Profit-Sharing: Requiring the beneficiary to establish profit-sharing and stock ownership programs and other similar benefits (health, life, medical, dental) for its employees.

(g) Training: (ii) make contributions to an independent training or scholarship fund.

(h) Local Purchase. Requiring Beneficiary to procure services or products supplied by Guam-licensed vendors if the total cost does not exceed one hundred ten (110%) percent of the cost of the same services or products available from off-island vendors.

Para 58113: Retroactive suspension: "The suspension, rescission, or revocation of a Q.C. may be retroactive to the time of the act or omission giving rise to the suspension....." (If

arrived at three or four years hence, than all benefits, tax rebates received, will have to be refunded after the fact)

Para 58117: Same Work Force:

(b) Management and non-Management employees: The Authority shall be the sole judge whether a Beneficiary's employee is management or non-management..... Authority shall report to the legislature the titles and compensation of all trainees, including those placed in management levels,"

Para 58118: Same; Wages: "No resident employee of a Beneficiary shall be paid at less than the prevailing wage rate (read GovGuam wages, established by Department of labor) nor shall employee be laid off work nor have his or her workweek reduced to less than forty (40) hours in order"

=====

Eddie Baza Calvo
Governor of Guam



**BUREAU OF
STATISTICS & PLANS**
SAGAN PLANU SIHA YAN EMFOTMASION



Ray Tenorio
Lieutenant Governor

Government of Guam
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3
Fax: (671) 477-1812

Lorilee T. Crisostomo
Acting Director

JAN 30 2013

Senator Vicente (ben) Cabrera Pangelinan
Chairman, Committee on Appropriations
31st Guam Legislature
324 W. Soledad Ave. Suite 100
Hagatna, Guam 96910

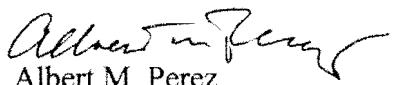
Hafa Adai Senator Pangelinan and Members of the Committee on Appropriations

I am Albert M. Perez, Chief Economist at the Bureau of Statistics and Plans. I administer the Bureau's Cost of Living and External Trade Programs and serve on the Legislative Special Economic Service.

I was requested by this Committee to provide testimony on Bill No. 9-32 (COR), relative to, among other things, naming the Bureau's Chief Economist a member of the proposed "Qualifying Certificate Review Board". I welcome the invitation to appear before you.

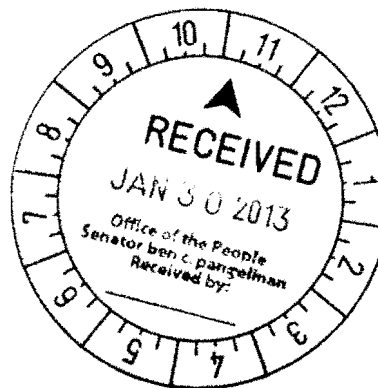
For the record, I take *no* position on the intent of this Bill. However, "Section 58148. The Qualifying Certificate Review Board." should contain a provision to specifically disqualify any classified employee from ever serving as Chairman of said Board.

Thank you.



Albert M. Perez
Chief Economist
Bureau of Statistics and Plans

Cc: Lorilee T. Crisostomo
Acting Director, Bureau of Statistics and Plans





COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • 32ND Guam Legislature

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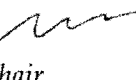
www.roryforguam.com • email: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

January 10, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 9-32 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 9-32(COR).

Please ensure that the subject bill is 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 Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

(1) Attachment

I Mina'Trentai Unu Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
9-32 (COR)	V.C. Pangelinan	AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.	1/8/2013, 2:49 p.m.	1/10/13	1/17/2013	Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land			



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE


Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 25, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am**, on **Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to *Add* a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

Bill No. 9-32 (COR): An Act to *add* new §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *amend* sections of Chapter 58 of Title 12 Guam Code Annotated, Relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency Website, and for other purposes.

