

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
173-32 (LS)	T. R. Muña Barnes,	AN ACT TO AMEND SECTION 2 1(G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.	08/21/13 5:04 p.m.	8/22/13 <b>Re-Referral</b> <b>8/22/13</b>	Committee on Public Safety, Infrastructure, & Maritime Transportation	10/9/13 3 p.m.	06/11/14 11:14 a.m.	<b>Fiscal Note Requested</b> <b>08/28/13</b> <b>Fiscal Notes Received</b> <b>12/17/13</b>



**Senator Thomas C. Ada**

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation  
*I Mina'trentai Dos Na Liheslaturan Guåhan • 32<sup>nd</sup> Guam Legislature*

MAY 09 2014

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

Speaker

*I Mina'trentai Dos Na Liheslaturan Guåhan*

155 Hesler Place

Hagåtña, Guam 96910

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

**RE: Committee Report on Bill No. 173-32 (LS)**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 173-32 (LS), "An Act to Amend Section 21(g) of Public Law 32-053 Relative to Flood Mitigation Projects of the Department of Public Works." T.R. Muña Barnes

Committee votes are as follows:

2 TO DO PASS

\_\_\_\_\_ TO NOT PASS

4 TO REPORT OUT ONLY

\_\_\_\_\_ TO ABSTAIN

\_\_\_\_\_ TO PLACE IN INACTIVE FILE

*Si Yu'os Ma'åse',*

Thomas C. Ada

2014 JTW/RS/HTT: 14



**Senator Thomas C. Ada**

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation

*I Mina'trentai Dos Na Libeslaturan Guåhan* • 32<sup>nd</sup> Guam Legislature

**COMMITTEE REPORT  
ON**

**Bill No. 173-32 (LS)**

**“An Act to Amend Section 21(g) of Public  
Law 32-053 Relative to Flood Mitigation  
Projects of the Department of Public  
Works.”**



## Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation  
*I Mina'trentai Dos Na Libeslaturan Guåhan* • 32<sup>nd</sup> Guam Legislature

May 7, 2014

### MEMORANDUM

To: **All Members**  
Committee on Public Safety, Infrastructure and Maritime Transportation

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

Subject: **Committee Report on Bill No. 173-32 (LS)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 173-32 (LS), "An Act to Amend Section 21(g) of Public Law 32-053 Relative to Flood Mitigation Projects of the Department of Public Works." T.R. Muña Barnes

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 173-32 (LS)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- COR Referral of Bill No. 173-32 (LS)
- Notices of Public Hearing
- Public Hearing Agenda

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

*Si Yu'os Ma'åse'!*

Thomas C. Ada



**Senator Thomas C. Ada**

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation  
*I Mina'trentai Dos Na Liheslaturan Guahan* • 32<sup>nd</sup> Guam Legislature

**COMMITTEE VOTE SHEET**

**Bill No. 173-32 (LS)**, "An Act to Amend Section 21(g) of Public Law 32-053 Relative to Flood Mitigation Projects of the Department of Public Works." T.R. Muña Barnes

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>SENATOR THOMAS C. ADA</b> Chairperson				✓		
<b>SENATOR RORY J. RESPICIO</b> Vice Chairperson		Mr 5-7-14				
<b>VICE SPEAKER BENJAMIN J.F. CRUZ</b> Member				✓		
<b>SENATOR FRANK B. AGUON, JR.</b> Member				✓		
<b>SENATOR MICHAEL F.Q. SAN NICOLAS</b> Member		5/9/14		✓		
<b>SENATOR ALINE A. YAMASHITA, PH.D.</b> Minority Member						
<b>SENATOR V. ANTHONY ADA</b> Minority Member						
<b>SENATOR BRANT McCREADIE</b> Minority Member						



## Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation  
*I Mina'trentai Dos Na Libeslaturan Guåhan • 32<sup>nd</sup> Guam Legislature*

### COMMITTEE REPORT DIGEST

#### I. OVERVIEW

Bill 173-32 (LS) was introduced on August 21, 2013 by Senator T.R. Muña Barnes and was subsequently referred by the Committee on Rules to the Committee on Public Safety, Infrastructure and Maritime Transportation on August 22, 2013.

The Committee on Public Safety, Infrastructure and Maritime Transportation convened a Public Hearing on Bill 173-32 (LS) on October 9, 2013 at 3:00pm in *I Liheslatura's* Public Hearing Room to receive public testimony on the measure.

#### **Public Notice Requirements**

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on October 2, 2013 (5-Day Notice), and again on October 7, 2013 (48-Hour Notice).

#### **Senators Present**

Senator Thomas C. Ada, *Committee Chairperson*  
Senator Tina Muña-Barnes  
Senator Thomas Morrison

The public hearing was Called-to-Order at 3:22 pm.

#### II. SUMMARY OF TESTIMONY AND DISCUSSION

**Chairperson Ada** opened the discussion and yielded to the sponsor to briefly explain Bill 173-32(LS).

**Sen. T. R. Muña-Barnes** stated that there is an appropriation of \$3,400,000.00 in PL32-053 from Guam Territorial Fund to the Department of Public Works for flood mitigation projects around the island, but there were concerns raised by Mayors that some projects submitted are not on the list in the original bill, she cited as example in the village of Sinajaña: Daso Rd and Lucio Rd.

#### **Mayor Robert Hoffmann**

Mayor, Village of Sinajaña  
*Oral and Written Testimony (see attached)*

**Mayor Hoffmann** stated that his village is in full support of the bill. He stressed that new businesses and road projects contributed to flooding to Spring Lane and Daso Rd. He further

stated that he was wondering why his village was left out of the list but thanks Sen. Muña Barnes for her quick action in drafting this bill.

**Mayor Nito Blas**

Mayor, Village of Mangilao

*Oral Testimony*

Mayor Blas stated that he hopes that this bill will allow him to be able to repair his village roads. He further stated that one particular problem road in his village is Mamis Street.

**Mr. Carl Dominguez**

Director, Department of Public Works

*Oral Testimony*

**Director Dominguez** explained he unintentionally excluded the list of top 5 (five) flooding areas in Sinajaña. He also stated that he received an e-mail from Mayor Hoffmann with the lists. He further explained that the law as he reads is for flood mitigation not road repair and for two years he has been looking to repair Mamis St. but needs a \$25,000.00 appropriation.

