

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

JAN 11 2016

The Honorable Judith T. Won Pat  
Speaker  
*I Mina'trentai Tres na Liheslaturan Guåhan*  
33<sup>rd</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96910

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

*Rory J. Respicio*

RE: Committee Report on Bill No. 136-33 (COR), As Substituted by the Committee

Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on Appropriations and Adjudication on Bill No. 136-33 (COR), As Substituted by the Committee - D. G. Rodriguez, Jr. - "An act to *amend* subsections (C), (E), (F), and (G), and *add* a new subsection (H) of Section 2 (1) of Public Law 32-053, relative to appropriating funds from the unappropriated Guam Highway Fund revenues in FY 2015 and Guam Highway Fund balance to the Department Of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam."

Committee votes are as follows:

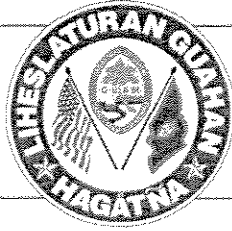
- 2   TO DO PASS
- TO NOT PASS
- 6   TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Sincerely,

*Benjamin J.F. Cruz*  
BENJAMIN J.F. CRUZ  
Chairman

2016 JAN 11 11:20:00





## COMMITTEE REPORT

### **Bill No. 136-33 (COR), As Substituted by the Committee**

***“An act to amend subsections (C), (E), (F), and (G), and add a new subsection (H) of Section 2 (1) of Public Law 32-053, relative to appropriating funds from the unappropriated Guam Highway Fund revenues in FY 2015 and Guam Highway Fund balance to the Department Of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam.”***

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**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

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**MEMORANDUM**

**TO:** All Members  
**FROM:** Vice Speaker Benjamin J.F. Cruz  
*Chairman, Committee on Appropriations and Adjudication*

**SUBJECT:** Committee Report on Bill No. 136-33 (COR), As Substituted by the Committee

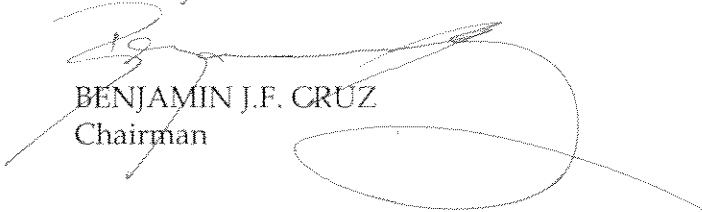
Transmitted herewith for your consideration is the Committee Report on Bill No. 136-33 (COR), As Substituted by the Committee - D. G. Rodriguez, Jr. - "An act to amend subsections (C), (E), (F), and (G), and add a new subsection (H) of Section 2 (1) of Public Law 32-053, relative to appropriating funds from the unappropriated Guam Highway Fund revenues in FY 2015 and Guam Highway Fund balance to the Department Of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 136-33 (COR), As Introduced
- Bill No. 136-33 (COR), As Substituted by the Committee
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 136-33 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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

Sincerely,

  
BENJAMIN J.F. CRUZ  
Chairman

**SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER**

Committee on Appropriations and Adjudication  
 senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*  
**THE THIRTY-THIRD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
 T: (671) 477-2520/1 | F: (671) 477-2522

COMMITTEE VOTING SHEET

**Bill No. 136-33 (COR), As Substituted by the Committee – D. G. Rodriguez, Jr. – “An act to amend subsections (C), (E), (F), and (G), and add a new subsection (H) of Section 2 (1) of Public Law 32-053, relative to appropriating funds from the unappropriated Guam Highway Fund revenues in FY 2015 and Guam Highway Fund balance to the Department Of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam.”**

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson				✓		
AGUON, Jr., FRANK B. Vice Chairperson				✓		
WON PAT, Ed.D., JUDITH T. Speaker and Ex-Officio Member						
MUÑA BARNES, TINA ROSE Member		✓				
RODRIGUEZ, Jr., DENNIS G. Member						
SAN NICOLAS, MICHAEL, F.Q. Member				✓		
UNDERWOOD, Ph.D., NERISSA B. Member				✓		
ADA, V. ANTHONY Member				✓		
MORRISON, THOMAS A. Member		✓				
TORRES, MARY C. Member				✓		



