

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
252-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12 GUAM CODE ANNOTATED §10238 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM.	1/3/2014 2:33 p.m.	01/06/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	01/17/14 9 a.m.	01/27/14 11:59 a.m.	Fiscal Note Requested 01/03/14



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JAN 23 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.252-32 (COR), As Introduced

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 252-32 (COR), As Introduced: "An Act to Amend Article 2, Chapter 10 Title 12 Guam Code Annotated §10238 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Jose Leon Guerrero Port Authority of Guam."

2014 JAN 23 11:59
[Handwritten signature]

Committee votes are as follows:

<u>2</u>	TO PASS
<u>0</u>	TO NOT PASS
<u>3</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

[Handwritten signature]
Vicente (Ben) Cabrera Pangelinan
Chairman

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

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

Member
Committee on General
Government Operations and
Cultural Affairs

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

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

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

**COMMITTEE REPORT
ON**

Bill No. 252-32 (COR), As Introduced

Sponsored by Senator Dennis Rodriguez

**“An Act to Amend Article 2, Chapter 10 Title 12
Guam Code Annotated §10238 Relative to the Waiver
of Sovereign Immunity on a loan previously
authorized for the Jose D. Leon Guerrero Port
Authority of Guam.”**



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JAN 23 2014

MEMORANDUM

To: All Members

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

From: Senator Vicente (Ben) Cabrera Pangelinan
Chairman

**Subject: Committee Report on Bill No. 252-32 (COR), As
Introduced**

Transmitted herewith for your consideration is the Committee Report on Bill No. 252-32 (COR), "An Act to Amend Article 2, Chapter 10 Title 12 Guam Code Annotated §10238 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Jose D. Leon Guerrero Port Authority of Guam." Introduced by Senator Dennis Rodriguez.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 252-32 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Letter to Request Fiscal Note Waiver
7. Copy of COR referral Bill No. 252-32 (COR)
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

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

Si Yu'os Ma'åse',



Vicente (Ben) Cabrera Pangelinan
Chairman

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

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

Member
Committee on General
Government Operations and
Cultural Affairs

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

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

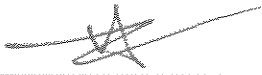


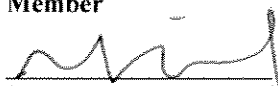

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

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

Bill 252-32 (COR), as introduced, "An Act to Amend Article 2, Chapter 10 Title 12 Guam Code Annotated §10238 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Jose D. Leon Guerrero Port Authority of Guam."

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



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 252-32 (COR)—Introduced by Senator Dennis G. Rodriguez, Jr.—“An Act to Amend Article 2, Chapter 10 Title 12 Guam Code Annotated §10238 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Jose D. Leon Guerrero Port Authority of Guam.”

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on Friday, January 17, 2014, at 9:00am in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on Friday, January 10, 2014 (5-Day Notice), and again on Wednesday, January 15, 2014 (48 Hour Notice).

(a) Committee Members and Senators Present

Vice Speaker BJ Cruz, Vice-Chairman
Senator Mike San Nicolas, Committee Member
Senator Dennis Rodriguez, Committee Member
Senator Chris Duenas
Senator Aline Yamashita
Senator Tony Ada
Senator Rory Respicio

(b) Appearing before the Committee

Felix Pangelinan, Deputy General Manager, Port Authority of Guam

Written Testimonies Submitted

Felix Pangelinan, Deputy General Manager, Port Authority of Guam

II. COMMITTEE PROCEEDINGS

Vice Chair BJ Cruz: We have five bills on the agenda today and unfortunately the Chairman is not present this morning and so I, as Vice Chairman has been asked to conduct this hearing. We will begin this morning with Bill 252, introduced by Senator Dennis Rodriguez and I will ask Senator Rodriguez to make a sponsor statement.

