I Mina Trentai Dos Na Liheslaturan Guahan Appointment Log Sheet

Date Received	M&C No.	Appointee	Position	Agency	Appt. Date	Term Length	Expiration Date of Action	Expiration Date of Term	Committee Referred	Date Referred	PH Date	CR Filed	Confirmed	Notes
01/16/14	32GL-14-1173	Terrence M. Brooks	Member	Guam Environmental Protection Agency Board	01/15/14	3 Years			Committee on Rules, Federal, Foreign, & Micronesian Affairs, Human & Natural Resources, and Election Reform	01/17/14	01/23/14 10 a.m.	01/27/14 3:02 p.m.		



January 27, 2014

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

Speaker I Mina'trentai Dos Na Liheslaturan Guåhan 155 Hesler Place Hagåtña, Guam 96910

RE: Committee Report on the Appointment of Terrence M. Brooks

Hafa Adai Speaker Won Pat:

The Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human and Natural Resources hereby reports out its findings and recommendations on the appointment of **Terrence M. Brooks** to serve as **Member of the Guam Environmental Protection Agency**.

Committee votes are as follows:

TO CONFIRM

TO NOT CONFIRM

TO REPORT OUT ONLY

TO ABSTAIN

TO PLACE IN INACTIVE FILE

Very Truly Yours,

MM / le Sp/W Rory J. Respicio



COMMITTEE REPORT ON The APPOINTMENT OF

TERRENCE M. BROOKS

To Serve as member of the Guam Environmental Protection Agency



January 27, 2014

MEMORANDUM

To: All Members

From: Senator Rory J. Respicio

Committee Chairperson

Subject: Committee Report – Appointment of Terrence M. Brooks

Transmitted herewith for your consideration is the Committee Report on the appointment of Terrence M. Brooks to serve as the member of the Guam Environmental Protection Agency.

This report includes the following supporting documents:

- Committee Vote Sheet
- Committee Report Digest
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet and Supporting Documents
- Public Hearing Sign-in Sheet
- Copies of Written Testimony and Supporting Documents
- Referral of the Appointment
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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

Si Yu'os Ma'åse!



COMMITTEE VOTING SHEET

APPOINTEE: TERRENCE M. BROOKS POSITION: MEMBER AGENCY: GUAM ENVIROMENTAL PROTECTION AGENCY

	SIGNATURE	TO DO CONFIRM	TO NOT	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Rory J. Respicio Chairperson	11	1.0714				
Senator Thomas C. Ada Vice-Chairperson	72					
Speaker Judith T. Won Pat, Ed.D. Member	M	1-21-14	4			
Vice-Speaker Benjamin J.F. Cruz Member	As	1-27-14				
Legislative Secretary Tina Rose Muña Barnes Member	W					
Senator vicente c. pangelinan Member	1					
Senator Dennis G. Rodriguez, JR. Member						
Senator Frank Blas Aguon Jr. Member						
Senator Michael F.Q. San Nicolas Member	MW	V		The state of the s		:
Minority Leader Senator V. Anthony Ada Member	OR	V				
Senator Aline Yamashita Member	W					

SENATOR RORY J. RESPICIO

MAJORITY LEADER





COMMITTEE REPORT DIGEST

<u>I.</u> **OVERVIEW**

The Committee on Rules, Federal, Foreign and Micronesian Affairs, Human & Natural Resources; and Election Reform convened a public hearing on Thursday, January 23, 2014 at 10:00 A.M. in the Public Hearing Room of I Liheslaturan Guåhan. Among the items on the agenda was the consideration of the appointment of Mr. Terrence M. Brooks to serve as a Member of the Guam Environmental Protection Agency Board [Length of Term: Three (3) Years] whose appointment history is as follows:

- Appointed by Governor Eddie Baza Calvo on January 15, 2014;
- Appointment packet forwarded to I Liheslatura on January 16, 2014;
- Packet forwarded to this committee for public consideration on January 17, 2014.

Public Notice Requirements

Notices were disseminated via e-mail and facsimile to all senators and all main media broadcasting outlets on January 15, 2014 (5-Day Notice), and again on January 17, 2014 (48- Hour Notice), thereby meeting the noticing requirements of the Open Government Law. Notices were also transmitted to various stakeholders.

Senators Present

Senator Rory J. Respicio, Chairperson Senator Frank B. Aguon, Jr., Member Senator V. Anthony Ada, Committee Member Senator Aline A. Yamashita, Member Senator Christopher M. Duenas Senator Michael Limtiaco Senator Brant McCreadie

SUMMARY OF TESTIMONY & DISCUSSION Π.

- 1. Ms. Ann Roth, Member of the Guam Environmental Protection Agency, In Support of the Appointment.
- 2. Mr. Victor Zhou, Member of the Guam Environmental Protection Agency Board, In Support of the Appointment.
- 3. Mr. William Nault, Member of the Guam Environmental Protection Agency Board, In Support of the Appointment.
- 4. Mr. Terrence M. Brooks, Member of the Guam Environmental Protection Agency Board, In Support of the Appointment.
- Mr. Robert Perron, Member of the Guam Environmental Protection Agency Board, Provided Oral Testimony In Support of the Appointment.
- Ms. Yvette Cruz, Deputy Director of the Guam Environmental Protection Agency, Provided Oral Testimony In Support of the Appointment.

Senator Rory J. Respicio called the public hearing for the reappointments of Ms. Ann Roth, Mr. Erning Victor Zhou, Mr. William Nault and Mr. Terrance M. Brooks to serve as Members of the Guam Environmental Protection Agency Board (GEPA) to order at 10:00 A.M. and invited the panel to testify.

