

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	FISCAL NOTES
157-32 (COR)	T.C. Ada R.J. Respicio B.J. Cruz	AN ACT TO ADD A NEW §5404 TO 5 GCA CHAPTER5 RELATIVE TO THE PROCEEDS DERIVED FROM THE DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND EQUIPMENT.	7/23/2013 10:23 a.m.	7/23/13	Committee on General Governmental Operations and Cultural Affairs	08/29/13 10:00 a.m.	09/18/13	Fiscal Note Requested 07/24/13



September 10, 2013

The Honorable Judith T. Won Pat
Speaker
I Mina' Trentai Unu Na Liheslaturan Guahan
32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

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

2013 SEP 10 AM 9:18
Fawu

RE: Committee Report on Bill No. 157-32 (COR)

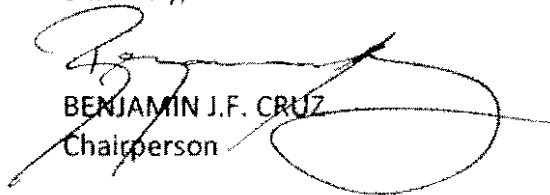
Dear Speaker Won Pat:

Transmitted herewith is the Report of Committee on General Government Operations and Cultural Affairs on Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.

Committee votes are as follows:

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

Sincerely,


BENJAMIN J.F. CRUZ
Chairperson



COMMITTEE REPORT

ON

Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.



September 10, 2013

MEMORANDUM

TO: All Members

**FROM: Vice Speaker Benjamin J.F. Cruz
Committee on General Government Operations and Cultural Affairs**

SUBJECT: Committee Report on Bill No. 157-32 (COR)

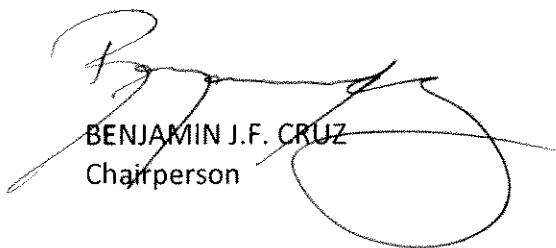
Transmitted herewith for your consideration is the Committee Report on Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 157-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 157-32 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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

Very truly yours,


BENJAMIN J.F. CRUZ
Chairperson



COMMITTEE VOTING SHEET

Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson		✓				
MUÑA BARNES, TINA ROSE Vice-Chairperson		✓				
WON PAT, JUDITH T. Speaker and Ex-Officio Member		✓				
ADA, THOMAS C. Member		✓				
PANGELINAN, C. VICENTE Member						
RESPICIO, RORY J. Member		no 9-10-13				
RODRIGUEZ, DENNIS G. JR. Member		✓ 9/10/13				
SAN NICOLAS, MICHAEL, F.Q. Member 9/10/13		✓				
AGUON, Jr., FRANK B. Member 9/10/13		✓				
ADA, V. ANTHONY Member		9/10/13				
Morrison, Thomas Member						
McCreadie, Brant Member		9/10/13 ✓				
YAMASHITA, ALINE Member						



Committee Report Digest

I. OVERVIEW

The Committee on General Government Operations and Cultural Affairs convened a public hearing on Thursday, August 29, 2013 at 10:00 a.m. in the Public Hearing Room of *I Liheslatura*. Among the items on the agenda was the consideration was Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on August 22, 2013, and August 27, 2013 via email. Copies of the hearing notices are appended to the report.

Senators Present

Vice Speaker Benjamin J.F. Cruz
Senator Michael F.Q. San Nicolas
Senator Frank B. Aguon, Jr.

The public hearing was called to order at 10:05 a.m.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Vice Speaker Benjamin J.F Cruz announced Bill No. 157-32 (COR) then read a sponsor statement on behalf of Senator Thomas Ada:

"Sponsor Statement - Bill 157

Thank you Vice Speaker Cruz for hearing Bill 157-32 today. While I am unable to attend, I have agreed to continue with the Bill's hearing as I believe this legislation will significantly benefit our island and, as such, is worthy of speedy action. To that end, I submit the following Sponsor Statement and thank Senator Respicio for reading it onto the record.