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

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

Member
Committee on General
Government Operations and
Cultural Affairs

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

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

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

Sponsor Statement

Senator Dennis Rodriguez: Thank you Mr. Vice Chairman. This bill is similar to the bill we just heard for the Guam Legislature (referencing Bill 251-32). This bill deals with the Port Authority of Guam. The difference here is the PUC tariff increase; the proposal is still with the PUC. The Attorney General has not signed off on these loan documents that the Legislature previously authorize. But once all the procedures are done and it goes to the Attorney General's Office this language would also satisfy the requirements of the banks/lenders as well as the interpretation of the Attorney General with regard to Sovereign Immunity. Now it would also cover attorney's costs and related costs related to any suit that is brought against the Port for the enforcement of the loan. Thank you Very much Mr. Vice Chair.

Vice Chair BJ Cruz: Thank you Senator Rodriguez. I note that I have signed up Mr. Pangelinan to testify.

Testimonies

Mr. Felix Pangelinan: Thank you very much Mr. vice Chair and members of the committee. I believe Director Arriola and Mr. Quinata (referencing Bill 251-32) has made our point because we are in the same boat.

[Read from his written testimony verbatim.]

Vice Chair BJ Cruz: Thank you very much. Any questions? Senator Duenas?

Senator Chris Duenas: Thank you Felix - just a real quick question because I want to put something on the record here. Did you receive any outside testimony from any attorney, any entities or any financial institution with regard to this proposal?

Mr. Felix Pangelinan: They are all in agreement, in writing "no". We have gotten calls for support of the bill.

Senator Chris Duenas: Mr. Chairman, first of all, I want to thank the main sponsor of this legislation for including me as a co-sponsor. We had a very spirited session a few days ago and that was the anticipation of many spirited conversations. This would be a standard and uniform agreement with regard to this requirement (that the bank put forward). I just wanted to include that as part of the public hearing, realizing and recognizing while there was a lot of back and forth, and a very spirited discussion, it really was more of a procedural matter the financial institution were requiring. Banks had required this and I believe that many financing schemes would require this going forward. Thank you for the opportunity to have these measures move forward. I think Mr. Pangelinan you are probably in the same position as the Hospital needing this money almost immediately to move forward with your improvements. Correct?

Mr. Felix Pangelinan: Yes sir.

Vice Chair BJ Cruz: Thank you very much Senator Duenas and Mr. Pangelinan.

This concludes the testimony on Bill No. 252-32 (COR). There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on 324 W. Soledad Avenue, Hagatna, as well as the Guam Legislature at 155 Hesler St., Hagatna or email at office@guam.net.

The public hearing was adjourned at 5:06 pm.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 252-32 (COR) with the recommendation TO REPORT OUT ONLY.

**I MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN
2014 (SECOND) Regular Session**

Bill No. 252-32 (corp)

Introduced by:

Dennis G. Rodriguez, Jr. *DR*
Rory J. Respicio *RR*
Christopher M. Duenas *CD*

**AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12
GUAM CODE ANNOTATED §10238 RELATIVE TO THE
WAIVER OF SOVEREIGN IMMUNITY ON A LOAN
PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON
GUERRERO PORT AUTHORITY OF GUAM.**

2014 JUN - 2 PM 2:58
CD

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

2 **Section 1.** §10238 of Article 2, Chapter 10, Title 12 Guam Code Annotated,
3 as amended by Public Law 32-042 is hereby amended to read as follows:

4 “§10238. Sovereign Immunity Waived. Notwithstanding any
5 substantive or procedural provision of Chapter 6 of Title 5, Guam Code Annotated,
6 the Authority *shall not* be entitled to immunity from any suit or action in contract
7 on any indebtedness authorized by this Article. For the purposes of this Article
8 only, immunity is also waived as to the award of attorney fees and related costs in
9 connection with any suit brought to enforce any right or obligation given under this
10 Article, or in connection with the enforcement of the terms of any agreement of
11 indenture that arises directly from the issuance of bonds or indebtedness authorized
12 by this Article.