## COMMITTEE REPORT DIGEST

**Bill No. 136-33 (COR), As Substituted by the Committee** – D. G. Rodriguez, Jr. – “An act to *amend* subsections (C), (E), (F), and (G), and *add* a new subsection (H) of Section 2 (1) of Public Law 32-053, relative to appropriating funds from the unappropriated Guam Highway Fund revenues in FY 2015 and Guam Highway Fund balance to the Department Of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam.”

### **I. OVERVIEW**

**Bill No. 136-33 (COR)**, “An act to *amend* Public Law 32-053 and to appropriate funds from fiscal year 2014 Guam Territorial Highway fund un-appropriated fund balance to the Department of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam,” was introduced by Senator Dennis G. Rodriguez, Jr. on July 1, 2015, and subsequently referred to the **Committee on Appropriations and Adjudication** on the same day.

The **Committee on Appropriations and Adjudication** convened a public hearing on **Thursday, September 17, 2015**, beginning at **9:30AM** in the Guam Legislature Public Hearing Room. The hearing for **Bill No. 136-33 (COR)** began at **10:26AM** and ended at **10:51AM**.

#### Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on September 10, 2015, and September 15, 2015, via email. Copies of the hearing notices are appended to the report.

#### Senators Present

**Vice Speaker Benjamin J.F. Cruz**, *Chairperson*

**Senator Frank B. Aguon, Jr.**, *Vice Chairperson*

**Senator Dennis G. Rodriguez, Jr.**, *Member*

**Senator Nerissa B. Underwood, Ph.D.**, *Member*

**Senator V. Anthony Ada**, *Member*

**Senator Frank F. Blas, Jr.**, *Member*

**Senator James V. Espaldon**, *Member*

#### Appeared Before the Committee

**Mr. Glenn A. Leon Guerrero**, *Director, Department of Public Works*

**Mayor Rudy M. Matanane**, *Municipality of Yigo*

**Submitted Written Testimony**

**Mr. Glenn A. Leon Guerrero**, *Director, Department of Public Works*

**Mayor Rudy M. Matanane**, *Municipality of Yigo*

**Mayor June U. Blas**, *Municipality of Barrigada*

**II. TESTIMONY & DISCUSSION**

**Chairman Benjamin J.F. Cruz** announced Bill No. 136-33 (COR) and recognized the sponsor of the legislation to provide a statement.

**Senator Dennis G. Rodriguez, Jr.** thanked the Chairman and proceeded to provide his sponsor statement:

“Mr. Chairman, briefly, what [Bill No. 136-33 (COR)] does is it appropriates and uses funds from the un-appropriated, un-allocated fiscal year (FY) 2014 fund balance of the Guam Territorial Highway Fund (GHF, Highway Fund) and directs that to the Department of Public Works (DPW) to work on flood mitigation and projects that are ongoing—that [were] authorized through a previous public law—and to also address several other items that have to do with flood mitigation and road improvements in our village.

“I must say that this funding source that we used here—this bill was introduced early on in the year—is a source that now has been tapped in the budget act for FY 2016. However, I am working closely with the Office of Finance and Budget (OFB) and, of course, the Chairman to be able to still identify a funding source. There [are] some promising options that are on the table to still address this. We will work with them in doing so. I thank the Chairman for moving forward and calling this hearing just to be able to substantiate the items that are here in this bill. Also, I guess my calculator was not working because One Hundred Thousand Dollars (\$100,000), as we will hear from DPW, is unaccounted for in the total amount that is right before us. Mr. Chairman, thank you.”