**Discussion, Question and Answer**

**Chairperson Ada** asked the sponsor of the bill to coordinate with Mr. Dominguez to mark up the bill and report it out.

**Mayor Blas** stated that he has been waiting five years to repair Mamis St. and he approached Hawaiian Rock Products to widen the (243 feet long) road. He stated he is concerned about the emergency vehicles that will need to pass through that road and was planning on using his own budget. According to Mayor Blas, three people concerned with the issue already died because of old age. He stated appreciated any help in taking care of Mamis St.

**Director Dominguez** acknowledged Mayor Blas for his hard work to free up the easement and estimates it needs one ten-foot wide to eleven-foot wide lane of asphalt to make a two-lane road with stripes and reflectors.

**Sen. T. R. Muna Barnes** stated she wants to note for the record that a letter submitted by Mayor Blas to the Committee be appended and to continue working with him for updates. She asked the Mayors present and the Director if there is a need to amend present law to purchase equipment to help mitigate the flooding problem.

**Director Dominguez** replied that there were few lots that need flood mitigation work. He cited the Taitano St. in the Harmon area has terrible flooding. According to him there was two million dollars (\$2,000,000) left in the highway funds with full discretion given to him as to how it would be spent on flood mitigation. But he stated there was a suggestion to have the 19 mayors submit their lists of top five flooding areas. He further stated that frankly, the two million dollars is not enough and according to 2010 village flood mitigation study, approximately 170 million dollars is what is needed. He further stated that his Deputy-Director and engineers are working

hard to identify those flooding areas and costs estimates. He added that it's going to be tough to satisfy two mitigation projects per village and continued that he and Deputy Director Pelican also approached Sen. Rodriguez, the sponsor of the original bill, to use the \$2,000,000.00 to buy equipment and have three staging areas in the north, central and south and have the equipment available for the mayors to use. He also suggested one project per village.

**Mayor Blas** intervened and stated they spent \$35,000.00 in Tai area for a leaching field and it did not solve the flooding. He further stated that it's a waste of money if there is no type of study done.

**Director Dominguez** answered that some of these problem are very difficult to solve and very expensive. He cited Route 17 that was recently paved where they created four new ponding basins when there were none before.

**Senator Muña Barnes** stated some of the concerns from the mayors have gotten plugged up and nothing has been done. She also cited a problem in Agat that needs \$1,000,000.00 for flooding mitigation. She asked if DPW has a plan to address that issue?

**Director Dominguez** replied that according to the 2010 village flooding study, it shows how to fix the problem and estimates the cost is up to \$170 million.

**Mayor Hoffman** suggested buying equipment is a good option for clearing debris and will allow them to be able to react to the situation. He also stated he supports one project per village.

**Rufo J. Lujan**  
Resident of Talofofo  
*Oral Testimony*

**Rufo J. Lujan** stated a flooding problem adjacent to his house started many years ago when a new landowner put a road (ten feet wide) over a ditch. In 1997 the flooding problem began. His house got flooded three times but eventually DPW repaired it, but it still backs up due to the fact that half of Talofofo drains into the ponding basin in front of his house. He also added that money was appropriated since 1993 and that there has been a plan since 2008.

**Mayor Joana Margaret C. Blas**  
Mayor, Village of Asan-Maina  
*Oral Testimony*

**Mayor Blas** thanked DPW and agrees with the plan. She emphasized that flooding is a problem caused by developers. She suggested that the Mayors office should be notified of construction as part of the building permit process so mayors will be aware of the projects in their community.

**Senator Muña Barnes** asked Mr. Dominguez if road guardrails are included in flood mitigation projects?



**Director Dominguez** replied that in the last three years the federal government provided three million dollars (\$3,000,000.00) for guardrail projects exclusive of flooding projects.

The discussion on Bill 173 then came to a close. The Committee proceeded to another bill to be heard.

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

The Committee on Public Safety, Infrastructure and Maritime Transportation hereby reports Bill 173-32 (LS) with the recommendation TO REPORT OUT ONLY

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

Bill No. 173-32(LS)

Introduced By:

T.R. MUÑA BARNES

AN ACT TO AMEND SECTION 2 1(G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.

2013 AUG 21 PM 5:04  
*[Signature]*

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

2 **Section 1.** 1(G) Section 2 of Public Law 32-053 is hereby amended to read  
3 as follows:

4 **“Section 2. Appropriation from the Guam Highway Fund.**  
5 Notwithstanding any provision of law, the sum of Three Million Four  
6 Hundred Thousand Dollars (\$3,400,000) is hereby appropriated from the un-  
7 appropriated fund balance of the Guam Territorial Highway Fund to the  
8 Department of Public Works as follows:

9 **(1) Flood Mitigation (DPW):**

10 (G) Flood Mitigation Projects around the island, as directed  
11 by the Director of DPW and as prescribed in Exhibit “A”  
12 through “~~R~~” “S” of this Act.”

# EXHIBIT "S"

Robert R.D.C. Hofmann  
Mayor

Rudy D. Iriarte  
Vice Mayor



Municipality of Sinajana  
Mayors' Council of Guam  
*Konschelon Mahot Guåhan*

Sinajana Mayor's Office  
P. O. Box 786 Hagatña, Guam 96932  
Phone 671-472-6707 | 671-477-3323  
Fax 671-472-5084  
sinajanamayorsoffice@gmail.com

May 28, 2013

Angel R. Sablan  
Executive Director, MCOG


Subject: Priority High Flooding Areas

*Buenas yan Hafa Adai!* As requested, the following are the 5 Major Flooding Areas in the Village of Sinajana;

1. Spring Lane
2. Daso Road
3. Lucio Road / Road above Lucio Road
4. Chaot Street
5. Ottot Court

Should you require further information, please contact me at the numbers provided. *Si Yu'us Ma'ase and have a great week!*

*Senseramente,*

  
Rudy Iriarte  
Vice Mayor







The Community of Education, Culture and Sports



*Office of the Mayor*  
*Municipality of Mangilao*



P.O. Box 786 Hagatna, GU 96932 (671) 734-2163 / 5731 Fax: (671) 734-4130

**Nonito "Nito" C. Blas, Mayor**

**Allan G. Ungacta, Vice Mayor**

Date: September 27, 2013

Honorable Tina Muna Barnes  
Senator  
I Mina Trentai Dos Na Liheslaturan Guahan  
115 Hessler St., Hagatna, Guam 96910

Dear Senator Barnes,

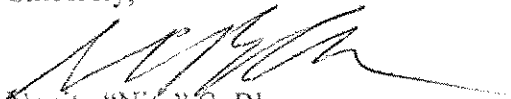
*Buenas yan Hafa Adai!* Transmitted herewith are the estimates that we have obtained to get a financial picture of the amount needed to fully upgrade and improve the portion of the Mamis St. Mangilao.