Senator Respicio called all appointees up, Ms. Ann Roth, Mr. Erning Victor Zhou, Mr. William Nault and Mr. Terrance M. Brooks and Mr. Robert Perron, Chairman of the Guam Environmental Protection Agency Board along with the GEPA Deputy Director, Ms. Yvette Cruz to testify. Senator Respicio noted that all appointees are currently serving under the GEPA Board and that these were re-appointments. He noted his appreciation for them to continue to serve on the Board. He then gave the nominees and administrator the opportunity to provide testimony before the committee.

Ms. Ann Roth: I am here for reappointment to confirmation for the Guam EPA Board. I've served the past three (3) years and have learned a lot about EPA and different divisions. I'm not going to say its underfunded because most of the money comes from the federal funds. Its understaffed. There are still vacancies in the engineering and biology areas but it's a fantastic opportunity to serve the island because of all the divisions it covers: the air and land, solid waste division, the hazardous waste division. We are hoping that sooner or later we can get going with the bottle bill which is going to be big and important to handle. Unfortunately, we are going to go through some stumbling blocks on the way down but we do hope to get that off the ground in the next year or year in a half if that's possible. But I do ask for your support for my confirmation. I would like to continue to serve the agency. Thank you.

Senator Rory J. Respicio, Chairman: Thank you so much for your service to a critical and regulatory agency. I would now like to ask Mr. Zhou to present his testimony at this time.

Mr. Erning Victor Zhou: I am currently a board member for the GEPA since March 2011. For the past three (3) years, I also learned a lot as a board member for the GEPA and working for all the staff of GEPA. I would like to serve for the next term to help the people of Guam.

Mr. William Nault: I have also been serving since 2011 with Mr. Zhou and the rest of the board members. The GEPA Board has given be a lot of knowledge and to know the responsibility of what GEPA has been doing for the island. It is a very critical part of the island. It also protects the environment with our island's drinking waters and so forth. We also have issues with the violators on the island and we are very strong in going after all these issues and that years I've served on the board we have been working together and that we have a very good team that is really focused and is really on trying to get things going with the department.

Senator Rory J. Respicio: From my perspective, this is going to be a relatively smooth confirmation hearing because you have been reappointed to the Board and at some point, I would like to take this confirmation hearing into a round table meeting which I will have in the near future so we can discuss the challenges which we know what they are and what remains in the near future for your agency. We talked a lot about bringing EPA to be an autonomous agency and I know that is something Mr. Perron strongly supports. Also, to find out what is the balance of the Recycling Revolving Fund. I know that is a very critical issue too that although there is a bank balance, the cash is not there. We need to find a way to prevent the siphoning of these cash from the special fund into the general fund to take care of general fund obligations.

Mr. Robert Perron: I am here in support of the reappointment of Ann Roth, Terrence Brooks, William Nault and Victor Zhou to continue on the GEPA Board. All four (4) made significant contributions to the agency through their active participation, policy decisions and hearing on NOV appeal cases. The current board works in a professional and collaborative manner and these members have worked to make that happen. With been a pleasure working on the Board with these four (4) nominees and hope that the Guam Legislature will work swiftly to confirm these very capable individuals.

Senator Frank B. Aguon, Jr.: Thank you to the nominees for having served in your capacity in the course of the past few years and wanting to continue your service to the community. We look forward to implementing the Bottle

Bill. The biggest issue GEPA will be challenged with is the need for the marine relocation. We have the draft SEIS which will be out by June of this year if not sooner and that's where stewards of protecting our environment will be needed heavily to rely on their expertise that is provided out of your agency. Some of those decisions will ultimately come to the board for consideration. I look forward to your deliberation on some of those aspects. We want to partner in terms of the military relocation. We also want to make sure the process protects the environment for our future generations. There is one project which I'm not sure it reaches the level of the Board, but there is a project which I pass by every single day in Pago Bay, Yona which is that wonderful resort that has been established. Whenever wetlands are changed into useable property, there has to be some form of mitigation required by statute and by rules and regulations. Initially, when they started filling in that wetland area, there was a ponding basin in the middle. I was considering that as a mitigation factor associated with that development property. They eventually covered the ponding basin. The issue that I have is what the mitigation proposal is because there is no wetlands allowance with soil for future developments or park areas for residential homes. It's been an issue that has been on my mind. I don't know if this has ever come to the board, but certainly that's an issue that I would like to understand as to how the process proceeded.

Mr. Robert Perron: I don't believe it has come to the board. It would probably be brought up with the water division to send an inspector out there to take a look to see indeed if wetlands were impacted and proper procedures were done. This is something we have to check into to see if the agency has been alerted to that. I will follow-up.

Senator Frank B. Aguon, Jr.: There is a 2-1 plan for mitigation. I would like to understand this because my family and I use to go swimming and fishing in this area. But if this has not been brought up with the board, if you can communicate with some of your people so that proceeded because there may be new regulations which I am not familiar with federal regulations which have been adopted to protect our environment and properties. I look forward to your active participation as if applies to the military buildup because we would like to partner and preserve our environment.

Senator Michael Limtiaco: One of the items that came up when we were discussing the bill was what effect would the Solid Waste Recycling Program have on the redemption of those units and what conveniences does it drive into the program to be a deterrent to work in its favor? If recycling efforts is going to be provided by solid waste management and its more convenient for these individuals, that have paid this redemption fee, when they purchase the applicable bottles, if it becomes more convenient to put in the recycling bins, and outside their front steps, what is their enticement to take it to a redemption center? What would those fees be otherwise used for if in fact there is an alternative type method as opposed to taking it to these proposed redemption centers?