**Chairman Cruz** prompted DPW Director Mr. Glenn A. Leon Guerrero to proceed with his testimony.

**Mr. Glenn A. Leon Guerrero**, Director, DPW, provided his testimony in support of the legislation:

“We are in favor of Bill No. 136-33 (COR), which appropriates Two-Point-One-Nine-Seven Million Dollars (\$2,197,000) from the un-appropriated fund balance of the Highway Fund to DPW for flood mitigation and other capital improvement projects related to improving the roads of Guam. The proposed appropriation will provide additional funding to complete the three (3) remaining projects listed in Public Law 32-035, as Senator Rodriguez mentioned. The initial estimates for these projects were referenced in Public Law 32-035;

however, the suggested design and construction estimates exceeded the appropriation for each project. With the additional appropriation, DPW will be able to address the flood mitigation, road repair and paving needed in these villages.

"I would like to mention, as Senator Rodriguez also mentioned, the accounting is off by One Hundred Thousand Dollars (\$100,000). We would like to recommend that the amount of One Hundred Thousand Dollars (\$100,000) be included in Section (g) [of the legislation], bringing the total amount to One-Point-Five-Five-Seven Million (\$1,557,000). To assist with further bill analysis, we have given you a copy of our project report, which accounts for our funding. At this time, I am happy to answer any questions."

**Chairman Cruz** prompted Yigo Mayor Rudy M. Matanane to provide his testimony.

**Mayor Rudy M. Matanane**, Municipality of Yigo, provided his testimony in support of the legislation:

"Thank you, Senators, for coming up with this bill or whatever you need to do with this bill, and for any bill, for that matter, to support the mitigation of flooding all over the island, and most especially [in the village of] Yigo, and to repair all these pot holes that are all over the island. That would make life easier for our residents. For the record, I'm here as the Mayor of Yigo to support the need for these monies for the flooding mitigation. I'm here speaking for Miss Jennifer Zeka (?) from East Gayinero, Gretchen Perez from East Gayinero, Mr. Vincent and Caroline Cruz from Bordallo Subdivision, Mr. and Mrs. Toves from [Chalan] Lachance, Darryl Quintanilla from Mataguac and all others [who] need your help as far as flood mitigation and the repairs of the roads, [which have issues] that make life worse every day.

"I ask and I plead for you to support this bill and any bill that can appropriate money to repair, most especially the flooding issues up there in Yigo and all over the island. It's very hardening to walk to a house that's probably three (3) feet in water and have to carry kids that are sleeping out of their homes. These things have been going on for more than sixteen (16) years. I think that it's incumbent in all of us leaders that can find monies that have been found in the future for less needed help. I'm here on behalf of my people in Yigo and the people all over the island. I'm pleading with you to please help us try to help these people [who] we serve. I thank you very much and I hope that DPW and I can work closely to solve all these problems.

"Even though I kind of just noticed in the bill that some of the villages were mentioned here, but let me tell you that I will go against my colleagues because there's a lot of people [who] sometimes just come near drowning up in Yigo when a rainstorm is on our island. Most especially when there [is] no wind to

carry the rain further out to sea so it won't cause any danger to our residents. I thank you again and I hope that you continue trying to find funding so we can solve these problems that have faced us for so many years. I thank you again."

**Chairman Cruz** thanked Mayor Matanane and opened the floor to questions.

**Senator Frank B. Aguon, Jr.** remarked:

"Just a general comment, and this applies to DPW. The effort and the work that your people had completed with the Roy T. Damian St., I thought [were] excellent. It was patchwork and it addressed a lot of the potholes and did not necessitate re-doing the entire roadway. I'd say that the people in that particular area certainly appreciate it. I understand that it's saved the Highway Fund and the people of Guam quite a bit of money to be able take that approach. I certainly look forward to some of the other patchwork [projects] that will be done to address the pothole issues in other communities [around the] island. I just wanted to mention that because I drive that route regularly and I was pleased to see that a number of the potholes were addressed. So, thank you very much, Mr. Director and your people."