13 Should any suit or action arise or be initiated to enforce any of the terms of
14 any agreement, indenture, or pledge of revenues, concerning the indebtedness

1 authorized under this Article, any judgement therein *shall* be paid solely from the
2 revenues of the Authority, and at no time shall any other property be subject to
3 foreclosure or recourse to satisfy any suit or action authorized by this Article or
4 Judgment therein”

5 **Section 2. Severability.** If any provision of this Act or its application to any
6 person or circumstance is found to be invalid or contrary to law, such invalidity
7 shall not affect other provisions or applications of this Act which can be given
8 effect without the invalid provisions or application, and to this end the provisions
9 of this Act are severable.
10



Mina'trentai Dos na Liheslaturan Guahan
32ND GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

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

Friday, January 17, 2014

Bill No. ~~351~~ 252

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Felix Pangelinan	Port Auth.	477-5931	frpangelinan@portguam	/	/	yes	



PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96925
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
Website: www.portguam.com



Eddie Baza Calvo
Governor of Guam
Ray Tenorio
Lieutenant Governor

January 16, 2014

Office of the speaker
Joseph T. Won Pat, Ed. D.
Date: 1-16-14
Time: 3:20 PM
Received by: [Signature]

Vicente C. Pangelinan, Chair
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic Preservation
and Land

Re: Testimony in Support of Bill 252-32 (COR)

Hafa Adai Senator Pangelinan!

Please accept the Jose D. Leon Guerrero Port Authority of Guam's testimony in support of Bill 252-32 (COR), relative to an additional waiver of sovereign immunity on the approved Port Authority of Guam (PAG) - Bank of Guam (BOG) loan. PAG is grateful for the Legislature's previous approval of PAG's request to waive sovereign immunity allowing for the Ten Million Dollar (\$10,000,000) loan in question to proceed (currently before the Public Utilities Commission).

The loan documents PAG and BOG executed and the Legislature approved contained the following language:


15. Fees and Expenses. The Authority shall pay on demand the reasonable fees and out-of-pocket expenses of outside legal counsel for the Lender incurred in connection with the making of the Loans and the preparation, execution, delivery, filing and recording of this agreement and other documents to be made, executed and delivered in connection with the Loans. The Authority shall pay all other expenses of the Lender, including reasonable attorney's fees, in connection with the administration of the Loans, and all costs and expenses, if any, in connection with the enforcement of this Loan Agreement, the Notes, or the Pledges, including reasonable attorney's fees.

Subsequent to the Legislature's waiver of sovereign immunity in suit for the applicable indebtedness and award of attorneys fees, the Attorney General of Guam opined that such waiver would not cover language similar to that agreed to between PAG and BOG and approved by the Legislature. In furtherance of PAG's pledge above and in good

Letter to Senator Vicente C. Pangelinan
Re: Testimony in Support of Bill 252-32 (COR)
January 16, 2014
Page 2

faith, PAG supports the proposal to include the award of costs in the Legislature's earlier waiver of sovereign immunity. BOG has informed PAG that BOG does not intend to back out of the current PAG-BOG agreement and therefore the inclusion of the additional waiver of sovereign immunity should not affect the status of the loan approval before the Public Utilities Commission (PUC).

Si Yu'os Ma'ase',


Felix R. Pangelinan
Deputy General Manager



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 E.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of

Waiver of

Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 252-32 (COR)** – “AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12 GUAM CODE ANNOTATED §10238 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM.” – on January 3, 2014. COR hereby certifies that BBMR confirmed receipt of this request on January 6, 2014 at 8:16 AM.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 252-32 to be included in the committee report on said bill, is hereby waived.**

Certified by:

Senator Rory J. Respicio
Chairperson, Committee on Rules

January 27, 2014

Date



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
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Senator
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Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 3, 2014