Currently, surplus supplies and equipment, upon becoming obsolete or outliving their economic usefulness, are sold off by GSA and proceeds are directed to the General Fund.

While this process is appropriate for line agencies, Bill 157-32 recognizes that surplus originally bought by Autonomous Agencies, such as the Port, Guam Power Authority, and Guam Waterworks Authority, were purchased with funds generated from their respective customer bases. By redirecting funds from the sale of surplus supplies and equipment away from these agencies, ratepayers island-wide are negatively impacted.

Bill 157-32 proposes returning proceeds from a surplus sale back to the owning agency's coffers. The agency will then be able to use such proceeds to defray the costs of purchasing replacement equipment and undertake other needed capital improvements, thus keeping rates low for customers.

I should further note that all existing aspects of the procurement process, including the method by which GSA manages and executes the sale of surplus equipment, shall remain the same; only the directing of funds, in which the proceeds of surplus sales will be now be returned to the autonomous agency's fund from which the item was originally financed, will be amended.

I wish to thank Senator Respicio and Vice Speaker Cruz for joining me in co-sponsoring Bill 157-32 in an effort to keep rates low for our island community, and I look forward to its timely enactment into law."

Senator Cruz stated nobody signed up to testify or were present to provide oral testimony; therefore, he adjourned the public hearing for Bill No. 157-32 (COR).



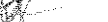
III. FINDINGS AND RECOMMENDATION

The Committee on General Government Operations and Cultural Affairs to which was referred "Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment" hereby submits these findings to *I Mina' Trentai Unu na Liheslaturan Guahan* and reports out Bill No. 157-32 (COR) with a recommendation TO *RASS*

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (First) Regular Session

Bill No. 157-32 (002)

Introduced by:

T.C. Ada 
R.J. Respicio 
B.J. Cruz 

**AN ACT TO ADD A NEW §5404 TO 5 GCA CHAPTER 5
RELATIVE TO THE PROCEEDS DERIVED FROM THE
DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND
EQUIPMENT.**


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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 autonomous Government of Guam agencies and public corporations procure
4 nonexpendable supplies and equipment using revenues generated from rates and tariffs
5 charged to their customers/ratepayers. When these supplies and equipment have a
6 remaining useful life but are no longer required by the using agency or public corporation
7 in possession of the supplies they are deemed to be excess supplies, or if the supplies
8 become obsolete or have completed their useful life cycle, they are deemed to be surplus
9 supplies. *I Liheslaturan Guåhan* further finds that an objective of the Government of
10 Guam supply management program is to obtain a fair return of value upon disposal of
11 surplus or excess supplies.

12 *I Liheslaturan Guåhan* further finds that net proceeds from the disposition of
13 excess or surplus supplies and equipment are credited to the General Fund. It is the intent
14 of *I Liheslaturan Guåhan* to credit the net proceeds from the disposal of excess and
15 surplus supplies and equipment owned by autonomous agencies and public corporations
16 to the owning autonomous agencies and public corporations for the purpose of procuring
17 replacement supplies and equipment.

18

19 **Section 2.** A new §5404 is added to 5 GCA Chapter 5 to read as follows:

2013 JUN 23 AM 10:23 

1 “§ 5404. Disposal of Excess Supplies and Equipment by an Autonomous Agency
2 or Public Corporation.

3 (a) Notwithstanding the provisions of §5403 (Allocation of Proceeds from Sale or
4 Disposal of Surplus Supplies), when excess or surplus supplies and equipment, purchased
5 with funds generated from rates, tariffs, or sources that are derived from the customers of
6 the autonomous agency or public corporation, and not from the General Fund, are
7 disposed of, the proceeds from the sale, lease or disposal shall be allocated back to the
8 owning autonomous agency or public corporation.