**Senator Frank B. Blas, Jr.** stated that he has a question regarding the appropriation and that he wanted to specifically talk about the proposal for an increase in appropriation for a project in Barrigada. At his request, Director Leon Guerrero verified that Lot No. 1019-5-4 and Lot No. 1019-5-3 are the plots of land for the Limtiaco residence, near the ponding basin, and that the second item in the listing (*appended to this report*) for "flood mitigation for Block 10, Barrigada, Route 10" refers to the residence of Tony Santos. Senator Blas mentioned that there was an appropriation for \$215,000 for that lot, which Director Leon Guerrero confirmed, and asked for expenditure details.

**Director Leon Guerrero** answered:

"This was money that was set aside. DPW looked at several options. I think we were looking at an additional ponding basin, additional laterals; we were looking at ways to meet the fund amount, to stay within the budget. It was a specific project and a contracted line item. We couldn't make ends meet. A proposal was that they allow Mr. Santos to build a second story addition to his house and that was run by the Attorney General's Office. Basically it had him write it off and it is now registered. That's what the money was used for, sir."

**Senator Blas** asked how the proposal resolved Mr. Angel Santos's flooding problem, to which Director Leon Guerrero replied that it did not, since it resolved Mr. Tony Santos's problem. The Senator noted that there had been at least one occasion when he asked the DPW Director for a meeting, but instead the Deputy Director staffed it in the Director's absence. Director Leon Guerrero apologized for his absence and the Senator said he understands. Senator Blas asked the Director if DPW has the funding to resolve Mr. Santos's flooding problem, which the senator stated was a perennial problem.



**Director Leon Guerrero** replied:

“There [are] a couple of solutions. I don’t have the cost estimate for that. One of the issues—if you look from Mr. Angel Santos’s home, to the right would be Tony Santos, which has the second story. There are two (2) laterals that go across Veteran’s Highway. This lateral, I’m not sure what the issue is, but it seems that it is clogged or blocked with trees or something. We need to get back into the property and again assess if it’s clogged and needs to be unclogged, if that would address the issue. I met with the Santos family several times. We’ve looked at it. I promised them that I would try to get a resolution. But, at this point in time, sir, I don’t have a cost or a suggested solution.”

**Senator Blas** continued:

“The reason I want to bring this up is I know that area and the Santos property is actually higher than the Limtiaco property, and knowing the topography of Barrigada, all of that’s going to go down into the Limtiaco property. So as much mitigation as we’re going to do to the Limtiaco property, if we don’t resolve—”

**Director Leon Guerrero** concurred:

“That’s correct; you’re hitting it spot-on, Senator. The last thing we want to do is come and fix one area and kick the can down the road so it’s somebody else’s problem. There are several other solutions, but again, we need to engineer it and we’ve got to engineer it properly. We can do injection wells, but I don’t think it’s efficient given the amount of rainfall we have. That’s what we looked at initially. We can do the same thing for the Barrigada solutions, or the Barrigada projects. Those are the issues we have to deal with. There’s not enough property for us to actually—we’re talking a huge amount of—”

**Senator Blas** said the he noticed during the last storm that the Santoses were pumping the water and diverting it onto Route 10 where it flows right into the Limtiaco property, which the Director confirmed. The Senator asked the Director to explain the Attorney General’s approval of the construction of a second floor for the Santos property.

**Director Leon Guerrero** expounded on the situation:

“The DPW Director brought that solution to—it wasn’t me—brought the solution to the Attorney General, and he [asked if this] would be a [legal] use of the funds. They said yes, so it got registered. Today, it’s registered.”

**Senator Blas** asked the Director if that set a dangerous precedence for him.

**Director Leon Guerrero** replied:

“Absolutely. I can’t tell you how many times I’ve told people, ‘No, I’m not going to do that; no, I’m not going to do that. [If] you want to [replace] me [as Director], you can [replace] me, but I’m not going to do that.’”

**Senator Blas** stated that he appreciates that the Director understands that the Santosés' flooding issue must be resolved or else all attempts to mitigate the Limtiaco's flooding problem would be futile.