Bill No. 18-32 (COR): An Act to Appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents (\$392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Memo to Senators
January 25, 2013
Page 2

Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

Yanggen un nisisita espesiåt na setbision put fabot ågang i Ifisinin Senadot ben 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 ifisinin-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 gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills 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

UPDATED 2013.02.11

32GL Senators:

"Judith T. Won Pat, Ed.D." <speaker@judiwonpat.com>, "Benjamin JF Cruz" <senator@senatorbjcruz.com>, "Tina Rose Muna Barnes" <tinamunabarnes@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>"Thomas C. Ada" <tom@senatorada.org>, "Frank Blas Aguon, Jr." <aguon4guam@gmail.com>, "vicente 'ben' pangelinan" <senbenp@guam.net>, "Dennis G. Rodriguez" <senatordrodriguez@gmail.com>, "Michael F. Q. San Nicolas" <responsibleguam@gmail.com>, "V. Anthony Ada" <tony@tonyada.com >, "Christopher M. Duenas" <duenasenator@gmail.com>, "Michael T. Limtiaco" <mike@mikelimtiaco.com>, "Brant McCreadie" <brantforguam@gmail.com>, "Thomas (Tommy) Morrison" <tommy@senatormorrison.com>, "Aline A. Yamashita, Ph.D" <aline4families@gmail.com>,

32GL Senator Staff

therese@judiwonpat.com, frank@judiwonpat.com, rob@judiwonpat.com, jason@judiwonpat.com, wil@judiwonpat.com, steve@judiwonpat.com, faith@judiwonpat.com, senator@senatorbjcruz.com, carlos.pangelinan@senatorbjcruz.com, mike.lidia@senatorbjcruz.com, chris.carillo@senatorbjcruz.com, sgflores@tinamunabarnes.com, jblas@tinamunabarnes.com, jean@tinamunabarnes.com, Vparriola1@gmail.com, etajalle@guamlegislature.org, tjtaitano@cs.com, mlwheeler2000@yahoo.com, phillipsguam@gmail.com, avon.guam@gmail.com, jennifer.lj.dulla@gmail.com, marymaravilla19@gmail.com, chechsantos@gmail.com, committee@frankaguonjr.com, admin@frankaguonjr.com, cipo@guamlegislature.org, chris.budasi@guamlegislature.org, aokada@guamlegislature.org, smendiola@guamlegislature.org, avillaverde@guamlegislature.org, ahernandez@guamlegislature.org, sonedera-salas@guamlegislature.org, berthaduenas@gmail.com, emqcho@gmail.com, karenc@guamlegislature.org, senatorsannicolas@gmail.com, alerta.jermaine@gmail.com, louise@tonyada.com, pete@tonyada.com, ed@tonyada.com, val@tonyada.com, santos.duenas@gmail.com, mcarlson@guamlegislature.org, ang.duenas@gmail.com, angela.lgrios@gmail.com, mike@mikelimtiaco.com, conedera@mikelimtiaco.com, cos@senatormorrison.com, manuela@senatormorrison.com, ryanjames@senatormorrison.com, tanya4families@gmail.com, lou4families@gmail.com, evelyn4families@gmail.com, jcamacho@senatorada.org, cyrus@senatorada.org, nsantos@senatorada.org, Juliette@senatorada.org, office@senatorada.org, coy@senatorada.org, tom@senatorada.org, carlaborja.73@gmail.com, baza.matthew@gmail.com, senatordrodriguez@gmail.com, clifton@toduguam.com, cherbert.senatordrodriguez@gmail.com, rfteehan@yahoo.com, amanda@toduguam.com, nicole@toduguam.com, joe@toduguam.com, jamesgon.senatordrodriguez@gmail.com, sitarose2@yahoo.com, meia@toduguam.com, menchu@toduguam.com



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Fri, Jan 25, 2013 at 11:01 AM

To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Michael Limtiaco <mlimtiaco671@gmail.com>, Tommy Morrison <tommy@senatormorrison.com>
Cc: Senator ben pangelinan <senbenp@guam.net>