We hope that through your leadership and persuasion, that we will be able to receive an appropriation from the Guam Legislature to make the improvement of the long awaited road improvement

Please let me know if you need further information or guidance in making this proposal. We look forward to testifying once your legislative proposal is introduced and scheduled for a public hearing.

Once again, Si Yu'os Ma'ase, for your interest in our village and how best to serve the people of Mangilao.

Sincerely,

  
Nonito "Nito" C. Blas  
Mayor

Office of the Legislative Secretary  
Senator Tina Rosa Muna Barnes  
Date 9-27-13  
Time 11:08 P  
Received by [Signature]

cc:  
Honorable Eddie B. Calvo,  
Governor of Guam  
Carl Dominguez, Director  
Department of Public Works

(10)



Hawaiian Rock Products

September 26, 2013  
HRPG #2013-450

Mangilao Mayor's Office  
P.O. Box 786  
Hagatna, Guam 96932

Attention: Mayor Nito Blas

Reference: **Mamis Street Paving, Mangilao**

Gentlemen:

We are pleased to quote the following discounted price for the above referenced project, subject to the enclosed Standard Terms and Conditions:

Contract Items (Access Road - 245' long x 16' wide):

- 1. Supply and install 4" thick base course and compact.
- 2. Supply and install 2" thick asphaltic concrete pavement using 25% RAP Technology with CSS-1h prime coat on the prepared base with an area of approximately 318 square yards.

**Lump Sum \$ 14,907.00**

**Notes:**

- 1. No permits/drawings are included.
- 2. Utility clearance not included.
- 3. Certified independent laboratory test and report, for the asphaltic concrete pavement, is not included.
- 4. Bonding if any, is not included.
- 5. Adjustment/relocation of utilities, e.g. power poles, manholes, etc., if any, by others.
- 6. Pavement markings/stripping and wheel stops are not included in this proposal.
- 7. Traffic control by others.
- 8. This price is good for ninety (90) days from date of proposal, after which this price is subject to change.

We appreciate the opportunity to be of service to you on this project. Should you have any questions, please feel free to call our office.

Very truly yours,  
**HAWAIIAN ROCK PRODUCTS**

  
**J. ARTHUR D. CHAN, JR.**  
Engineering/Marketing Manager





**COMMITTEE ON RULES**

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
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

December 17, 2013

**Memorandum**

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

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

**Subject:** **Fiscal Notes /Waivers**

2013 DEC 17 PM 2:29

*Hafa Adai!*

Attached please find the fiscal note for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

**FISCAL NOTES:**

- Bill No. 173-32(LS)
- Bill No. 208-32(COR)
- Bill No. 213-32(COR)
- Bill No. 221-32(COR)
- Bill No. 227-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR

DEC 06 2013

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 173-32(LS), 208-32(COR), 213-32(COR), 221-32(COR) and 227-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.



JOHN A. RIOS  
Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 173-32 (LS)**

**AN ACT TO AMEND SECTION 2 (I)(G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	11,235,337
Department's Other Fund (Specify) appropriation(s) to date: DPW Building & Design Fund (\$597,019); Guam Highway Fund (\$8,132,517)	8,729,536
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$19,964,873</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund): I/	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 173-32)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (If applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund) I/	I/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>I/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Analyst: Angela Flores Date: 11/25/13 Director: John A. Rios Date: DEC 06 2013  
Angela Flores, BMA IV John A. Rios, Director

Footnotes: I/  
This involves a reprogramming of appropriation from the un-appropriated fund balance of the Guam (Territorial) Highway Fund. The proposed legislation amends Item I(G), Section 2 of P.L. 32-053 to include the Municipality of Sinajana in Attachment S to receive a share of the \$2,009,000, currently allocated to eighteen (18) municipalities based on Attachments A thru R, or about \$111,611 for each municipality. If enacted, the number of municipalities to receive fund allocation will change from eighteen (18) to nineteen (19), or a change from about \$111,611 to \$105,737 for each municipality, as a result of the redistribution (see Attachment). Funds are available based on the 2013-2014 fiscal year budget approved for FY 2013 by the Legislature on 11/20/13.

**ATTACHMENT TO FISCAL NOTE ON BILL NO. 173-32 (LS)**

**Impact of Amendment to Public Law 32-053:2:1(G)**

Description			Section	Current Appropriation Breakdown (P.L. 32- 053:2:1(G))	Proposed Breakdown (B.M. No. 173-32 (LS))	Variance (decrease)
Flood Mitigation (DPW)	Taitano Str	Harmon	2:1(A)	246,000.00	246,000.00	-
Flood Mitigation (DPW)	Lot 4, Bk 10, Rt 10	Barrigada	2:1(B)	215,000.00	215,000.00	-
Flood Mitigation (DPW)	Lot 6-1, Bk 2, Rt 8	Barrigada	2:1(C)	300,000.00	300,000.00	-
Flood Mitigation (DPW)	Chalan Lamasu	Dededo	2:1(D)	300,000.00	300,000.00	-
Flood Mitigation (DPW)	Various	Yigo	2:1(E)	150,000.00	150,000.00	-
Flood Mitigation (DPW)	Lot 1019-5-4 & -3	Barrigada	2:1(F)	180,000.00	180,000.00	-
Flood Mitigation (DPW)	Municipality	Agana Heights	2:1(G) Exh A	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Agat	2:1(G) Exh B	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Asan	2:1(G) Exh C	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Barrigada	2:1(G) Exh D	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Chalan Pago	2:1(G) Exh E	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Dededo	2:1(G) Exh F	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Hagatna	2:1(G) Exh G	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Inarajan	2:1(G) Exh H	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Mangilao	2:1(G) Exh I	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Merizo	2:1(G) Exh J	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	MTM	2:1(G) Exh K	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Piti	2:1(G) Exh L	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Santa Rita	2:1(G) Exh M	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Talofofo	2:1(G) Exh N	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Tam-Yu-Harm	2:1(G) Exh O	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Umatac	2:1(G) Exh P	111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Yigo	2:1(G) Exh Q	111,611.00	105,736.00	(5,875.00)
Flood Mitigation (DPW)	Municipality	Yona	2:1(G) Exh R	111,611.00	105,736.00	(5,875.00)
Flood Mitigation (DPW)	Municipality	Sinajana (Proposed)	2:1(G) Exh S	-	105,736.00	105,736.00
Sub Total				2,009,000.00	2,009,000.00	-
Total				3,400,000.00	3,400,000.00	-
Appropriation				3,400,000.00	3,400,000.00	-
Variance						



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
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

August 28, 2013

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto: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. 172-32(COR), 173-32(LS), 174-32(LS), 175-32(COR), and 176-32(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.