Ms. Ann Roth: The incentive would be cash. If they would like to put it out their door, it would still be redeemed. The idea would to make it convenient. The money will be there and that's the incentive. It costs money to get the machines and will cost money to staff them to operate right. The initial funding will go to education. You would have to get the distributers of foreign drinks, which are not compliant right now. You are going to get them on line so there is a big lag time and six (6) months would actually be very short before you can get all the different bottlers with the proper labeling of the cans and the bottles.

Mr. William Nault: Going back to the issue of going to redemption centers, I have personally experienced bringing bottles and cans to a redemption center when I use to live in Honolulu and it seemed them that it wasn't really a hard or difficult issue. You hold your bottles and cans then bring it to a temporary redemption center and they weigh it on the spot. Seeing a redemption center working, I do not know if there was excessive money at the end or not but the operation seemed simple and easy.

Mr. Robert Perron: I know that the new the new GSWA Board has been talking to the receiver about the possibility of having a curb-side green waste collection system and work towards a composting facility for Guam. That would be a step in that direction to collecting green and food waste.

Mr. Terrence M Brooks: I am here again to be reappointed with these other fine individuals. When you take a position like this, its not for the money, its for the love of your island and we all fit in that category. I grew up here and want to be here for the rest of my life. My boy was born here and I am here before the Legislature to ask you to reconfirm me so I can continue to serve the island. I've been on Boards and Commissions for about 30 years now and I look forward to continuing my service to the island.

Ms. Yvette Cruz, Deputy Director of GEPA: I am here to support these fine individuals. The vast experience is here and we have great guidance. I have been taking notes of all the questions and look forward to the round table.

Senator Christopher M. Duenas: I have done extensive research on waste energy. In my research and talking with JGPO and others in terms of integrated water system and their efforts towards renewables, waste energy is considered a waste energy. There will be amendments to a 2020 Renewable Footprint for Guam and we are a bit behind. This will be a challenge that has to be met. We need to move aggressively towards this. I look forward to your views and presentation during the upcoming round table.

Senator Rory J. Respicio: Has EPA taken a position on waste energy as a technology?

Mr. Robert Perron: I don't believe we've taken a position locally.

Ms. Conchita Taitano: From the best of my knowledge, the agency has not taken a position on weather its for or against waste energy. Reason being is that we have to follow on what in our existing regulation on what the law calls for and the current law prohibits waste to energy. No applications have been submitted for waste to energy. The only thing that has been submitted is for a municipal solid waste landfill.

Senator Aline A. Yamashita: There is a technical error in one of the packets from the Governor's office. Thank you for serving and I look forward to formulating policy to best insure that our land, air and water is healthy and clean.

Senator V. Anthony Ada: Thank you all for coming forward to serving our island and protecting our environment. I do recall we had a liaison from the federal government that sat up at EPA to make sure permits were moving swiftly or out on time. Has the issue been addressed for the delay of permits for federal projects and corrected?

Mr. Brooks: One of the first issues the board addressed when we all came on, was to get permits moving and I think that has been addressed and permits have been being issued in a timely fashion.

Senator Respicio thanked the panel for testifying and the senators present at the hearing.

No further testimony being offered, Senator Respicio then declared that appointment for Mr. Terrence M. Brooks to serve as a Member of the Guam Environmental Protection Agency Board was duly heard.

III. FINDINGS AND RECOMMENDATIONS



RAY TENORIO Lieutenant Governor

T. Won Pat. Ed. D.

Office of the Governor of Guam

JAN 1 5 2014

Honorable Judith T. Won Pat, Ed.D. Speaker I Mina trentai Dos Na Liheslaturan Guåhan 155 Hesler Street Hagåtña, Guam 96910

RE: Board Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE:

Terrence M. Brooks

POSITION:

Member, Guam Environmental Protection Agency

Board

TERM LENGTH:

Three (3) years

TERM SERVED:

November 29, 2013 to November 28, 2016

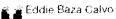
The appointment is subject to the consent of *I Liheslaturan Guålian*. Please schedule a hearing at your earliest convenience.

Senseramente,

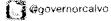
EDDIE BAZA CALVO

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Ricardo J. Bordallo Governor's Complex • Adelup, Guam 96910 Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • cafendar.guam.gov









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EDDIE BAZA CALVO Governor



RAY TENORIO Lieutenant Governor

Office of the Governor of Guam

JAN 1 5 2014

Mr. Terrence M. **B**rooks 247 Martyr Street Ste. 101 Hagåtña, Guam 96910

Dear Mr. Brooks:

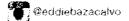
Thank you for your commitment to serve the people of Guam. The Calvo-Tenorio administration continues to face unprecedented challenges, both near and long-term. The task ahead of us will require the collective efforts of the best minds who will have the courage to make tough decisions for the good of all our people. I hereby appoint you to serve in the Calvo-Tenorio administration, for the remainder of the unexpired term indicated below as follows:

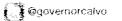
Member, Guam Environmental Protection Agency Board Term: November 29, 2013 to November 28, 2016 Length of term: Three (3) years

This appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. Please contact the Office of the Governor at 472-8931 for further processing.