**Director Leon Guerrero** added:

"Actually, it becomes a little bit more webbed than that, because you have also the ponding basin behind the Mayor's Office, which is undersized. We've got to look at—it has to be a holistic approach is what I'm saying, sir."

**Senator Blas** thanked Director Leon Guerrero.

**Senator James V. Espaldon** thanked the Chairman and addressed Director Leon Guerrero:

"I know that a lot of the projects that were previously funded under [Public Law] 32-53 have basically increased in amount—at least that's what it shows. I guess the question is, are the amounts listed in the bill based upon bids that were received for the projects, or are they just kind of 'guesstimates' that have been put out?"

**Director Leon Guerrero** responded:

"They were based on bids; we actually went out to bid. For example, Lot 61 Section C—that was a Garrido property right on Route 8. The amount was just under Five Hundred Thousand Dollars (\$500,000), so we could proceed with that."

**Senator Espaldon** continued:

"There is a list of a lot of projects, and we see even all the back to FY 2013 there were appropriations made. I guess the question is: bringing it all up-to-date, was there any preliminary work for each of these projects? Was there any work performed on all these projects or did each project remain on hold until you got the full amount or until you got enough? How does this all work? Because it seems to me from this report that we have, that you're working on several projects, but not all of them. So I want, perhaps, clarification or affirmation from you, how this is all going forward."

**Director Leon Guerrero** responded:

"To answer to your questions, the answer is for the Garrido and Limtiaco projects, we have actually gone out to bid. For Garrido—which is on the spreadsheet, line item number three (3)—it was way over our appropriation or the amount that we had so, so we didn't contract it out. With Limtiaco we went ahead and it was a design build, so they actually did design work on it, so that amount is still encumbered. That's line item number six (6).

“For the rest of the line items from seven (7) all the way down through twenty-five (25), in the bill it said that we had a certain amount of funding that we need to [distribute] to all the villages. So, we created an account for all the villages. I think we gave them something like Thirty Thousand Dollars (\$30,000) or Forty-Five Thousand Dollars (\$45,000). Then we met with the mayors, and met with Senator Rodriguez, and we said probably the best solution to address flood mitigation – sorry, let me take two steps back. We actually did a master plan for flood mitigation, costing in the ballpark of about One Hundred Fifty Million [Dollars] (\$150,000,000) back in 2010.”

“To that point, Three-Point-Four Million [Dollars] (\$3,400,000) obviously was not enough. We’ve had various different projects that we’re trying to address. What we did was we decided, let’s not appropriate Thirty Thousand Dollars (\$30,000) or Forty-Five Thousand Dollars (\$45,000) to each village. Let’s buy six (6) backhoes and three (3) mini dump trucks and a couple of mini-excavators so that we can go to various places. The thought process was that we divide the island into regions: North, Central, South. We assign to backhoes and a dump truck for North, work that process through. Obviously, all that would do is do earth work; it’s not materials for culverts, it’s not concrete, it’s not asphalt; it’s just the ability to have whatever is clogged up unclogged. If we needed to build some sort of canals we can do that on a temporary basis.

“This is the Band-Aid solution, of course, but it was something; we were doing something.”

**Senator Espaldon** thanked the Chairman.

**Mayor Matanane** added:

“I need to say something that’s very, very important. I think you know that this kind of just falls in line being concerned about private properties. A lot of the situations of the flooding up there in Yigo have to do with the sinkholes. Maybe the third worst flooding situation up there is in Bordallo Subdivision. One of the guys [who] live there and grew up there told me that there was a sinkhole right next to the house where the water gets flooded, where we have to vacate people. I was talking to – I forgot who I was talking to at DPW – and said that we cannot go in private property to solve the problems. I also heard that there was a law that even if sinkholes are in private property, they cannot fill them up.

“Well, the situation at the Bordallo Subdivision, I was told that there was a sinkhole and that place never flooded. I was talking to the people [who] own the property that has the sinkhole and they didn’t want to have to do anything in helping the neighbors in trying to solve that problem.