INEKUNGOK PUPBLEKO

(PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

Kuátton Inekungok Pupbleko gi I Liheslaturan Guåhan

(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an

(9:00 AM)

TAREHA

(AGENDA)

Priniponi Siha:

(Bills)

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority

to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

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Yanggen un nisisita espesiât na setbision put fabot âgang i Ifisinin Senadot ben pangelinan gi 473- Yanggen un nisisita espesiât 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 Kuaatton 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, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills 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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Lisa Dames
Chief of Staff

Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org



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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Fri, Jan 25, 2013 at 10:56 AM

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

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

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

TAREHA
(AGENDA)

Priniponi Siha:
(Bills)

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

 **Agenda Feb 1.pdf**
107K



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 10:58 AM
To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

***Kuåtton Inekungok Pupbleko gi I Liheslaturan Guâhan
(Guam Legislature Public Hearing Room)***

*alas nuebi gi eggan'an
(9:00 AM)*

**TAREHA
(AGENDA)**

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

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I Mina'trentai Dos na Liheslaturan Guahan

32nd GUAM LEGISLATURE


Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 30, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – SECOND NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am**, on **Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

Memo to Senators
January 30, 2013
Page 2

Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

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324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:16 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will conduct a public hearing on Friday, February 1, 2013 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

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

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

2 messages

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Wed, Jan 30, 2013 at 10:17 AM

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

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Adam Bearce <adam@guamlegislature.org>
To: Lisa Dames <cipo@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Wed, Jan 30, 2013 at 10:19 AM

Hi. confirmed posted.

[Quoted text hidden]



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Wed, Jan 30, 2013 at 10:23 AM
 To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatorvnyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Senator Michael Limtiaco <mike@mikelimtiaco.com>, Tommy Morrison <tommy@senatormorrison.com>
 Cc: Senator ben pangelinan <senbenp@guam.net>

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Lisa Dames
Chief of Staff
Office of Senator ben c pangelinan
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cipc@guamlegislature.org

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WEDNESDAY, JANUARY 30, 2013 - MARIANA'S VARIETY GUAM EDITION

WEDNESDAY, JANUARY 30, 2013



I Mina Trenta Na Liheslaturan Guahan

THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "Ben" Cabrera Pangelsinan

Office of the People

Website: www.goweb.com

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi diba 1 gi Fibreru, 2013
(Friday, February 1, 2013)

Kuarton Inekungok Pubbleko gi Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

Alas nuebi gi egg'an (9:00 AM)

TAREHA (AGENDA)

Prinsipal Siha: (Bills)

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Yanggen un misita espasial na setista pal trabo agang i Ofisyon Senador ben pangelsinan gi 473. Yanggen un misita espasial na setisyon, pal trabo agang i Ofisyon Senador Vicente (Ben) Cabrera Pangelsinan gi 473-47367. Yanggen un misita kaplan i proporsion siha qinen este na tareha, hator gi uespasial i Liheslaturan Guahan gi www.guamlegislature.com. Yanggen para un adhadon testigiu, chule para i misman mam gi 328 West Soledad Avenue gi Iya Hagatlo, pal ayato gi i Kuarton Karsa gi Liheslaturan, pal laka gi 473-4738, patsimo meratsenben goum.net. Este un misita inapasi un i fendon gobetramento.

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I Mina'trentai Dos na Liheslaturan Guåhian
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Betnes, gi diha 1 gi Fibreru, 2013
(Friday, February 1, 2013)*

**Kuátton Inekungok Pupleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**

*alas nuebi gi eggan'an
(9:00 AM)*

**TAREHA
(AGENDA)**

**Priniponi Siha:
(Bills)**

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**gi Betnes, gi diha 1 gi Fibreru, 2013)
Friday, February 1, 2013**

**Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**

**alas nuebi gi eggan'an
(9:00 AM)**

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www.senbenp.com



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net
www.senbenp.com



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member


Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 21, 2012

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio** 

Subject: **Supplement to Committee Report
Bill No. 9-32 (COR)**


Hafa Adai!