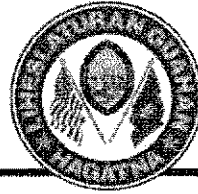
9 (b) Said proceeds shall be used solely for the purchase of replacement equipment
10 or other capital improvement requirements needed to support the operations of the
11 autonomous agency or public corporation.

12 (c) Autonomous Agencies and Public Corporations affected by this chapter
13 include: the A.B. Won Pat Guam International Airport Authority, the Guam Housing
14 Corporation, the Guam Housing and Urban Renewal Authority, the Guam Regional
15 Transit Authority, the Guam Power Authority, the Guam Visitor’s Bureau, the Port
16 Authority of Guam, the Public Defender Corporation, the Public Utilities Commission,
17 the Guam Waterworks Authority, and the Guam Economic Development Authority.”
18

19 **Section 3. Effective Date.** This Act shall become effective upon enactment.
20

21 **Section 4. Severability.** *If* any of the provisions of this law or its application to
22 any person or circumstance is found to be invalid or contrary to law, such invalidity shall
23 *not* affect other provisions or applications of this law which can be given effect without
24 the invalid provisions or application, and to this end the provisions of this law are
25 severable.
26

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER
 Chairman, Committee on General Government Operations
 and Cultural Affairs
 Web Address: www.senatorbjcruz.com



I MINA TRENTAI DOS NA LIHESLATURAN GUAHAN
 The 32nd Guam Legislature • senator@senatorbjcruz.com
 155 Hesler Place, Hagatña, Guam 96910
 Telephone: (671) 477-2520/1 • Fax: (671) 477-2522

PUBLIC HEARING SIGN-IN SHEET

Thursday, August 29, 2013 – 10:00AM

I Liheslatura • Public Hearing Room • Hagatña, Guam

Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	PHONE NUMBER	EMAIL ADDRESS
NAME	AGENCY OR	SUPPORT?	WRITTEN	ORAL	PHONE	EMAIL ADDRESS

Sponsor Statement
Bill 157

Thank you Vice Speaker Cruz for hearing Bill 157-32 today. While I am unable to attend, I have agreed to continue with the Bill's hearing as I believe this legislation will significantly benefit our island and, as such, is worthy of speedy action. To that end, I submit the following Sponsor Statement and thank Senator Respicio for reading it onto the record.

Currently, surplus supplies and equipment, upon becoming obsolete or outliving their economic usefulness, are sold off by GSA and proceeds are directed to the General Fund.

While this process is appropriate for line agencies, Bill 157-32 recognizes that surplus originally bought by Autonomous Agencies, such as the Port, Guam Power Authority, and Guam Waterworks Authority, were purchased with funds generated from their respective customer bases. By redirecting funds from the sale of surplus supplies and equipment away from these agencies, ratepayers island-wide are negatively impacted.

Bill 157-32 proposes returning proceeds from a surplus sale back to the owning agency's coffers. The agency will then be able to use such proceeds to defray the costs of purchasing replacement equipment and undertake other needed capital improvements, thus keeping rates low for customers.

I should further note that all existing aspects of the procurement process, including the method by which GSA manages and executes the sale of surplus equipment, shall remain the same; only the directing of funds, in which the proceeds of surplus sales will now be returned to the autonomous agency's fund from which the item was originally financed, will be amended.

I wish to thank Senator Respicio and Vice Speaker Cruz for joining me in co-sponsoring Bill 157-32 in an effort to keep rates low for our island community, and I look forward to its timely enactment into law.