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. 246-32 (COR) through 252-32(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 of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
246-32 (COR)	T C. Ada, R. J. Respicio	AN ACT TO AMEND SECTIONS OF ARTICLE 3 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO SOURCE SELECTION AND CONTRACT FORMATION IN GUAM PROCUREMENT LAW.
247-32 (COR)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO EXPANDING THE GUAM SLAYER'S STATUTE THAT WOULD PROHIBIT INHERITANCE BY A PERSON WHO MURDERS SOMEONE FROM WHOM HE OR SHE STANDS TO INHERIT; THROUGH THE REPEAL AND REENACTMENT OF §819 OF CHAPTER 8, TITLE 15, GUAM CODE ANNOTATED.
248-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO APPROPRIATE TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FROM THE GENERAL FUND TO ALLOW THE GOVERNMENT OF GUAM TO PAY FOR AN INVERSE CONDEMNATION SETTLEMENT PURSUANT TO SUPERIOR COURT OF GUAM CIVIL CASE NO. CV1158-12.
249-32 (COR)	V. Anthony Ada Chris M. Dueñas Aline A. Yamashita, Ph.D. R. J. Respicio T. R. Muña Barnes Tommy. Morrison FRANK B. AGUON, JR. Michael T. Limtiaco	AN ACT TO REPROGRAM THE SUM OF THREE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$375,000.00) TO THE DEPARTMENT OF PUBLIC WORKS FOR THE PAVING OF VILLAGE STREETS AND THE REPAIR OF DAMAGES TO VILLAGE STREETS AS A RESULT OF TRAFFIC DIVERSION RELATED TO ONGOING ROAD CONSTRUCTION PROJECTS.
250-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND DIVISION 4 OF 10 GUAM CODE ANNOTATED §80109(s)(9) RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY.
251-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND PUBLIC LAW 32-67 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM LEGISLATURE.
252-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12 GUAM CODE ANNOTATED §10238 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM.



COMMITTEE ON RULES

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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 6, 2014

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Chairperson of the Committee on Rules

Subject: Referral of Bill Nos. 250-32(COR) through 252-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 250-32(COR) through 252-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

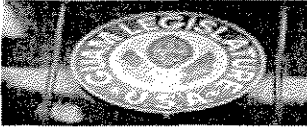
Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Lihelaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
252-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12 GUAM CODE ANNOTATED §10238 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM.	1/3/2014 2:33 p.m.	01/06/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			Fiscal Note Requested 01/03/14



Lisa Dames <cipo@guamlegislature.org>

Public Hearing FIRST NOTICE

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

Fri, Jan 10, 2014 at 4:35 PM

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00 am on Friday, January 17, 2014** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 250-32 (COR) – Introduced by Senator Dennis Rodriguez: An Act to Amend Division 4 of 10 Guam Code Annotated §80109(s)(9) Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Guam Memorial Hospital.

Bill No. 251-32 (COR) – Introduced by Senator Dennis Rodriguez: An Act to Amend Public Law 32-67 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Guam Legislature.

Bill No. 252-32 (COR) – Introduced by Senator Dennis Rodriguez: An Act to Amend Article 2, Chapter 10 Title 12 Guam Code Annotated §10238 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Jose D. Leon Guerrero Port Authority of Guam.

Bill No. 257-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act to Amend §4107, Chapter 4, Title 5 of the Guam Code Annotated, to Amend Sections 5 and 6 of Public Law 30-37, to Amend Section 7 of Public Law 31-76 and to Amend Section 1107(g), Chapter 1, Title 11 of the Guam Code Annotated, Relative to Enhancing *I Maga'lahaen Guahan's* Comprehensive Program and Financial Plan through identifying the Guam Department of Education, the University of Guam, and the Guam Community College Appropriations and to Increase the transparency, accountability, and planning the Budget Reporting of Tax Credits.


Bill No. 258-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act to Add a New Section 4122 to Chapter 4 and to Amend Sections 22704(a) and (c), Chapter 22 of Title 5 of the Guam Code Annotated and to Add Section 3(d) to Public Law 30-37, Relative to requiring Legislative Appropriation for the Government of Guam Purchase, Lease-to-Own, and/or Lease-Purchase of Real Property and for other purposes.


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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
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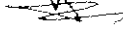
I Mina'trentai Dos na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

January 10, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

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

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

Member
Committee on General
Government Operations and
Cultural Affairs

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

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

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

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00 am on Friday, January 17, 2014** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 250-32 (COR) – Introduced by Senator Dennis Rodriguez: An Act to Amend Division 4 of 10 Guam Code Annotated §80109(s)(9) Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Guam Memorial Hospital.

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324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

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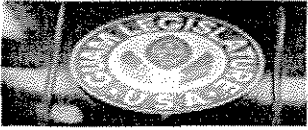
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Letter to All Senators
January 10, 2014
Page 2

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing FIRST NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, Jan 10, 2014 at 4:31 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Krystal Paco <krystal@kuam.com>, Ken Quintanilla <kenq@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, marvic@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, "Daleno, Gaynor D" <gdumat-ol@guam.gannett.com>, Steve Limtiaco <slimtiaco@guampdn.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, Lifestyles_PDN <life@guampdn.com>

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at 9:00 am on **Friday, January 17, 2014** at the Guam Legislature's Public Hearing Room.