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

Very Truly Yours,

Senator Rory J. Respicio  
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 AUG 28 PM 1:38  
FAM

Bill Nos.	Sponsor	Title
172-32 (COR)	Brant T. McCreddie, Aline A. Yamashita, Ph.D., T. C. Ada, Tommy Morrison, V. Anthony Ada, Dennis G. Rodriguez, Jr., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO CREATE A NEW ARTICLE 6 & 7 TO CHAPTER 90 TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS "THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2013".
173-32 (LS)	T. R. Muña Barnes,	AN ACT TO AMEND SECTION 2 1(G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.
174-32 (LS)	Vicente (ben) C. Pangelinan, R.J. Respicio, Michael F. Q. San Nicolas, Judith T. Won Pat, Ed.D., T. R. Muña Barnes, B. J.F. Cruz, T. C. Ada, Frank B. Aguon, Jr.	AN ACT MAKING APPROPRIATIONS FOR MEDICAL AND DENTAL INSURANCE PREMIUMS FOR EMPLOYEES OF THE EXECUTIVE AND LEGISLATIVE BRANCHES AND FOR RETIREES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2014.
175-32 (COR)	Michael F.Q. San Nicolas, Frank B. Aguon, Jr., B.J.F. Cruz, Tommy Morrison	AN ACT TO ALLOW NON-COMMISSIONED OFFICERS TO HAVE THEIR SERVICE RECOGNIZED FOR MANAGEMENT POSITIONS OF THE GOVERNMENT OF GUAM, BY ADDING A NEW §4129 TO ARTICLE 1, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED.
176-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 12, DIVISION 2, TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE LICENSING OF SERVICE CONTRACTS SOLD ON GUAM.



## COMMITTEE ON RULES

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

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

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Legislative Secretary  
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Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

August 22, 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:** **Re-Referral of Bill No. 173-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my re-referral of **Bill No. 173-32(LS)**.

Please ensure that the subject bill is re-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!*

Attachment



## COMMITTEE ON RULES

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

August 22, 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. 173-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 173-32(LS)**.

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!*

Attachment



*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
173-32 (LS)	T. R. Muña Barnes,	AN ACT TO AMEND SECTION 2 1(G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.	08/21/13 5:04 p.m.	8/22/13 <b>Re-Referral</b> 8/22/13	Committee on Public Safety, Infrastructure, & Maritime Transportation			



Senator Tom Ada

Cyrus Luhr <cyrus@senatorada.org>

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## Public Hearing Notice: Oct. 9, 2013 at 3:00 pm

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Cyrus Luhr <cyrus@senatorada.org>

Wed, Oct 2, 2013 at 11:05 AM

To: phnotice@guamlegislature.org, media@senatorada.org

Hafa Adai,

Please see the attached notice regarding a Public Hearing being conducted by the Committee on Public Safety, Infrastructure & Maritime Transportation. This hearing will take place on **Wed, Oct 9, at 3:00 pm**, in the Public Hearing room of *I Liheslatura*.

On the Agenda are the following items:

Bill 173-32 – T.R. Muña Barnes

An act to amend Section 2 1(G) of Public Law 32-053 relative to flood mitigation projects of the Department of Public Works.

Bill 196-32 – T.C. Ada, R.J. Respicio

An act to amend Sections 51301(c) and 53105 of Chapter 53, Title 5, Guam Code Annotated, relative to ensuring the adequate repair and restoration of Guam's public roadways by contractors who open and excavate these roads.


Bill 131-32 – T.C. Ada

An act to amend subsection (f) and add a new subsection (g) to §3301 of Chapter 3, Title 16 Guam Code Annotated, relative to establishing speed limits.

Please let me know if you have any questions or concerns.

Thank you,  
Cyrus

---  
Cyrus Luhr  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
*I Mina'trentai Dos na Liheslaturan Guåhan* - 32nd Guam Legislature  
671-473-3301

 PH - 1st notice - 10-09-13.pdf  
511K



## Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation  
*I Mina'trentai Dos Na Liheslaturan Guahan* • 32<sup>nd</sup> Guam Legislature

Oct. 2, 2013

### MEMORANDUM

To: All Senators, Media and Stakeholders  
Fr: Senator Thomas C. Ada  
Subject: **Public Hearing Notice: Oct. 9, 2013 at 3:00 pm**

Please be advised that the Committee on Public Safety, Infrastructure and Maritime Transportation is holding a public hearing on **Wed, Oct. 9, at 3:00 pm**. This meeting will take place in the Public Hearing Room of *I Liheslatura*, and be broadcast on MCV channel 13 and GTA channel 21. The agenda is as follows:

#### 3:00 pm

##### **Bill 173-32** – T.R. Muña Barnes

An act to amend Section 2 I(G) of Public Law 32-053 relative to flood mitigation projects of the Department of Public Works.

##### **Bill 196-32** – T.C. Ada, R.J. Respicio

An act to amend Sections 51301(e) and 53105 of Chapter 53, Title 5, Guam Code Annotated, relative to ensuring the adequate repair and restoration of Guam's public roadways by contractors who open and excavate these roads.

##### **Bill 131-32** – T.C. Ada

An act to amend subsection (f) and add a new subsection (g) to §3301 of Chapter 3, Title 16 Guam Code Annotated, relative to establishing speed limits.

Testimonies should be addressed to Senator Thomas C. Ada, and will be accepted via hand delivery to our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until Wednesday, Oct. 23, 2013 at 5:00 pm. Individuals with questions or concerns, including requests for special accommodations, auxiliary aids or services, should contact Cyrus Luhr at my office at (671) 473-3301.