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
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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

July 24, 2013

VIA E-MAIL
john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes- Bill Nos. 152-157(COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Thomas C. Ada
Acting Chairperson of the Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 JUL 24 AM 11:15
MB

Bill Nos.	Sponsor	Title
152-32 (COR)	T. R. Muña Barnes	AN ACT TO REZONE LOT NOS. 146-4, 146-5, 146- 6, 146-7 AND 146-R7, IN THE MUNICIPALITY OF MERIZO FROM SINGLE-FAMILY DWELLING ZONE (R-1) TOCOMMERCIAL ZONE (C).
153-32 (COR)	Aline A. Yamashita, Ph.D.,Dennis G. Rodriguez,Jr.	AN ACT RELATIVE TO THE RIGHTS OF NURSING MOTHERS AND CHILDREN RELATIVE TO BREASTFEEDING TO BE KNOWN AS THE "NANA YAN PATGON ACT," BY ADDING A NEW CHAPTER 4B, DIVISION 1 OF TITLE 19, GUAM CODE ANNOTATED; BY AMENDING SECTION 22107, DIVISION 2, CHAPTER 22 OF TITLE 7, GUAM CODE ANNOTATED; BY ADDING A NEW SECTION 80.49.1 OF CHAPTER 80, ARTICLE 2 OF TITLE 9, GUAM CODE ANNOTATED; AND, BY ADDING A NEW SECTION 1036 TO CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED.
154-32 (COR)	T.R. Muna Barnes, B.T. Mc Credie	AN ACT TO ADD NEW §7103(g) OF CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING FROM VEHICLE REGISTRATION REQUIREMENTS CERTAIN MOTORIZED UTILITY VEHICLES OPERATED BY GUAM MAYORS IN ACCORDANCE WITH, AND IN FURTHERANCE OF, THEIR STATUTORILY PRESCRIBED DUTY TO OVERSEE, COORDINATE AND OTHERWISE UNDERTAKE THE BEAUTIFICATION AND MAINTENANCE OF THEIR VILLAGES.
155-32 (COR)	R.J. RESPICIO, T.C. ADA, B.J. CRUZ, T.R. MUÑA BARNES, D.G. RODRIGUEZ,A.A.Y AMASHITA, Ph.D. V.A. ADA	AN ACT TO ACCEPT AND APPROVE THE TERMS AND CONDITIONS OF THE APPENDED AGREEMENT BETWEEN THE BANK OF GUAM AND I LIHESLATURAN GUÅHAN, WITH THE ASSISTANCE AND ADVICE OF THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA), RELATIVE TO FINANCING THE RECONSTRUCTION OF THE HISTORIC GUAM LEGISLATURE BUILDING IN HAGATÑA, IN CONJUNCTION WITH THE GUAM PRESERVATION TRUST, TO INCLUDE MODERNIZING, REFURBISHING AND RESTORING THE EXISTING STRUCTURE, WHICH IS AN IMPORTANT COMPONENT OF THE REVITALIZATION OF HAGATÑA.
156-32 (COR)	Judith T. Won Pat, Ed.D. B.J.F. Cruz Tina R. Muna Barnes C. M.Duenas	ANACT TOCREATE THEGUAM TRADEMARK COMMISSIONFOR THE DEVELOPMENT OF A CULTURAL TRADEMARK STATUTE FOR THE PROTECTION AND PRESERVATION OF GUAM'S CHAMORRO CULTURAL ARTS
157-32 (COR)	T.C. Ada R.J. Respicio B.J. Cruz	AN ACT TO ADD A NEW §5404 TO 5 GCA CHAPTER5 RELATIVE TO THE PROCEEDS DERIVED FROM THE DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND EQUIPMENT.

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

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COMMITTEE ON RULES

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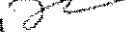
Senator
Aline Yamashita
Member

July 23, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 157-32(COR)**

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 157-32(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'ase!

Attachment

I Mina'Trentai Dos Na Liheslaturan Guahan

Bill Log Sheet

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August 22, 2013

MEMORANDUM

To: All Members/All Senators
From: Chairman, Committee on General Government Operations and Cultural Affairs
Re: First Notice of Public Hearing – Five Day Notice – August 29, 2013

Hafa Adai! Please be advised that the Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing on **Thursday, August 29, 2013, beginning at 10:00AM in / Liheslatura's Public Hearing Room** with the following agenda:

Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.

Bill No. 158-32 (COR) - M.F.Q. San Nicolas - An act to require each agency or instrumentality of the government of Guam to determine payments that can be made through its website and to require the Bureau of Information Technology to estimate the cost of implementing such online payments.