Senseramente,

EDDIÉ BAZA CALVO









Boards & Commissions Nomination Information

The following information is required for submission to the Speaker of *I Liheslaturan Guahan* in accordance with Title 4, Guam Code Annotated Section 2103.5 and Section 13104.1:

NOMINEE	INFORMATIO	N				
Last Name	BROOKS	3	First	rerren(CE MIM.	Date 1-14-14
Address					Apartmer	nt/Unit #
City			State		ZIP	
Phone			E-mail A	ddress tmb@	guamlaw.net	
Position to w	hich Appointment	Direc	tor for th	ne GEP/	4	
Are you a citi States?	zen of the United	YE	ES NO	If no, are you the U.S.?	authorized to work in	YES NO
EDUCATIO	ON					
High School	George Was	hington	High Schoo	City/State		
From	: To	1973	Did you graduate?	YES 🗐	NO Degree	
College	New Mexic	o State	University	, City/State		
From	То	1979	Did you graduate?	YES 🔳	NO Degree	Bachelor

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EDUCATI	ON .			
Graduate School	Thomas Cooley Law School	City/State		
From	To 1983 Did you graduate?	YES 📰	NO Degree Juris Doctorate	€
Other Degree		City/State		
From	To Did you graduate?	YES []	NO Degree	
EMPLOYM	ENT HISTORY			
(1) Present Employer	Terrence M. Brooks, P.	.C. Position	President/Attorney	
Address		Dates Held	1984 to Present	
(2) Previous Employer	Superior Court of Gua	am Position	Law Clerk	
Address		Dates Held		
(3) Previous Employer		Position		
Address		Dates Held	· 	
(4) Previous Employer		Position	in the second se	
Address		Dates Held		
(5) Previous Employer		Position		
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PRIOR GO	VERNMENT OF GUAM SERVICE			94 99 88
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TRAINING			
Institute/Seminars/On-the-Job Training:		Date	
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AWARDS			7.7 - 1.0 -
List all educational, professional, civic awards,	and recognition for pub	fic service:	
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PROFESSIONAL INVOLVEMENT			
List involvement on a local/national/international level, list organiza	ation, activities parti	cipated in, offices held:	
denne en			
·			
COMMUNITY / CIVIC INVOLVEMENT		•	
List organizations, activities, participated in, offices held			
Guam Public Utilities	Commission		
Guam Environmental Pr	otection Agenc	у	
PUBLICATIONS AND PRESENTATIONS			
List any published articles, papers delivered at professional meetin	gs, etc.:		
MILITARY SERVICE (PLEASE ATTACH FORM DD-214)			
Branch	From	То	
Rank at Discharge	Type of Disch	narge	

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OTHER INFORMATION		
(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?	YES 🗍	NO 🔳
If so, please specify in detail:		
Address of the court:		NOPPHIA A de alemantagas
Date of Conviction:		
Specific infraction committed:		***************************************
(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?	YES []	NO 🔳
If so, please specify in detail the reasons and facts related to such declaration:		
(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?	YES 🗌	NO 🔳
(4) Have you ever been confined to a mental institution for any reason?	YES []	NO 🔳
If so, please specify in why the appointing authority believes you that you are not suffering faffliction:	rom any mental	illness or



Statement of Financial Interests

	(Required by 4 G.C.A. § 13104.1)	
TO:	Governor Eddie Baza Calvo	
	Ricardo J. Bordallo Governor's Complex	
	Adelup, Guam 96910	

Terrence M. Brooks, Esq. FROM:

- ☐ I have no financial interest in any business
- I do have interest(s) in the following business(es):

Name and address of business interest:	Type and amount of interest
Terrence M. Brooks, P.C.	Law Firm - Owner

Date 4/0/2014

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

Signature

Date



Government of Guam **GUAM POLICE DEPARTMENT RECORDS & IDENTIFICATION SECTION**

P.O. Box 23909 Guam Main Facility, Guam 96921

January 13, 2014

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Terrence	e M. BROOKS		
DATE OF	BIRTH:		FINGERPRINT#:	
	The indivi	dual has no record of Guam law and rules an	criminal conviction(s) in GPD d regulations of the Departmen	files that are

AS OF THE ABOVE DATE, THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL. STATE, OR FEDERAL LAW ENFORCEMENT AGENCY. THIS CLEARANCE DOES NOT REFLECT ARREST (S) PENDING ADJUDICATION

The absence of an original GUAM POLICE

seal invalidates this police clearance.

REVISED 67/12/11

By Direction: neng

FRED E. BORDALLO, JR. Chief of Police



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370 Fax (671) 472-2856

DANIELLE T. ROSETE Clerk of Courts

Name:	TERRENCE M.	BROOKS

SS#:

ID# GUAM DL#

Date of Birth:

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Crim	inal Cas	ses:	Civil Cases:			
A.	\bowtie	No Case Found	10		No Case Found	
В.	1.	Criminal Case No.	В.	I.	Civil Case No.	
	2.	Criminal Case No.	·	2.	Civil Case No.	
	3.	Criminal Case No.		3.	Civil Case No.	
	4.	Criminal Case No.		4.	Civil Case No.	
	5.	Criminal Case No.		5.	Civil Case No.	
	Crimi	nal Record: Page 1 of 1.	na in the fire	Civil	Record: Page 1 of 1	

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday - Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays, Court Clearances are Non-Refundable.

Dated: 01/13/2014

The absence of an original Court Seal invalidates this document

DANIELLE T. ROSETE

Clerk of Courts

Torabua xin BY: BARBARA G. LEON GUERRERO

Deputy Clerk

Prepared By: NMM



PUBLIC HEARING SIGN-IN SHEET Thursday, January 23, 2014–10:00 A.M.

I Liheslatura • Public Hearing Room • Hagåtña, Guam

Appointment of **Terrence M. Brooks**, Member, Guam Environmental Protection Agency Board Length of Term: Three (3) Years

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	PHONE NUMBER	EMAIL ADDRESS
Nob Person Wette Cornx		Super	777774444444		P VOTA AA A	
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PUBLIC HEARING SIGN-IN SHEET Thursday, January 23, 2014–10:00 A.M.