*Si Yu'os Ma'ase,*

Thomas C. Ada



Office of  
Senator Tom Ada

Cyrus Luhr <cyrus@senatorada.org>

---

## Public Hearing - 2nd Notice - Wed, Oct 9, at 3:00 pm

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Cyrus Luhr <cyrus@senatorada.org>

Mon, Oct 7, 2013 at 11:37 AM

To: phnotice@guamlegislature.org, media@senatorada.org

Hafa Adai,

Please see the attached notice regarding a Public Hearing being conducted by the Committee on Public Safety, Infrastructure & Maritime Transportation. This hearing will take place on **Wed, Oct 9, at 3:00 pm**, in the Public Hearing room of *I Liheslatura*.

On the Agenda are the following items:

Bill 173-32 – T.R. Muña Barnes

An act to amend Section 2 1(G) of Public Law 32-053 relative to flood mitigation projects of the Department of Public Works.

Bill 196-32 – T.C. Ada, R.J. Respicio

An act to amend Sections 51301(c) and 53105 of Chapter 53, Title 5, Guam Code Annotated, relative to ensuring the adequate repair and restoration of Guam's public roadways by contractors who open and excavate these roads.

Bill 131-32 – T.C. Ada


An act to amend subsection (f) and add a new subsection (g) to §3301 of Chapter 3, Title 16 Guam Code Annotated, relative to establishing speed limits.

Please let me know if you have any questions or concerns.

Thank you,  
Cyrus

---

Cyrus Luhr  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
*I Mina'trentai Dos na Liheslaturan Guahan* - 32nd Guam Legislature  
671-473-3301

 PH - 2nd notice - 10-09-13.pdf  
515K



## Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation  
*I Mina'trentai Das Na Liheshaturan Guahan* • 32<sup>nd</sup> Guam Legislature

Oct. 6, 2013

### MEMORANDUM

To: All Senators, Media and Stakeholders  
Fr: Senator Thomas C. Ada  
Subject: **Public Hearing Notice: Oct. 9, 2013 at 3:00 pm**

Please be advised that the Committee on Public Safety, Infrastructure and Maritime Transportation is holding a public hearing on **Wed, Oct. 9, at 3:00 pm**. This meeting will take place in the Public Hearing Room of *I Liheshatura*, and be broadcast on MCV channel 13 and GTA channel 21. The agenda is as follows:

#### 3:00 pm

**Bill 173-32** – T.R. Muña Barnes

An act to amend Section 2 I(G) of Public Law 32-053 relative to flood mitigation projects of the Department of Public Works.

**Bill 196-32** – T.C. Ada / R.J. Respicio

An act to amend Sections 51301(c) and 53105 of Chapter 53, Title 5, Guam Code Annotated, relative to ensuring the adequate repair and restoration of Guam's public roadways by contractors who open and excavate these roads.

**Bill 131-32** – T.C. Ada

An act to amend subsection (f) and add a new subsection (g) to §3301 and of Chapter 3, Title 16 Guam Code Annotated, relative to establishing speed limits.

Testimonies should be addressed to Senator Thomas C. Ada, and will be accepted via hand delivery to our mailbox at the Main Legislature Building at 155 Hester Place, Hagatña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until Friday, Oct. 25, 2013 at 5:00 pm. Individuals with questions or concerns, including requests for special accommodations, auxiliary aids or services, should contact Cyrus Luhr at my office at (671) 473-3301.

*Si Yu'os Ma'ase.*

Thomas C. Ada

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LISTING OF E-MAIL ADDRESSES OF SENATORS  
As of August 27, 2013

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## Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation  
*I Mina'trentai Dos Na Liheslaturan Guåhan* • 32<sup>nd</sup> Guam Legislature

### AGENDA

#### PUBLIC HEARING

Wednesday, October 9, 2013

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

#### 3:00 pm

##### **Bill 173-32** – T.R. Muña Barnes

An act to amend Section 2 1(G) of Public Law 32-053 relative to flood mitigation projects of the Department of Public Works.

##### **Bill 196-32** – T.C. Ada / R.J. Respicio

An act to amend Sections 51301(c) and 53105 of Chapter 53, Title 5, Guam Code Annotated, relative to ensuring the adequate repair and restoration of Guam's public roadways by contractors who open and excavate these roads.

##### **Bill 131-32** – T.C. Ada

An act to amend subsection (f) and add a new subsection (g) to §3301 of Chapter 3, Title 16, Guam Code Annotated, relative to establishing speed limits.

Testimonies should be addressed to Senator Thomas C. Ada, and will be accepted via hand delivery to our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until Wednesday, October 23, 2013 at 5:00 pm. Individuals requiring special accommodations, auxiliary aids or services should submit their request to Cyrus Luhr at 473-3301. Please feel free to contact my office at 473-3301 should you have any questions.

# Route 3 commercial boom imminent with GRMC opening

By Niley Gregg  
A message by Niley Gregg  
Variety News Staff

The anticipated opening of a private hospital on Route 3 in Dededo is generating a significant number of real estate transactions, providing a much-needed boost to the island's property market that has become practically dormant following a series of multi-million-dollar sales last year.

Commerce Valuation Guam President Siska Hutapea said Route 3 – the site of the Guam Regional Medical City – is giving the island's beleaguered real estate market "a lot of exciting" developments that include the possibility of a commercial boom around the new hospital's location.

Hutapea mentioned recent Route 3 property acquisitions by the owners of Microesta Mall and the future Tunon Bay Mall – Goodwind Development Corp. and Grandview Development Corp.

"Two pieces of property were recently acquired by the Microesta Mall owners. They also last month acquired another 10



Commerce Valuation Guam President Siska Hutapea said Route 3 – the site of the Guam Regional Medical City – is giving the island's beleaguered real estate market "a lot of exciting" developments that include the possibility of a commercial boom around the new hospital's location. (Niley Gregg)

acres of land for \$90 per square meter. Based on these alone, we might see retail and other commercial developments in the vicinity," Hutapea said.

Apparently, this is the same property that was purchased in 2008 for \$74 per square meter but was later returned to M-I and subsequently sold at \$90

per square meter.

Government records disclosed that Goodwind Development has purchased 26,568 square meters of properties on May 8 from Gregory Blas on administrator's deed. The properties, consisting of at least three parcels or more, were acquired by Goodwind Development for more than \$2.0 million at \$77 per square meter. The company, in August, also closed a real estate purchase deal on a property along Route 3 across from the new hospital site. This property is in addition to the May 8 acquisition.