Bill No. 163-32 (COR) - F.B. Aguon, Jr. / T.C. Ada / A.A. Yamashita, Ph.D. - An act relative to providing service-disabled veteran-owned businesses preference in government of Guam contractual opportunities for the provision of services or products to the community; through adding a new Article 15 to Chapter 5, Title 5, Guam Code Annotated; this act shall heretofore be referred to as the "Guam Service-Disabled Veterans Business Opportunity Act"

Please provide written testimonies at least one day prior to the hearing to the Office of Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagatña Guam 96910. They may be sent via facsimile to 477-2522, or via email to mike.lidia@senatorbjcruz.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mike Lidia at the Office of the Vice Speaker Benjamin J.F Cruz at 477-2521 or via email at mike.lidia@senatorbjcruz.com.

Senseramente,

Mike Lidia
Committee Director
Office of Vice Speaker Cruz
477-2520



Mike Lidia <mike.lidia@senatorbjcruz.com>

First Notice of Public Hearing – Five Day Notice – August 29, 2013

18 messages

Mike Lidia <mike.lidia@senatorbjcruz.com> Thu, Aug 22, 2013 at 8:47 AM
To: phnotice@guamilegislature.org, "Benjamin J.F. Cruz" <senator@senatorbjcruz.com>, Carlo Branch <carlo.branch@gmail.com>, Charissa Tenorio <charissa.tenorio@senatorbjcruz.com>, Matthew Santos <matthew.santos@senatorbjcruz.com>, Tessa Mae Borja Weidenbacher <tessa.borja@gmail.com>

August 22, 2013

MEMORANDUM

To: All Members/All Senators

From: Vice Speaker Cruz, Chairman, Committee on General Government Operations and Cultural Affairs

Re: First Notice of Public Hearing – Five Day Notice – August 29, 2013

Hafa Adai! Please be advised that the Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing on **Thursday, August 29, 2013, beginning at 10:00AM in I Liheslatura's Public Hearing Room** with the following agenda:

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We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mike Lidia at the Office of the Vice Speaker Benjamin J.F Cruz at 477-2521 or via email at mike.lidia@senatorbjcruz.com.

Senseramente,

Mike Lidia

Committee Director

Office of Vice Speaker Cruz
477-2520

Adam Bearce <adam@guamlegislature.org>

Thu, Aug 22, 2013 at 8:57 AM

To: Mike Lidia <mike.lidia@senatorbjcruz.com>, Yong Pak <yong@guamlegislature.org>

Thanks. This is now posted.

[Quoted text hidden]

Tom Ada <tom@senatorada.org>

Thu, Aug 22, 2013 at 9:03 AM

To: Mike Lidia <mike.lidia@senatorbjcruz.com>

Cc: Sen BJ Cruz <senator@senatorbjcruz.com>, "Rory J. Respicio" <roryforguam@gmail.com>

Mike,

I will be off-island on this date. I request deferral of hearing on Bill 157-32.

Sen. Tom Ada

Tom Ada

On Thu, Aug 22, 2013 at 8:47 AM, Mike Lidia <mike.lidia@senatorbjcruz.com> wrote:

[Quoted text hidden]

Mike Lidia <mike.lidia@senatorbjcruz.com>

Thu, Aug 22, 2013 at 9:19 AM

To: Cyrus Luhr <cyrus@senatorada.org>



Mike Lidia <mike.lidia@senatorbjcruz.com>

Second Notice of Public Hearing – Two Day Notice – August 29, 2013

4 messages

Mike Lidia <mike.lidia@senatorbjcruz.com> Tue, Aug 27, 2013 at 8:48 AM
To: phnotice@guamlegislature.org, "Benjamin J.F. Cruz" <senator@senatorbjcruz.com>, Carlo Branch <carlo.branch@gmail.com>, Charissa Tenorio <charissa.tenorio@senatorbjcruz.com>, Charissa Tenorio <charissatenorio@gmail.com>