I Liheslatura • Public Hearing Room • Hagåtña, Guam

Appointment of **Terrence M. Brooks**, Member, Guam Environmental Protection Agency Board Length of Term: Three (3) Years

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	PHONE NUMBER	EMAIL ADDRESS
William Douly	GEPA BOARD		1		£87-0246	bill-nanite valut
TERM BROOKS	64PA BA				472-6848	bill-uarite vakut tomboguna ku.

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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 MAIORITY LEADER

January 17, 2014

Senator Thomas C. Ada VICE CHAIRPERSON Assistant Majority Leader

MEMORANDUM

To:

Rennae Meno

Clerk of the Legislature

Senator Vicente (Ben) C. Pangelinan

From:

Senator Rory J. Respicio

Member

Chairperson, Committee on Rules

Speaker

Subject:

Referral of Appointment

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

Senator

the following appointment:

Dennis G. Rodriguez, Jr. Member

Appointee:

Terrence M. Brooks

Vice-Speaker Benjamin J.F. Cruz

Member

Position:

Member, Guam Environmental Protection Agency Board

Legislative Secretary Tina Rose Muña Barnes Member For a copy of Mr. Brooks' appointment packet, please visit the Guam Legislature's website at www.guamlegislature.com. Under the "Reports" menu select the "Messages & Communications" option and refer to:

As Chairperson of the Committee on Rules, I am forwarding my referral of

Senator Frank Blas Aguon, Jr. Member

"Doc 32GL-14-1173: Governor's message transmitting the appointment of Mr. Terrence M. Brooks, to serve as Member, Guam Environmental Protection Agency Board."

Senator Michael F.Q. San Nicolas Member

Please ensure that the subject appointment is referred, in my name, to **Senator** Rory J. Respicio, Chairperson of the Committee on Rules, Federal, Foreign & Micronesian Affairs, Human & Natural Resources, and Election Reform. I also request that the same be forwarded to all Senators of I Mina'trentai Dos na Liheslaturan Guåhan.

Senator V. Anthony Ada Member MINORITY LEADER

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

Senator Aline Yamashita Member

Si Yu'os ma'åse'!



January 15, 2014

MEMORANDUM

To: All Members

From: Majority Leader Rory J. Respicio

Subject: First Notice of Public Hearing-Thursday, January 23, 2014

Håfa Adai! Please be advised that the Committee on Rules; Federal, Foreign & Micronesian Affairs; Human & Natural Resources; and Election Reform will be conducting the following on **Thursday**, **January 23**, **2014 beginning at 10:00 A.M.**, in the Legislature's Public Hearing Room:

10:00 A.M. Public Hearing

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cc: All Senators
Clerk of the Legislature
Legal Counsel
Sergeant-at-Arms/AV



First Notice of Public Hearing-Thursday, January 23, 2014

Senator Rory J. Respicio < cor@guamlegislature.org>

Wed, Jan 15, 2014 at 3:47 PM

To: "Aline A. Yamashita, Ph.D" <aline4families@gmail.com>, "Christopher M. Duenas" <duenasenator@gmail.com>, "Dennis G. Rodriguez" <senatordrodriguez@gmail.com>, "Frank Blas Aguon, Jr." <aguon4guam@gmail.com>, "Judith T. Won Pat, Ed.D." <speaker@judiwonpat.com>, "Thomas C. Ada" <tom@senatorada.org>, Tina Rose Muna Barnes <senator@tinamunabarnes.com>, Tommy Morrison <tommy@senatormomison.com>, "V. Anthony Ada" <senatortonyada@guamlegislature.org>, vicente 'ben' pangelinan <senbenp@guam.net>, "Benjamin JF Cruz" <senator@senatorbjcruz.com>, "Brant McCreadie"

cbrantforguam@gmail.com>, ""Michael F. Q. San Nicolas" <senatorsannicolas@gmail.com>, ""Michael T. Limtiaco" <mike@mikelimtiaco.com>

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Bcc: Bemadette Meno <guam.avon@gmail.com>, bill phillips <phillipsguam@gmail.com>, Elaine Tajalle <etajalle@guamlegislature.org>, Jennifer Louise Dulla <jennifer.lj.dulla@gmail.com>, mary louise wheeler <mlwheeler2000@yahoo.com>, Mary Maravilla <marymaravilla19@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tyrone Taitano <tjtaitano@cs.com>, "Vince P. Amiola" <vparriola1@gmail.com>

January 15, 2014

MEMORANDUM

To:

All Members

From:

Majority Leader Rory J. Respicio

Subject:

First Notice of Public Hearing-Thursday, January 23, 2014

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cc: All Senators

Clerk of the Legislature

Legal Counsel

Sergeant-at-Arms/AV

MIS

Majority Leader Rory J. Respicio

Chairperson, Committee on Rules; Federal, Foreign & Micronesian Affairs; Human & Natural Resources; and Election Reform I Mina Trentai Dos na Liheslaturan Guåhan 155 Hesler Place, Ste. 302 Hagåtna, Guam 96910

Phone: (671) 472-7679 Fax: (671) 472-3547



January 15, 2014

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First Notice of Public Hearing-Thursday, January 23, 2014

Senator Rory J. Respicio < cor@guamlegislature.org>

Wed, Jan 15, 2014 at 3:47 PM

To: "hottips@kuam.com" <hottips@kuam.com>, "mvariety@pticom.com" <mvariety@pticom.com>, "news@guampdn.com>, "news@guampdn.com>, "news@k57.com" <news@k57.com>
Bcc: phnotice <phnotice@guamlegislature.org>, pacific877@gmail.com, rothann@gmail.com, Bill Nault