### Abundant supply

Hutapea said that about 32,000 square meters of property along Route 3, including

the hospital site, have been sold since 2008 at a total price of \$20 million. "There's an abundant supply of fairly affordable M-I and multiple family dwelling properties in the area, which is keeping prices within reasonable value despite the area being a real estate hotspot."

She said the area surrounding the Guam Regional Medical City – including the hospital property – is comprised of about 3,000 acres of land mostly available for commercial, retail and multiple-family dwelling developments.

Hutapea mentioned that the Guam Economic Development Authority is in charge of a property in the area and is also planning a retail development.

"This area is mostly zoned M-I but some are already zoned H and R-2. It will be very exciting to see developments in the Route 3 vicinity in the coming years."

Route 3 and Tunon are the only areas seeing a significant number of real estate transactions so far this year, pushing property sales volume in 2013 back to the 2009 levels at around \$250 million.

Compared with 2012, the island's real estate market dropped by 46 percent to \$157.4 million from \$472.9 million but Hutapea attributed the significant decline to huge property sales last year.

According to the Guam Real Estate News, more than half of 2012's sales volume was just from five transactions – the \$142 million sale of Guam Premier Outlets and Tunon Sands Plaza to Japanese billionaire Katsuhiko Kinoshita's group; the \$20.5 million sale of the Tunon Bay Mall property to Filipino tycoon Lucio Tan's local companies; two Tunon sales totaling \$22.4 million to one of Taiwan's largest construction firms Lih Pao; and the \$52.5 million sale of Ladera Tower to Jack Bai.

Hutapea said these five major real estate sales in 2012 explain the disparity in the total number of transactions and sales volume for this year. The number of transactions in 2013 rose by 2 percent to 1,035 from the previous year's 1,005, while sales volume shrank by 46 percent.

**Department of Revenue & Taxation  
BOARD OF EQUALIZATION  
General Membership Meeting**

The Board of Equalization will hold a general membership meeting on Tuesday, October 15, 2013, 3:30 p.m. at the Department of Revenue and Taxation (Director's Conference Room 2nd floor), 1240 Army Drive, Barrigada.

**Senator Tom Ada**  
Chairman, Committee on Infrastructure  
32nd Legislature

**Public Hearing Notice**  
Wednesday, October 10, 2013  
3:00pm • Public Hearing Room, Guam Legislature

**AGENDA**

**Bill 173-12**  
Relative to flood mitigation projects of the Department of Public Works. (Intro by T.R. Mura Barnes)

**Bill 196-12**  
Relative to ensuring the adequate repair of Guam's roadways by contractors and public agencies who open and excavate them. (Intro by T.C. Ada and R.J. Respicio)

**Bill 131-12**  
Relative to establishing speed limits. (Intro by T.C. Ada)

Individuals requiring special accommodations, auxiliary aids, or services should submit their request to the Office of Senator Tom Ada at 473-2301. Copies of agenda items may be found on the official Guam Legislature website ([www.guamlegislature.com](http://www.guamlegislature.com)).

Paid for with public funds by the Committee

## AGO seeks dismissal of inmate's case

By Gina Tabontones-Rivley  
gina@mvguam.com  
Variety News Staff

The Attorney General's Office has filed an opposition asking the District Court of Guam to deny an inmate's motion to amend his complaint against the Department of Corrections.

Vicente G. Perez, 48, a convicted sex offender, filed his original complaint on May 17. He alleged that since being taken into custody in DOC, he has not received proper medical and dental treatment.

When he broke his wrist, Perez said DOC officials gave him medication and a bandage but did not provide him with a splint or assign him a lower bunk for sleeping.

On July 30, an amended complaint by Perez was docketed and the inmate sought damages in the amount of \$1.5 million for negligent infliction of emotional distress.

*Vicente G. Perez, 48, a convicted sex offender, filed his original complaint on May 17. He alleged that since being taken into custody in DOC, he has not received proper medical and dental treatment. When he broke his wrist, Perez said DOC officials gave him medication and a bandage but did not provide him with a splint or assign him a lower bunk for sleeping.*

On Aug. 21, indicating that his previous amended complaint contained an error, Perez submitted a new complaint and wants to seek punitive damages in the amount of \$1.5 million and damages in the amount of \$3.5 million for negligent infliction of mental and emotional distress.

Assistant Attorney General Marianne Woloschuk moved to dismiss the amended complaint, saying the inmate failed to state a claim upon which relief can be granted, based on the defendant named in the complaint and the nature of the remedy sought.

Similarly, the AGO said any

amendment in the case would be futile because Perez's claims against the defendants concern their actions as DOC officials and employees.

"He makes no allegations concerning their actions in an individual capacity. Moreover, he still names DOC as a defendant and continues to seek money damages from the defendants," Woloschuk said in her filing.

The AGO attorney also told the court that Perez's motion to amend should be denied as prejudicial because his complaint supplies insufficient notice of his claims.

**Marquesas Variety-Guam Edition** is circulated by home and office delivery, assignments, and reading machines throughout Guam, as well as delivery to the Federated States of Micronesia, the Marshall Islands, Saipan, Hawaii, Japan and the continental U.S. Daily coverage can also be read from our website: [www.mvguam.com](http://www.mvguam.com).

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**7 - GEMENT MASON WITH 1 YR. EXP.** \$12,877/HR.  
 Duties: Construct and finish surfaces of poured concrete floors, walls, sidewalks, or curb to specified textures using hand tools or power tools including trowels, brooms, and screeds. Signal Concrete delivered to position truck to facilitate pouring concrete. Spread concrete into inaccessible section of forms using rakes, or shovel. Trowel concrete to specified depth and workable consistency using hand, screen and floats to bring water to surface and produce wet topping. Lay concrete blocks and rebar cement using shovel or cement mixing machine.

**3 - CARPENTER WITH 1 YR. EXP.** \$13,867/HR.  
 Duties: Construct, erect, install and repairs structures and frame of wood, wallboard and plywood, including framework. Uses carpenter's hand tools and power tools conforming to local building codes. Reads blueprints, sketches or building plans to determine type of work required and materials needed. Prepares layout using steel framing square, and calipers. Erects framework for structure and lay subfloor board. Buys and installs stain, cabinets, desks, windows, and doorframes.