August 27, 2013

MEMORANDUM

To: All Members/All Senators
From: Chairman, Committee on General Government Operations and Cultural Affairs
Re: Second Notice of Public Hearing – Two Day Notice – August 29, 2013

Hafa Adai! Please be advised that the Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing on **Thursday, August 29, 2013, beginning at 10:00AM in / Liheslatura's Public Hearing Room** with the following agenda:

Bill No. 157-32 (COR) - T.C. Ada / R.J. Respicio / B.J.F. Cruz - An act to add a new §5404 to 5 GCA Chapter 5 relative to the proceeds derived from the disposal of excess or surplus supplies and equipment.

Bill No. 158-32 (COR) - M.F.Q. San Nicolas - An act to require each agency or instrumentality of the government of Guam to determine payments that can be made through its website and to require the Bureau of Information Technology to estimate the cost of implementing such online payments.

Bill No. 163-32 (COR) - F.B. Aguon, Jr. / T.C. Ada / A.A. Yamashita, Ph.D. - An act relative to providing service-disabled veteran-owned businesses preference in government of Guam contractual opportunities for the provision of services or products to the community; through adding a new Article 15 to Chapter 5, Title 5, Guam Code Annotated; this act shall heretofore be referred to as the "Guam Service-

Disabled Veterans Business Opportunity Act"

Please provide written testimonies at least one day prior to the hearing to the Office of Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagåtña Guam 96910. They may be sent via facsimile to 477-2522, or via email to mike.lidia@senatorbjcruz.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mike Lidia at the Office of the Vice Speaker Benjamin J.F Cruz at 477-2521 or via email at mike.lidia@senatorbjcruz.com.

Senseramente,

Mike Lidia

Committee Director

Office of Vice Speaker Cruz
477-2520

Adam Bearce <adam@guamlegislature.org>

Tue, Aug 27, 2013 at 8:52 AM

To: Mike Lidia <mike.lidia@senatorbjcruz.com>, Yong Pak <yong@guamlegislature.org>

Thanks.

[Quoted text hidden]

Mike Lidia <mike.lidia@senatorbjcruz.com>

Tue, Aug 27, 2013 at 9:23 AM

To: Ed Cruz <ed.cruz@bit.guam.gov>

Mr. Cruz:

Please find below a notice for a public hearing for Bill No. 158-32 (COR).

Best Regards

Mike Lidia

[Quoted text hidden]

--

Mike Lidia

Committee Director

Office of Vice Speaker Cruz

477-2520

Mike Lidia <mike.lidia@senatorbjcruz.com>

Tue, Aug 27, 2013 at 9:26 AM

To: joseph.manibusan@doa.guam.gov, catrina.contreras@bit.guam.gov

Mr. Manibusan:

Please find below a public hearing notice for Bill No. 157-32 (COR).

Mike Lidia
Committee Director
Office of Vice Speaker Cruz
477-2520

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

From: **Mike Lidia** <mike.lidia@senatorbjcruz.com>

Date: Tue, Aug 27, 2013 at 8:48 AM

Subject: Second Notice of Public Hearing – Two Day Notice – August 29, 2013

To: phnotice@guamlegislature.org, "Benjamin J.F. Cruz" <senator@senatorbjcruz.com>, Carlo Branch <carlo.branch@gmail.com>, Charissa Tenorio <charissa.tenorio@senatorbjcruz.com>, Charissa Tenorio <charissatenorio@gmail.com>

[Quoted text hidden]

--
Mike Lidia
Committee Director
Office of Vice Speaker Cruz
477-2520

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August 27, 2013

MEMORANDUM

To: All Members/All Senators

From: Chairman, Committee on General Government Operations and Cultural Affairs

Re: Second Notice of Public Hearing – Two Day Notice – August 29, 2013

Hafa Adai! Please be advised that the Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing on **Thursday, August 29, 2013, beginning at 10:00AM in / Liheslatura's Public Hearing Room** with the following agenda:

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Please provide written testimonies at least one day prior to the hearing to the Office of Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagåtña Guam 96910. They may be sent via facsimile to 477-2522, or via email to mike.lidia@senatorbjcruz.com.