Transmitted herewith is a memo from Senator Vicente (ben) C. Pangelinan, Chairperson, Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, forwarding additional testimony on Substitute Bill No. 9-32 (COR).

Please include this memo and the attachment as a "Supplement" to the Committee Report on Substitute Bill No. 9-32 (COR).

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Si Yu'os ma'åse'!

2013 FEB 21 AM 10:53 



I Mina'trentai Dos na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

February 20, 2013

Senator Rory Respicio
Chairman
Committee on Rules
I Mina'Trentai Dos na Liheslaturan Guahan
Guam Legislaure
Hagatna, Guam

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Re: Testimonies for Bill No. 9 and Bill No. 1

Member
Committee on Education,
Public Libraries
and Women's Affairs

Hafa Adai Senator Respicio,

Please accept the attached testimonies for Bill No 9 and 1 from the Administrator of the Guam Economic Development Authority.

Member
Committee on General
Government Operations and
Cultural Affairs

I ask that they be included in the respective committee reports as they were received after the reports were filed with the Committee on Rules.

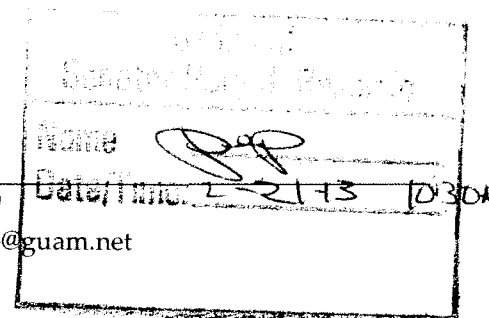
Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

Si Yu'os Ma'ase,

Vicente (ben) Cabrera Pangelinan
Senator

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations





EDWARD J.B. CALVO
GOVERNOR OF GUAM
I MAGA' LAHEN GUAHAN
RAYMOND S. TENORIO
LT. GOVERNOR OF GUAM
I SEGUNDO NA MAGA' LAHEN GUAHAN

Aturidãd Inadilãnton Ikunumiãhan Guãhan

Testimony on Bill 09-32 (COS)
By Christina D. Garcia, Acting Administrator
Guam Economic Development Authority (GEDA)
to the *Mina Trentai Dos Na Liheslaturan Guãhan*
February 1, 2013

Hafa Adai, Chairman Pangelinan and members of the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land. I would like to thank you for the opportunity to provide GEDA's written testimony on Bill 09-32 (COR), "AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES."

The following are GEDA's detailed comments on Section 2 and Section 3 of Bill 9-32:

Section 2. Establishment of the Qualifying Certificate Review Board. GEDA believes that this action does not need to be legislated as we feel that incorporated within the current QC law, its rules and regulations, and the Authority's formally adopted written Standard Operating Procedures, are clear guidelines provided for review, public input opportunities, and transparency with respect to the issuance and modification of QC's (i.e. §58112, §58124, §58125, §58126). This includes the opportunity for input by DRT, DOL, BSP and the OPA to provide their comments on the findings of the requests. All such comments (oral and in writing) as solicited and received are incorporated into the case analysis packet provided to the GEDA Board when the request is heard.

Furthermore, as part of the review process, GEDA already has an internal review committee, "The Credit Review Committee", comprised of its executive management, division managers and two members of the GEDA Board. This committee is responsible for analyzing and providing substantiated recommendations on all requests made for GEDA programs including QC. We do not feel duplicating this existing function is necessary to ensure due diligence.

Section 3. Creation of the Qualifying Certificate Accountability and Transparency Website. GEDA believes that this action also does not need to be legislated because as the Authority strives to increase transparency opportunities for its QC program, the information listed in Bill 9-32 are good examples of documents that are considered public information which can be easily incorporated into the Authority's current website. However, monthly reports contain among other things financial, employment and payroll data and §58123 recognizes that "all such monthly reports shall be treated as confidential by the Authority" and thusly the information contained therein are not public and unenforceable under the auspices of Bill 9-32.

Senseraamente,

CHRISTINA D. GARCIA
Acting Administrator