**3 - REINFORCING METAL WORKER WITH 1 YR. EXP.** \$12,867/HR.  
 Duties: Prepare and secure steel bars at concrete forms to reinforce concrete. Determines numbers, sizes, shapes, and locations of reinforcing rods from blueprints, sketches, or oral instructions. Splices and places rods in forms and spacing, and ties them together using wire and pliers, cut bars to required lengths using hacksaw, bar cutters, or oxy-acetylene torch.

The recruitment associated with this job offer is hereby authorized by the Department of Labor. Questions regarding this job offer are to be directed to the Department of Labor who will independently review matters.

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 1st Floor, GGC Building in Hagatna  
 Ref# 2013-106

The job offer is temporary and open to all qualified U.S. workers without regard to race, color, national origin, age, sex, citizenship and is open to U.S. workers with disabilities who are qualified, willing, able and available to perform the job. The job offer is in compliance with Title II of the Genetic Information Nondiscrimination Act of 2008.

Benefits: Round trip airfare for off-island hire, food & lodging up to \$20,000, and transportation to/from jobsite.

**1 - LANDSCAPE GARDNER** \$8.85 PER HR.  
 Minimum requirements: Experience: Three (3) months High School Diploma required plus one (1) month approved First Aid and CPR Course required within 3 working days of initiation of hire.  
 Duties: Landscapes and maintain grounds for commercial, government and residential facilities. Prepares and grades terrain, applies herbicides, fertilizers and soil treatments, plants, shrubs, ornamental plants, trees, grass, flowers and other plants selected by property owner or those recommended by particular landscape effect. Utilizes hand tools and equipment, including but not limited to, mowers, blowers, trimmers, tree trimmers, ladders, tree limbs, stumps and bushes landscaping. Performs routine installation and maintenance of structural concrete retaining walls.

\*Service Contract Act (SCA) may be required during the term of employment. SCA work will be paid at the hourly rate of \$10.93 per hour and benefit of \$10.93 per hour health and welfare benefits will be paid at \$2.79 per hour maximum of benefits hours worked. The payment of overtime and 10 day holiday will be subject to applicable laws and regulations.

To determine whether you are eligible to work under the Department of Labor, please contact the Department of Labor at (671) 646-6604 or visit our website at [www.dol.gov](http://www.dol.gov) or visit our office at the Department of Labor, 1st Floor, GGC Building in Hagatna.

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**Senator Tom Ada**  
 Chairman, Committee on Public Safety,  
 Infrastructure & Maritime Transportation  
 and Guam Legislature

**PUBLIC HEARING NOTICE**  
**WED., OCTOBER 9, 2013**  
**3:00PM at I Liheslaturan Guahan**  
**AGENDA**

**BH173-32**  
 Relative to flood mitigation projects of the Department of Public Works. (Intro by TR Muiña Barnes)

**BH198-32**  
 Relative to ensuring the adequate repair of Guam's roadways by contractors and public agencies who open and excavate them. (Intro by TC Ada and RJ Respiño)

**BH193-32**  
 Relative to establishing speed limits. (Intro by TC Ada)

Individuals requiring special accommodations, auxiliary aids or services should submit their request to William B. Brennan at 472-3361. Please refer to our contact information at 472-3361 should you have any questions.

Copies of Agenda items may be found on the official Guam Legislature Website [www.guamlegis.guam.gov](http://www.guamlegis.guam.gov)

Call for all public funds by the 31st of the month.



# COMMITTEE ON RULES

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Aline Yamashita  
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December 17, 2013

## Memorandum

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

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

**Subject:** Fiscal Notes /Waivers

2013 DEC 17 PM 2:29

*Hafa Adai!*

Attached please find the fiscal note for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

### FISCAL NOTES:

- Bill No. 173-32(LS)
- Bill No. 208-32(COR)
- Bill No. 213-32(COR)
- Bill No. 221-32(COR)
- Bill No. 227-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR

DEC 06 2013

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 173-32(LS), 208-32(COR), 213-32(COR), 221-32(COR) and 227-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS  
Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 173-32 (LS)**

**AN ACT TO AMEND SECTION 2 (G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	11,235,337
Department's Other Fund (Specify) appropriation(s) to date: DPW Building & Design Fund (\$597,019); Guam Highway Fund (\$8,132,517)	8,729,536
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$19,964,873</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund): 1/	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 1(4-S))	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (If applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund) 1/	1/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Analyst: <u>Angela Flores, BMA IV</u>	Date: <u>11/25/13</u>	Director: <u>John A. Rios, Director</u>	Date: <u>DEC 06 2013</u>
---------------------------------------	-----------------------	---	--------------------------

Footnotes: 1/  
This involves a reprogramming of appropriation from the un-appropriated fund balance of the Guam (Territorial) Highway Fund. The proposed legislation amends item 1(G), Section 2 of P.L. 32-053 to include the Municipality of Sinajana in Attachment S to receive a share of the \$2,009,000, currently allocated to eighteen (18) municipalities based on Attachments A thru R, or about \$111,611 for each municipality. If enacted, the number of municipalities to receive fund allocation will change from eighteen (18) to nineteen (19), or a change from about \$111,611 to \$105,737 for each municipality, as a result of the redistribution (see Attachment). Funds are available based on the AS 100 General Appropriation records for FY 2013 as of November 31, 2013.