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All Media

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Majority Leader Rory J. Respicio

Chairperson, Committee on Rules; Federal, Foreign & Micronesian Affairs; Human & Natural Resources; and Election Reform I Mina Trentai Dos na Liheslaturan Guåhan 155 Hesler Place, Ste. 302 Hagåtna, Guam 96910

Phone: (671) 472-7679 Fax: (671) 472-3547

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January 17, 2014

MEMORANDUM

To: All Members

From: Majority Leader Rory J. Respicio

Subject: Second Notice of Public Hearing-Thursday, January 23, 2014

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cc: All Senators
Clerk of the Legislature
Legal Counsel
Sergeant-at-Arms/AV
MIS



Second Notice of Public Hearing-Thursday, January 23, 2014

Senator Rory J. Respicto < cor@guamlegislature.org>

Fri, Jan 17, 2014 at 9:47 AM

To: "Aline A. Yamashita, Ph.D" <aline4families@gmail.com>, "Christopher M. Duenas" <duenasenator@gmail.com>, "Dennis G. Rodriguez" <senatordrodriguez@gmail.com>, "Frank Blas Aguon, Jr." <aguon4guam@gmail.com>, "Judith T. Won Pat, Ed.D." <speaker@judiwonpat.com>, "Thomas C. Ada" <tom@senatorada.org>, Tina Rose Muna Barnes <senator@tinamunabames.com>, Tommy Morrison <tommy@senatormorrison.com>, "V. Anthony Ada" <senatortonyada@guamlegislature.org>, vicente 'ben' pangelinan <senbenp@guam.net>, "Benjamin JF Cruz" <senator@senatorbjcruz.com>, "Brant McCreadie"

cbrantforguam@gmail.com>, ""Michael F. Q. San Nicolas" <senatorsannicolas@gmail.com>, ""Michael T. Limtiaco" <mike@mikelimtiaco.com>

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Bcc: Bernadette Meno <guam.avon@gmail.com>, bill phillips <phillipsguam@gmail.com>, Elaine Tajalle <etajalle@guamlegislature.org>, Jennifer Louise Dulla <jennifer.lj.dulla@gmail.com>, mary louise wheeler <mlwheeler2000@yahoo.com>, Mary Maravilla <marymaravilla19@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tyrone Taitano <tjtaitano@cs.com>, "Vince P. Arriola" <vpamiola1@gmail.com>

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Clerk of the Legislature

Legal Counsel

Sergeant-at-Arms/AV

MIS

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Fri, Jan 17, 2014 at 9:49 AM

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"Vince P. Arriola" <vpamiola1@gmail.com>, Victor Zhou <pacific877@gmail.com>, rothann@gmail.com, Bill Nault

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carlsonc@pstripes.osd.mil ccastro@guamchamber.com.gu ccharfauros@guamag.org ccruz.duenas@gmail.com charissa.tenorio@senatorbjcruz.com chechsantos@gmail.com cheerfulcatunao@yahoo.com cherbert.senatordrodriguez@gmail.com chris.budasi@guamlegislature.org christine.quinata@takecareasia.com cipo@guamlegislature.org clerks@guamlegislature.org clifton@toduguam.com clynt@spbguam.com colleenw@guamlegislature.org committee@frankaguonjr.com
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carlsonc@pstripes.osd.mil ccastro@guamchamber.com.gu ccharfauros@guamag.org ccruz.duenas@gmail.com charissa.tenorio@senatorbjcruz.com chechsantos@gmail.com cheerfulcatunao@yahoo.com cherbert.senatordrodriguez@gmail.com chris.budasi@guamlegislature.org christine.quinata@takecareasia.com cipo@guamlegislature.org clerks@guamlegislature.org clifton@toduguam.com clynt@spbguam.com colleenw@guamlegislature.org committee@frankaguonjr.com communications@guam.gov conedera@mikelimtiaco.com cor@guamlegislature.org coy@senatorada.org cyrus@senatorada.org dcrisost@guam.gannett.com

dtamondong@guampdn.com
duenasenator@gmail.com
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edelynn1130@hotmail.com
editor@mvguam.com
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edpocaigue@judiwonpat.com
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eo@guamrealtors.com
etajalle@guamlegislature.org
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fbtorres@judiwonpat.com
floterlaje@gmail.com
frank@judiwonpat.com
frank@mvguam.com
gdumat-ol@guampdn.com
gerry@mvguam.com
gerrypartido@gmail.com
gina@mvguam.com
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guam@pstripes.osd.mil
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gusaflague@senatormorrison.com
hana@guam-shinbun.com
hill.bruce@abc.net.au
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info@chinesetimesguam.com
janela@mvguam.com
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jennifer@mvguam.com
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imespation@yando.com imesngon.senatordrodriguez@gmail.com
joan@kuam.com
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john.calvo@noaa.gov
john@kuam.com
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karenc@guamlegislature.org
kcn.kelly@gmail.com
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kevin@spbguam.com
kevin@spbguam.com khmg@hbcguam.net koreannews@guam.net

Listserv: phnotice@guamlegislature.org As of January 8, 2014

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news@spbguam.com
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sgflores@tinamunabarnes.com
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therese@judiwonpat.com
tinamunabarnes@gmail.com
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zita@mvguam.com
zpalomo@guamag.org

SENATOR RORY J. RESPICIO

Majority Leader

CHAIRPERSON Committee on Rules; Federal, Foreign & Microresian Affairs; Human & Natural Resources; and Election Reform