“What I’m getting at [is this]: is there any way the Legislature can find some way, somehow, to work with private property owners to see if they can help? I have

heard that there are about three (3) sinkholes up in Yigo that have big flooding problems that have been covered. I don't know if the Legislature can do anything.

"To be honest with you, the Director said that just work alone, not mentioning materials. What that money's for that's appropriated with Yigo itself, we probably don't have to use any material—just clean up the sinkholes that are there and we're good to go. Let me tell you that there's a place in East Gayinero—I was interviewed there, where after the rainstorm—I think it was three (3) days—and the water was still in the house about a foot deep. Right in the back [area] of that place the water goes up to about ten (10) feet, then the water flows up to the front and fills those houses up, then you cannot get down there because the water's about maybe seven (7), eight (8) feet high. It's very dangerous. It's scary to just go down there when it's not raining, let alone when it's full of water. I can't imagine what kinds of animals are down there.

"Anyway, I'm asking the Legislature to please look into this and find out what we can do to work together with private property owners that have sinkholes. In Yigo, that's one of the easiest ways to solve these problems. Thank you very much."

**Chairman Cruz** thanked the panel and asked the Director to discuss the sinkhole solution with Mayor Matanane and return to the Committee with a report on how to address the flooding using such an approach. On account that there were no other individuals present to testify, Bill No. 136-33 (COR) was considered heard.

### III. FINDINGS AND RECOMMENDATIONS

The Bureau of Budget and Management Research (BBMR) Special Fund Revenue Tracking as of the end of September 2015 indicates that there is an excess of \$552,593 in Guam Highway Fund (GHF) revenues that remains unappropriated. This is as a result of Public Law 32-181 (FY 2015 Budget Act) projection for GHF revenues as well as corresponding appropriations in the amount of \$18,401,027 but with the BBMR Special Fund Revenue Tracking reporting collections of \$18,953,620.

In addition, the Committee on Appropriations and Adjudication (Committee) determined, at the request of the author of Bill No. 136-33 (COR), that there is sufficient appropriation authority in the amount of \$390,000 that is available from the GHF Balance to support the projects in the measure as a result of unexpended and unencumbered appropriated funds in FY 2015 related to the operations of Public Streetlights.

The Committee, therefore, recommends the substitution of projects in Bill No. 136-33 (COR) with those provided by the measure's author and identified in Substitute Bill No. 136-33 (COR).

The Committee on Appropriations and Adjudication to which was referred **Bill No. 136-33 (COR) - D. G. Rodriguez, Jr. - "An act to amend subsections (C), (E), (F), and (G), and add a new subsection (H) of Section 2 (1) of Public Law 32-053, relative to appropriating funds from the unappropriated Guam Highway Fund revenues in FY 2015 and Guam Highway Fund balance to the Department Of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam"** hereby submits these findings to *I Mina'trentai Tres na Liheslaturan Guåhan* and reports out **Bill No. 136-33 (COR), As Substituted by the Committee**, with a recommendation TO REPORT OUT.

**MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN**  
**2015 (FIRST) Regular Session**

**Bill No.** 136 -33 (loc.)

Introduced by:

D.G. RODRIGUEZ, JR.

**AN ACT TO AMEND PUBLIC LAW 32-053 AND TO APPROPRIATE FUNDS FROM FISCAL YEAR 2014 GUAM TERRITORIAL HIGHWAY FUND UN-APPROPRIATED FUND BALANCE TO THE DEPARTMENT OF PUBLIC WORKS (DPW) FOR FLOOD MITIGATION AND OTHER CAPITAL IMPROVEMENT PROJECTS RELATED TO IMPROVING THE ROADS OF GUAM.**

2015 JUN -1 AM 9:16 JM

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

2 **Section 1. Appropriation.** Notwithstanding any provision of law, the sum  
3 of Two Million One Hundred Ninety Seven Thousand Dollars (\$2,197,000) is  
4 hereby appropriated from the un-appropriated, un-allocated Fiscal Year 2014 fund  
5 balance of the Guam Territorial Highway Fund to the Department of Public Works  
6 (DPW) as specifically provided in Section 2 of this Act.