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Senseramente,

Mike Lidia
Committee Director
Office of Vice Speaker Cruz
477-2520



PUBLIC HEARING AGENDA

Thursday, August 29, 2013 – 10:00AM

I Liheslatura • Public Hearing Room • Hagåtña, Guam

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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

July 24, 2013

VIA E-MAIL
john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes- Bill Nos. 152-157(COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Thomas C. Ada
Acting Chairperson of the Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 JUL 24 AM 11:15
JMB

Bill Nos.	Sponsor	Title
152-32 (COR)	T. R. Muña Barnes	AN ACT TO REZONE LOT NOS. 146-4, 146-5, 146- 6, 146-7 AND 146-R7, IN THE MUNICIPALITY OF MERIZO FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).
153-32 (COR)	Aline A. Yamashita, Ph.D., Dennis G. Rodriguez, Jr.	AN ACT RELATIVE TO THE RIGHTS OF NURSING MOTHERS AND CHILDREN RELATIVE TO BREASTFEEDING TO BE KNOWN AS THE "NANA YAN PATGON ACT," BY ADDING A NEW CHAPTER 4B, DIVISION 1 OF TITLE 19, GUAM CODE ANNOTATED; BY AMENDING SECTION 22107, DIVISION 2, CHAPTER 22 OF TITLE 7, GUAM CODE ANNOTATED; BY ADDING A NEW SECTION 80.49.1 OF CHAPTER 80, ARTICLE 2 OF TITLE 9, GUAM CODE ANNOTATED; AND, BY ADDING A NEW SECTION 1036 TO CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED.
154-32 (COR)	T.R. Muna Barnes, B.T. Mc Credie	AN ACT TO ADD NEW §7103(g) OF CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING FROM VEHICLE REGISTRATION REQUIREMENTS CERTAIN MOTORIZED UTILITY VEHICLES OPERATED BY GUAM MAYORS IN ACCORDANCE WITH, AND IN FURTHERANCE OF, THEIR STATUTORILY PRESCRIBED DUTY TO OVERSEE, COORDINATE AND OTHERWISE UNDERTAKE THE BEAUTIFICATION AND MAINTENANCE OF THEIR VILLAGES.
155-32 (COR)	R.J. RESPICIO, T.C. ADA, B.J. CRUZ, T.R. MUÑA BARNES, D.G. RODRIGUEZ, A.A.Y AMASHITA, Ph.D. V.A. ADA	AN ACT TO ACCEPT AND APPROVE THE TERMS AND CONDITIONS OF THE APPENDED AGREEMENT BETWEEN THE BANK OF GUAM AND I LIHESLATURAN GUÅHAN, WITH THE ASSISTANCE AND ADVICE OF THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA), RELATIVE TO FINANCING THE RECONSTRUCTION OF THE HISTORIC GUAM LEGISLATURE BUILDING IN HAGÁTÑA, IN CONJUNCTION WITH THE GUAM PRESERVATION TRUST, TO INCLUDE MODERNIZING, REFURBISHING AND RESTORING THE EXISTING STRUCTURE, WHICH IS AN IMPORTANT COMPONENT OF THE REVITALIZATION OF HAGÁTÑA.
156-32 (COR)	Judith T. Won Pat, Ed.D. B.J.F. Cruz Tina R. Muna Barnes C. M. Duenas	AN ACT TO CREATE THE GUAM TRADEMARK COMMISSION FOR THE DEVELOPMENT OF A CULTURAL TRADEMARK STATUTE FOR THE PROTECTION AND PRESERVATION OF GUAM'S CHAMORRO CULTURAL ARTS
157-32 (COR)	T.C. Ada R.J. Respicio B.J. Cruz	AN ACT TO ADD A NEW §5404 TO 5 GCA CHAPTER 5 RELATIVE TO THE PROCEEDS DERIVED FROM THE DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND EQUIPMENT.