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Lisa Dames
Chief of Staff
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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
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I Mina'trentai Dos na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

January 15, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – SECOND NOTICE

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

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

Member
Committee on General
Government Operations and
Cultural Affairs

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

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

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

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing SECOND Notice

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

Wed, Jan 15, 2014 at 8:26 AM

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00 am on Friday, January 17, 2014** at the Guam Legislature's Public Hearing Room.

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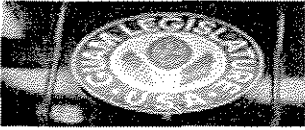
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Chief of Staff
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND Notice

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 15, 2014 at 8:26 AM

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Betnes, gi diha 17 gi Ineru, 2014
Friday, January 17, 2014

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

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

**TAREHA
(AGENDA)**

Priniponi Siha:
(Bills)

Bill No. 251-32 (COR) – Introduced by Senator Dennis Rodriguez: An Act to Amend Public Law 32-67 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Guam Legislature.

Bill No. 252-32 (COR) – Introduced by Senator Dennis Rodriguez: An Act to Amend Article 2, Chapter 10 Title 12 Guam Code Annotated §10238 Relative to the Waiver of Sovereign Immunity on a loan previously authorized for the Jose D. Leon Guerrero Port Authority of Guam.

Bill No. 257-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act to Amend §4107, Chapter 4, Title 5 of the Guam Code Annotated, to Amend Sections 5 and 6 of Public Law 30-37, to Amend Section 7 of Public Law 31-76 and to Amend Section 1107(g), Chapter 1, Title 11 of the Guam Code Annotated, Relative to Enhancing *I Maga'láhen Guahan's* Comprehensive Program and Financial Plan through identifying the Guam Department of Education, the University of Guam, and the Guam Community College Appropriations and to increase the transparency, accountability, and planning the Budget Reporting of Tax Credits.

Bill No. 258-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act to Add a New Section 4122 to Chapter 4 and to Amend Sections 22704(a) and (c), Chapter 22 of Title 5 of the Guam Code Annotated and to Add Section 3(d) to Public Law 30-

324 West Soledad Avenue
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www.senbenp.com



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

37, Relative to requiring Legislative Appropriation for the Government of Guam Purchase, Lease-to-Own, and/or Lease-Purchase of Real Property and for other purposes.

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

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I Mina'trentai Dos na Liheslaturan Guåhan
 32nd GUAM LEGISLATURE
 Senator Vicente (ben) Cabrera Pangelinan
 Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
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Pacific Daily News, Wednesday, January 15, 2014



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

**NEKUNGOX PUPBLEKO
(PUBLIC HEARING)**

gi Batnes, gi diha 17 gi Ineru, 2014
Friday, January 17, 2014

Kuátton Inekungox Pupbleko gi Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

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

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Yanggeran nisista espesial na sefision, pat labot agang i (Binan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-423677. Yanggen ng nisista kopian i priniponi siha ginen este na tareha, hatom gi l ugnasat i Liheslaturan Guahan gi www.guamlegislature.com Yanggen para na na'halom festigo -mo, ehule' para i l ihsanan maná gi 124 West Soledad Avenue gi iya Hagáña, pat quanto gi i Kuatton Kama gi i Liheslatura, pat faks gi 473-4236, pat omni mail gi office@senbenp.com Este na nulisin unapasi na i tondon gubernamento

If you require any special accommodations, auxiliary aids or other special services or for further information please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-423677. For copies of any of the bills listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 124 West Soledad Avenue in Hagaña or at the Mail Room of the Guam Legislature, via fax at 473-4236, or via email at office@senbenp.com



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COMMITTEE ON RULES

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CHAIRPERSON
MAJORITY LEADER

Senator
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VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 6, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson of the Committee on Rules

Subject: Referral of Bill Nos. 250-32(COR) through 252-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 250-32(COR) through 252-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment



COMMITTEE ON RULES

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CHAIRPERSON
MAJORITY LEADER

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V. Anthony Ada
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MINORITY LEADER

Senator
Aline Yamashita
Member

January 3, 2014

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. 246-32 (COR) through 252-32(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 of the Committee on Rules

Attachment (1)


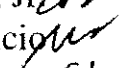

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
246-32 (COR)	T C. Ada, R. J. Respicio	AN ACT TO AMEND SECTIONS OF ARTICLE 3 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO SOURCE SELECTION AND CONTRACT FORMATION IN GUAM PROCUREMENT LAW.
247-32 (COR)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO EXPANDING THE GUAM SLAYER'S STATUTE THAT WOULD PROHIBIT INHERITANCE BY A PERSON WHO MURDERS SOMEONE FROM WHOM HE OR SHE STANDS TO INHERIT; THROUGH THE REPEAL AND REENACTMENT OF §819 OF CHAPTER 8, TITLE 15, GUAM CODE ANNOTATED.
248-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO APPROPRIATE TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FROM THE GENERAL FUND TO ALLOW THE GOVERNMENT OF GUAM TO PAY FOR AN INVERSE CONDEMNATION SETTLEMENT PURSUANT TO SUPERIOR COURT OF GUAM CIVIL CASE NO. CV1158-12.
249-32 (COR)	V. Anthony Ada Chris M. Dueñas Aline A. Yamashita, Ph.D. R. J. Respicio T. R. Muña Barnes Tommy. Morrison FRANK B. AGUON, JR. Michael T. Limtiaco	AN ACT TO REPROGRAM THE SUM OF THREE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$375,000.00) TO THE DEPARTMENT OF PUBLIC WORKS FOR THE PAVING OF VILLAGE STREETS AND THE REPAIR OF DAMAGES TO VILLAGE STREETS AS A RESULT OF TRAFFIC DIVERSION RELATED TO ONGOING ROAD CONSTRUCTION PROJECTS.
250-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND DIVISION 4 OF 10 GUAM CODE ANNOTATED §80109(s)(9) RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY.
251-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND PUBLIC LAW 32-67 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM LEGISLATURE.
252-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12 GUAM CODE ANNOTATED §10238 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM.


I MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN
2014 (SECOND) Regular Session

Bill No. 252-32 (CORP)

Introduced by:

Dennis G. Rodriguez, Jr. 
Rory J. Respicio 
Christopher M. Duenas 

**AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12
GUAM CODE ANNOTATED §10238 RELATIVE TO THE
WAIVER OF SOVEREIGN IMMUNITY ON A LOAN
PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON
GUERRERO PORT AUTHORITY OF GUAM.**

2014 JUN - 3 PM 2:33


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

2 **Section 1.** §10238 of Article 2, Chapter 10, Title 12 Guam Code Annotated,
3 as amended by Public Law 32-042 is hereby amended to read as follows:

4 “§10238. Sovereign Immunity Waived. Notwithstanding any
5 substantive or procedural provision of Chapter 6 of Title 5, Guam Code Annotated,
6 the Authority *shall not* be entitled to immunity from any suit or action in contract
7 on any indebtedness authorized by this Article. For the purposes of this Article
8 only, immunity is also waived as to the award of attorney fees and related costs in
9 connection with any suit brought to enforce any right or obligation given under this
10 Article, or in connection with the enforcement of the terms of any agreement of
11 indenture that arises directly from the issuance of bonds or indebtedness authorized
12 by this Article.

13 Should any suit or action arise or be initiated to enforce any of the terms of
14 any agreement, indenture, or pledge of revenues, concerning the indebtedness

1 authorized under this Article, any judgement therein *shall* be paid solely from the
2 revenues of the Authority, and at no time shall any other property be subject to
3 foreclosure or recourse to satisfy any suit or action authorized by this Article or
4 Judgment therein”

5 **Section 2. Severability.** If any provision of this Act or its application to any
6 person or circumstance is found to be invalid or contrary to law, such invalidity
7 shall not affect other provisions or applications of this Act which can be given
8 effect without the invalid provisions or application, and to this end the provisions
9 of this Act are severable.

10