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

9 **“(C)** Lot 6-1, Block 2, municipality of Barrigada (Route 8), as directed by  
10 the Director of DPW ~~\$300,000~~ up to \$550,000

11 **(E)** Various flood mitigation and road repairs and pavement work in the  
12 village of Yigo, as directed by the Mayor of Yigo ~~\$150,000~~ up to \$300,000

13 **(F)** Lot 1019-5-4 and 1019-5-3, municipality of Barrigada, as directed by  
14 the Mayor of Barrigada ~~\$180,000~~ up to \$300,000

1 (G) Flood Mitigation and road repair and pavement Projects around the  
2 island, as directed by the Director of DPW and as prescribed in Exhibit “A”  
3 through “S” of this Act. Road repairs and pavements shall be directed by the  
4 DPW director and shall commence with improvements to Chalan Maimai  
5 Street, Chalan Pago, Swamp Road in Dededo, Lalo Street in Mangilao, and  
6 Chalan Frijoles Street in Dededo \$1,457,000

7 (H) Purchase of Lot 10-20, municipality of Agana Heights to continue to  
8 be used as a government ponding basin in order to control flooding in the  
9 village \$120,000.”

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2016 (SECOND) Regular Session

**Bill No. 136-33 (COR)**

**As Substituted by the Committee on Appropriations and Adjudication**

Introduced by:

Dennis G. Rodriguez, Jr.

**AN ACT TO *AMEND* SUBSECTIONS (C), (E), (F), AND (G),  
AND *ADD* A NEW SUBSECTION (H) OF SECTION 2 (1) OF  
PUBLIC LAW 32-053, RELATIVE TO APPROPRIATING  
FUNDS FROM THE UNAPPROPRIATED GUAM HIGHWAY  
FUND REVENUES IN FY 2015 AND GUAM HIGHWAY FUND  
BALANCE TO THE DEPARTMENT OF PUBLIC WORKS  
(DPW) FOR FLOOD MITIGATION AND OTHER CAPITAL  
IMPROVEMENT PROJECTS RELATED TO IMPROVING  
THE ROADS OF GUAM.**

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

2        **Section 1. Appropriation.** Notwithstanding any provision of law, the  
3 sum of Five Hundred Fifty Thousand Dollars (**\$550,000**) is hereby appropriated  
4 from the unappropriated Guam Highway Fund revenues in FY 2015 and Three  
5 Hundred Ninety Thousand Dollars (**\$390,000**) from unappropriated fund balance  
6 of the Guam Highway Fund to the Department of Public Works (DPW) as  
7 specifically provided in Section 2 of this Act.

8        **Section 2.** Subsections (C), (E), (F) and (G) are *amended*, and a new  
9 Subsection (H) is *added* to Section 2 (1) of Public Law 32-053 to read as follows:

10            “(C) Lot 6-1, Block 2, municipality of *Barrigada* (Route 8), as  
11        directed by the Director of DPW                    \$300,000 up to \$550,000”







SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication  
 senator@senatorbjcruz.com | www.senatorbjcruz.com

*I Mina'trentai Tres na Liheslaturan Guahan*  
 THE THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
 T: (671) 477-2520/1 | F: (671) 477-2522

**PUBLIC HEARING SIGN-IN SHEET**

9:30AM Thursday, September 17, 2015

Guam Legislature Public Hearing Room • Hagåtña, Guam

Bill No. 136-33 (COR) - D.G. Rodriguez, Jr. - "An act to *amend* Public Law 32-053 and to appropriate funds from Fiscal Year 2014 Guam Territorial Highway Fund un-appropriated fund balance to the Department of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPOSE	WRITTEN	ORAL		
Enleor (Local Guam Mayor Matarese)	DPW Yigo Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	646-2151	sfern.leanquencena@pw.gov.gu
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	777-8416	yigomayor@pw.gov.gu
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		