I Mina'trentai Dos na Liheslaturan Guähan THIRTY-SECOND GUAM LEGISLATURE

PUBLIC HEARING

Thursday, January 23, 2014 • 10:00 AM Legislature's Public Hearing Room • Hagåtña, Guam

AGENDA

- I. Call to Order
- II. Announcements
- III. Items for Public Consideration
 - 1. Bill No. 183-32 (COR) "An act to add a new Article 5 to Chapter 3 of 22GCA relative to privacy of employees' personal information." Sponsors- V. Anthony Ada and Senator R.J. Repicio
 - 2. Appointment of Erning Victor Zhou, Member, Guam Environmental Protection Agency Board Length of Term: Three (3) Years
 - 3. Appointment of Ann Roth, Member, Guam Environmental Protection Agency Board Length of Term: Three (3) Years
 - 4. Appointment of William Nault, Member, Guam Environmental Protection Agency Board Length of Term: Three (3) Years
 - 5. Appointment of Terrence M. Brooks, Member, Guam Environmental Protection Agency Board Length of Term: Three (3) Years
- IV. **Closing Remarks**
- V. Adjournment

For copies of the above mentioned bills, please visit the Guam Legislature's website at www.guamlegislature.com. Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to cor@guamlegislature.com, or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at our office. For more information, please call 472-7679. We look forward to your attendance and participation. Si Yu'os ma'åse'!

COMMITTEE ON RULES

I M 155 E-m

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

January 17, 2014

Senator Thomas C. Ada VICE CHAIRPERSON ASSISTANT MAJORITY LEADER **MEMORANDUM**

ADLK

To:

Rennae Meno

Clerk of the Legislature

Senator Vicente (Ben) C. Pangelinan Member

From: Senator Rory J. Respicio

Chairperson, Committee on Rules

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

Subject: Referral of Appointment

Senator Dennis G. Rodriguez, Jr. the following appointment:

Member

Appointee: Terrence M. Brooks

Vice-Speaker Benjamin J.F. Cruz Member Position: Member, Guam Environmental Protection Agency Board

Legislative Secretary Tina Rose Muña Barnes Member For a copy of Mr. Brooks' appointment packet, please visit the Guam Legislature's website at www.guamlegislature.com. Under the "Reports" menu select the "Messages & Communications" option and refer to:

As Chairperson of the Committee on Rules, I am forwarding my referral of

Senator Frank Blas Aguon, Jr. Member "Doc 32GL-14-1173: Governor's message transmitting the appointment of Mr. Terrence M. Brooks, to serve as Member, Guam Environmental Protection Agency Board."

Senator Michael F.Q. San Nicolas Member

Please ensure that the subject appointment is referred, in my name, to **Senator Rory J. Respicio**, **Chairperson of the Committee on Rules, Federal, Foreign & Micronesian Affairs, Human & Natural Resources, and Election Reform.** I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Senator
V. Anthony Ada
Member
MINORITY LEADER

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

Senator Aline Yamashita Member

Si Yu'os ma'åse'!



RAY TENORIO Lieutenant Governor

Office of the Governor of Guam

JAN 1 5 2014

Honorable Judith T. Won Pat, Ed.D. Speaker l Mina'trentai Dos Na Liheslaturan Guåhan 155 Hesler Street Hagåtña, Guam 96910

Won Pat. Ed. D.

RE: Board Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

> APPOINTEE: Terrence M. Brooks

POSITION: Member, Guam Environmental Protection Agency

Board

TERM LENGTH: Three (3) years

TERM SERVED: November 29, 2013 to November 28, 2016

The appointment is subject to the consent of I Liheslaturan Guåhan. Please schedule a hearing at your earliest convenience.

Senseramente,

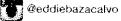
EDDIE BAZA CALVO

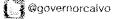
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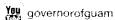
Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • calendar.guam.gov

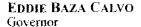
Ricardo J. Bordallo Governor's Complex • Adelup, Guam 96910

🙎 Eddie Baza Calvo











RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

JAN 1 5 2014

Mr. Terrence M. **B**rooks 247 Martyr Street Ste. 101 Hagåtña, Guam 96910

Dear Mr. Brooks:

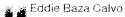
Thank you for your commitment to serve the people of Guam. The Calvo-Tenorio administration continues to face unprecedented challenges, both near and long-term. The task ahead of us will require the collective efforts of the best minds who will have the courage to make tough decisions for the good of all our people. I hereby appoint you to serve in the Calvo-Tenorio administration, for the remainder of the unexpired term indicated below as follows:

Member, Guam Environmental Protection Agency Board Term: November 29, 2013 to November 28, 2016 Length of term: Three (3) years

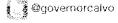
This appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. Please contact the Office of the Governor at 472-8931 for further processing.