COMMITTEE ON RULES

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

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

July 23, 2013

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

MEMORANDUM

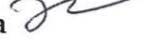
Senator
Vicente (Ben) C. Pangelinan
Member

To: Rennae Meno
Clerk of the Legislature

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

Senator
Dennis G. Rodriguez, Jr.
Member

From: Senator Thomas C. Ada 
Acting Chairperson of the Committee on Rules

Vice-Speaker
Benjamin J.F. Cruz
Member

Subject: Referral of Bill No. 157-32(COR)

Legislative Secretary
Tina Rose Muña Barnes
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 157-32(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*.

Senator
Frank Blas Aguon, Jr.
Member

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

Si Yu'os Ma'åse!

Senator
Michael F.Q. San Nicolas
Member

Attachment




Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (First) Regular Session

Bill No. 157-32 (COR)

Introduced by:

T.C. Ada 
R.J. Respicio 
B.J. Cruz 

**AN ACT TO ADD A NEW §5404 TO 5 GCA CHAPTER 5
RELATIVE TO THE PROCEEDS DERIVED FROM THE
DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND
EQUIPMENT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 autonomous Government of Guam agencies and public corporations procure
4 nonexpendable supplies and equipment using revenues generated from rates and tariffs
5 charged to their customers/ratepayers. When these supplies and equipment have a
6 remaining useful life but are no longer required by the using agency or public corporation
7 in possession of the supplies they are deemed to be excess supplies, or if the supplies
8 become obsolete or have completed their useful life cycle, they are deemed to be surplus
9 supplies. *I Liheslaturan Guåhan* further finds that an objective of the Government of
10 Guam supply management program is to obtain a fair return of value upon disposal of
11 surplus or excess supplies.

12 *I Liheslaturan Guåhan* further finds that net proceeds from the disposition of
13 excess or surplus supplies and equipment are credited to the General Fund. It is the intent
14 of *I Liheslaturan Guåhan* to credit the net proceeds from the disposal of excess and
15 surplus supplies and equipment owned by autonomous agencies and public corporations
16 to the owning autonomous agencies and public corporations for the purpose of procuring
17 replacement supplies and equipment.

18

19 **Section 2.** A new §5404 is added to 5 GCA Chapter 5 to read as follows:

2013 JUL 23 AM 10:23 

1 “§ 5404. Disposal of Excess Supplies and Equipment by an Autonomous Agency
2 or Public Corporation.

3 (a) Notwithstanding the provisions of §5403 (Allocation of Proceeds from Sale or
4 Disposal of Surplus Supplies), when excess or surplus supplies and equipment, purchased
5 with funds generated from rates, tariffs, or sources that are derived from the customers of
6 the autonomous agency or public corporation, and not from the General Fund, are
7 disposed of, the proceeds from the sale, lease or disposal shall be allocated back to the
8 owning autonomous agency or public corporation.

9 (b) Said proceeds shall be used solely for the purchase of replacement equipment
10 or other capital improvement requirements needed to support the operations of the
11 autonomous agency or public corporation.

12 (c) Autonomous Agencies and Public Corporations affected by this chapter
13 include: the A.B. Won Pat Guam International Airport Authority, the Guam Housing
14 Corporation, the Guam Housing and Urban Renewal Authority, the Guam Regional
15 Transit Authority, the Guam Power Authority, the Guam Visitor’s Bureau, the Port
16 Authority of Guam, the Public Defender Corporation, the Public Utilities Commission,
17 the Guam Waterworks Authority, and the Guam Economic Development Authority.”
18

19 **Section 3. Effective Date.** This Act shall become effective upon enactment.
20

21 **Section 4. Severability.** *If* any of the provisions of this law or its application to
22 any person or circumstance is found to be invalid or contrary to law, such invalidity shall
23 *not* affect other provisions or applications of this law which can be given effect without
24 the invalid provisions or application, and to this end the provisions of this law are
25 severable.
26