## ATTACHMENT TO FISCAL NOTE ON BILL NO. 173-32 (LS)

## Impact of Amendment to Public Law 32-053:2:1(G)

Description				Section	Current Appropriation Breakdown (P.L. 32- 053:2:1(G))	Proposed Breakdown (Bill No. 173-32 (LS))	Variance (decrease)
Flood Mitigation (DPW)	Taitano Str	Harmon	2:1(A)		246,000.00	246,000.00	-
Flood Mitigation (DPW)	Lot 4, Blk 10, Rt 10	Barrigada	2:1(B)		215,000.00	215,000.00	-
Flood Mitigation (DPW)	Lot 6-1, Blk 2, Rt 8	Barrigada	2:1(C)		300,000.00	300,000.00	-
Flood Mitigation (DPW)	Chalan Lamasu	Dededo	2:1(D)		300,000.00	300,000.00	-
Flood Mitigation (DPW)	Various	Yigo	2:1(E)		150,000.00	150,000.00	-
Flood Mitigation (DPW)	Lot 1019-5-4 & -3	Barrigada	2:1(F)		180,000.00	180,000.00	-
Flood Mitigation (DPW)	Municipality	Agana Heights	2:1(G) Exh A		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Agat	2:1(G) Exh B		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Asan	2:1(G) Exh C		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Barrigada	2:1(G) Exh D		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Chalan Pago	2:1(G) Exh E		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Dededo	2:1(G) Exh F		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Hagatna	2:1(G) Exh G		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Inarajan	2:1(G) Exh H		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Mangilao	2:1(G) Exh I		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Merizo	2:1(G) Exh J		111,613.00	105,737.00	(5,876.00)
Flood Mitigation (DPW)	Municipality	MTM	2:1(G) Exh K		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Piti	2:1(G) Exh L		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Santa Rita	2:1(G) Exh M		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Talofofo	2:1(G) Exh N		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Tam-Tu-Harm	2:1(G) Exh O		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Umatac	2:1(G) Exh P		111,611.00	105,737.00	(5,874.00)
Flood Mitigation (DPW)	Municipality	Yigo	2:1(G) Exh Q		111,611.00	105,736.00	(5,875.00)
Flood Mitigation (DPW)	Municipality	Yona	2:1(G) Exh R		111,611.00	105,736.00	(5,875.00)
Flood Mitigation (DPW)	Municipality	Sinajana (Proposed)	2:1(G) Exh S		-	105,736.00	105,736.00
		Sub Total			2,009,000.00	2,009,000.00	-
		Total			3,400,000.00	3,400,000.00	-
		Appropriation			3,400,000.00	3,400,000.00	-
		Variance					-

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2013 (FIRST) Regular Session

### Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall  
November 12, 2013

Res. No. 173-32 (COR)  
As amended on the Floor.

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

15

Yea

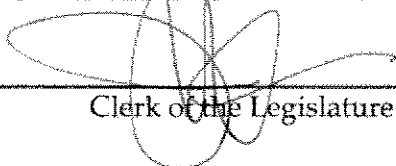
Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass





**COMMITTEE ON RULES**

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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Benjamin J.F. Cruz  
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Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

August 28, 2013

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto: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. 172-32(COR), 173-32(LS),174-32(LS),**  
**175-32(COR), and 176-32(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 Rory J. Respicio**  
*Chairperson, Committee on Rules*

Attachments (1)

Cc: Clerk of the Legislature

2013 AUG 28 PM 1:38  
JAW

Bill Nos.	Sponsor	Title
172-32 (COR)	Brant T. McCreadie, Aline A. Yamashita, Ph.D., T. C. Ada, Tommy Morrison, V. Anthony Ada, Dennis G. Rodriguez, Jr., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO CREATE A NEW ARTICLE 6 & 7 TO CHAPTER 90 TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS "THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2013".
173-32 (LS)	T. R. Muña Barnes,	AN ACT TO AMEND SECTION 2 1(G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.
174-32 (LS)	Vicente (ben) C. Pangelinan, R.J. Respicio, Michael F. Q. San Nicolas, Judith T. Won Pat, Ed.D., T. R. Muña Barnes, B. J.F. Cruz, T. C. Ada, Frank B. Aguon, Jr.	AN ACT MAKING APPROPRIATIONS FOR MEDICAL AND DENTAL INSURANCE PREMIUMS FOR EMPLOYEES OF THE EXECUTIVE AND LEGISLATIVE BRANCHES AND FOR RETIREES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2014.
175-32 (COR)	Michael F.Q. San Nicolas, Frank B. Aguon, Jr., B.J.F. Cruz, Tommy Morrison	AN ACT TO ALLOW NON-COMMISSIONED OFFICERS TO HAVE THEIR SERVICE RECOGNIZED FOR MANAGEMENT POSITIONS OF THE GOVERNMENT OF GUAM, BY ADDING A NEW §4129 TO ARTICLE 1, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED.
176-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 12, DIVISION 2, TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE LICENSING OF SERVICE CONTRACTS SOLD ON GUAM.



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Senator  
Aline Yamashita  
Member

August 22, 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:** **Re-Referral of Bill No. 173-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my re-referral of **Bill No. 173-32(LS)**.

Please ensure that the subject bill is re-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!*

Attachment



## COMMITTEE ON RULES

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August 22, 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. 173-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 173-32(LS)**.

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!*

Attachment

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

Bill No. 173-32(LS)

Introduced By:

T.R. MUÑA BARNES 

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**AN ACT TO AMEND SECTION 2 1(G) OF PUBLIC LAW 32-053 RELATIVE TO FLOOD MITIGATION PROJECTS OF THE DEPARTMENT OF PUBLIC WORKS.**

2013 NOV 21 PM 5:04 

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

**Section 1.** 1(G) Section 2 of Public Law 32-053 is hereby amended to read as follows:

**“Section 2. Appropriation from the Guam Highway Fund.**  
Notwithstanding any provision of law, the sum of Three Million Four Hundred Thousand Dollars (\$3,400,000) is hereby appropriated from the un-appropriated fund balance of the Guam Territorial Highway Fund to the Department of Public Works as follows:

**(1) Flood Mitigation (DPW):**

(G) Flood Mitigation Projects around the island, as directed by the Director of DPW and as prescribed in Exhibit “A” through ~~“R”~~ “S” of this Act.”

# EXHIBIT "S"

Robert R.D.C. Hofmann  
Mayor

Rudy D. Iriarte  
Vice Mayor



Municipality of Sinajana  
Mayors' Council of Guam  
*Konsehelon Mahot Guåhan*

Sinajana Mayor's Office  
P. O. Box 786 Hagåtña, Guam 96932  
Phone 671-472-6707 | 671-477-3323  
Fax 671-472-5084  
sinajanamayorsoffice@gmail.com

May 28, 2013

Angel R. Sablan  
Executive Director, MCOG

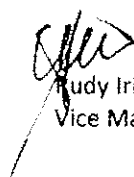
Subject: Priority High Flooding Areas

*Buenas yan Hafa Adai!* As requested, the following are the 5 Major Flooding Areas in the Village of Sinajana;

1. Spring Lane
2. Daso Road
3. Lucio Road / Road above Lucio Road
4. Chaot Street
5. Ottot Court

Should you require further information, please contact me at the numbers provided. *Si Yu'us Ma'ase and have a great week!*

*Senseramente,*

  
Rudy Iriarte  
Vice Mayor