Senseramente,

EDDIÉ BAZÁ CALVO











Boards & Commissions Nomination Information

The following information is required for submission to the Speaker of *I Liheslaturan Guahan* in accordance with Title 4, Guam Code Annotated Section 2103.5 and Section 13104.1:

NOMINEE	INFORMATION				
Last Name	BROOKS	First T	ERRENC	CE M.I.M.	Date 1-14-14
Address				Apartmen	t/Unit #
City		State		ZIP	
Phone		E-mail Ad	ddress tmb@	guamlaw.net	
Position to wis Made	hich Appointment Dire	ector for th	e GEPA	\	
Are you a citi States?	zen of the United	YES NO	If no, are you a the U.S.?	authorized to work in	YES NO
EDUCATION	ON				
High School	George Washingto	n High School	City/State		
From	™ 197	Did you graduate?	YES 🔳	NO Degree	
College	New Mexico Sta	te University	City/State		
From	™ 1979	9 Did you graduate?	YES 🔳	NO Degree	Bachelor

EDUCATION	ON			
Graduate School	Thomas Cooley Law School	City/State		
From	To 1983 Did you graduate?	YES 🔳	NO Degree	Juris Doctorate
Other Degree		City/State		
From	To Did you graduate?	YES 🗍	NO Degree	
EMPLOYM	ENT HISTORY			
(1) Present Employer	Terrence M. Brooks, P.	.C. Position	President	:/Attorney
Address		Dates Held	1984 to Pr	esent
(2) Previous Employer	Superior Court of Gua	am Position	Law Clerl	<
Address		Dates Held		
(3) Previous Employer		Position		
Address		Dates Held		
(4) Previous Employer		Position	:	
Address		Dates Held		
(5) Previous Employer	· · · · · · · · · · · · · · · · · · ·	Position		
Address		Dates Held		
PRIOR GO	VERNMENT OF GUAM SERVICE			
Agency	Superior Court of Gu	uam Phone	e	
Address				
Job Title	From	1;	То	

Rev. 04-2013_v.2.scm All other versions obsolete 2 | P a g e

PRIOR GOVERNMENT	T OF GUAM SERVICE		
Agency		Phone	
Address			
Job Title	From:	То	
PRIOR GOVERNMEN	T SERVICE (EXCLUDING GOV	ERNMENT OF GUAM)
Agency		Phone	
Address			
Job Title	From:	То	· · · · · · · · · · · · · · · · · · ·
<u></u>			
Agency		Phone	
Address			
Job Title	From:	То	:
TRAINING			
Institute/Seminars/On-the-J	Job Training:	Date	
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		: <u>:</u>	
		i.	
AWARDS			
List all educational, profess	ional, civic awards, and recognition for	public service:	

Rev. 04-2013_v.2.scm All other versions obsolete 3 | P a g e

PROFESSIONAL INVOLVEMENT			
List involvement on a local/national/international level, list organization	ion, activities parti	cipated in, offices held	i:
<u>.</u>			
COMMUNITY / CIVIC INVOLVEMENT			
List organizations, activities, participated in, offices held			
Guam Public Utilities	Commission		
Guam Environmental Pro	tection Agenc	у	
· 			
: 			
PUBLICATIONS AND PRESENTATIONS			
List any published articles, papers delivered at professional meeting	ıs, etc.:		
<u></u>			
MILITARY SERVICE (PLEASE ATTACH FORM DD-214)			
Branch	From	То	
Rank at Discharge	Type of Discl	narge	
		-	

OTHER INFORMATION		
(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?	YES 🗌	NO 🔳
If so, please specify in detail:		
Address of the court:		
Date of Conviction:		
Specific infraction committed:		
(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?	YES 🗌	NO 🔳
If so, please specify in detail the reasons and facts related to such declaration:		
(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?	YES 🗌	NO 🏢
(4) Have you ever been confined to a mental institution for any reason?	YES 🗀	NO 🔳
If so, please specify in why the appointing authority believes you that you are not suffering faffliction:	rom any menta	l illness or
: 		

Rev. 04-2013_v.2.scm All other versions obsolete 5 | P a g e



Statement of Financial Interests

(Required by 4 G.C.A. § 13104.1)

Governor Eddie Baza Calvo

Adelup, Guam 96910

Ricardo J. Bordallo Governor's Complex

Terrence M. Brooks, Esq.

☐ I have no financial interest in any business ■ I do have interest(s) in the following business(es):								
Name and address of business interest:	Type and amount of interest							
Terrence M. Brooks, P.C.	Law Firm - Owner							

Signatule

TO:

FROM:

Date 1/10/2014

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

Signature

Date



Government of Guam GUAM POLICE DEPARTMENT RECORDS & IDENTIFICATION SECTION

P.O. Box 23909 Guam Main Facility, Guam 96921



January 13, 2014

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Terrence	M. BROOKS		
DATE OF	BIRTH:		FINGERPRINT#:	
	F		f criminal conviction(s) in GPD nd regulations of the Departmen	

AS OF THE ABOVE DATE, THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY. THIS CLEARANCE DOES NOT REFLECT ARREST (S) PENDING ADJUDICATION

The absence of an original GUAM POLICE

seal invalidates this police clearance. REVISED 07/12/11

FRED E. BORDALLO, JR. Chief of Police

By Direction: neng



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370 Fax (671) 472-2856

DANIELLE T. ROSETEClerk of Courts

Name:	Τ	E	R	R	E	١	ı	С	E	١	Λ	В	F	?	O	O	k	(5	કે

SS#:

ID# GUAM DL#

Date of Birth:

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Crim	inal Cas	ses:	Civil			
A.	\bowtie	No Case Found	10 m	[]	No Case Found	
В.	1.	Criminal Case No.	В.	1.	Civil Case No.	e 112
	2.	Criminal Case No.		2.	Civil Case No.	
	3.	Criminal Case No.		3.	Civil Case No.	
	4.	Criminal Case No.		4.	Civil Case No.	
	5.	Criminal Case No.		5.	Civil Case No.	
	Crimi	inal Record: Page 1 of 1	- Wakata a Tana	Civil	Record: Page 1 of 1	

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 01/13/2014

The absence of an original Court Seal invalidates this document

DANIELLE T. ROSETE

Clerk of Courts

BY: BARBARA G. LEON GUERRERO

Deputy Clerk

Prepared By: NMM