The Honorable  
**EDDIE BAZA CALVO**  
 Governor

The Honorable  
**RAY TENORIO**  
 Lieutenant Governor



**GLENN LEON GUERRERO**  
 Director

**FELIX C. BENAVENTE**  
 Deputy Director

September 16, 2015

Vice Speaker Benjamin J.F. Cruz  
 Committee on Appropriations and Adjudication  
 I Mina Trentai Tresna Liheslaturan Guåhan  
 33<sup>rd</sup> Guam Legislature  
 155 Hesler Place, Suite 107  
 Hagåtña, Guam 96910

Subject: Bill 136-33 (COR)

*Hafa Adai Vice Speaker Cruz!*

The Department of Public Works is in favor of Bill 136-33 (COR), which appropriates \$2,197,000 from the un-appropriated Fund Balance of the Guam Highway Fund to DPW for Flood Mitigation and other Capital Improvement Projects related to improving the roads of Guam. The proposed appropriation will provide additional funding to complete the three remaining projects listed in public law 32-035. The initial estimates for these projects are referenced in public law 32-035. However, the suggested designs and construction estimates exceeded the appropriation for each project. With the additional appropriation, DPW will be able to address the flood mitigation, road repair, and paving needed in these villages.

I would like to bring to the committee's attention in Section 2 of the bill. It amends the original appropriated amounts for each project listed in Public Law 32-053. However, the amount referenced per project does not add up to \$2,197,000. The appropriated amount per project aggregates to only \$2,097,000, which leaves a difference of \$100,000. We would like to recommend that the amount of \$100,000 be included in Section G, bringing the total amount to \$1,557,000.

To assist with further analysis of Bill 136-33 (COR), DPW has provided a Flood Mitigation Project report and an Accounting Status Report as of September 15, 2015. This report provides the account balances for all projects as established in accordance to Public Law 32-053. The total appropriations amounts to \$3.4M, the total expenditures amounts to \$1.3M and the outstanding encumbrances amount to \$1.1M thereby leaving an available continuing appropriation balance of \$1M for use in the next months as projects are currently on going.

Senseramente',

  
**GLENN LEON GUERRERO**

Attachment

GLENN LEON GURRERERO  
Director

DEPARTMENT OF PUBLIC WORKS - ADMINISTRATIVE SERVICES DIVISION  
PROJECT ACCOUNTING STATUS REPORT (As of September 30, 2015)

FLOOD MITIGATION AND OTHER PURPOSES  
(GUAM TERRITORIAL HIGHWAY FUND)

P.L. 32-053



FY 2013 (As of 09/30/13)

FY 2014 (As of 09/30/14)

FY 2015 (As of 09/16/15)

LINE	DESCRIPTION	FY 2013 (As of 09/30/13)		FY 2014 (As of 09/30/14)		FY 2015 (As of 09/16/15)		BALANCE
		APPR.	EMCS.	APPR.	EMCS.	APPR.	EMCS.	
1	Flood Mitigation-Titane Street, Hagatna	246,000	-	246,000	-	246,000	-	10,408
2	Flood Mitigation-Lot 4, Block 10, Barrigada (B1)	215,000	-	215,000	-	215,000	-	128,750
3	Flood Mitigation-Lot 6-1, Block 2, Barrigada (B3)	300,000	-	300,000	-	300,000	-	299,744
4	Flood Mitigation-Chaban Larrero, Dededo	300,000	-	300,000	-	300,000	-	11,065
5	Flood Mitigation-Various Flood Mitigation, Yigo	15,000	-	15,000	-	15,000	-	150,000
6	Flood Mitigation-Lot 1819-5-4 & 1819-5-3, Barrigada	180,000	-	180,000	-	180,000	-	31,808
7	Flood Mitigation-Agana Heights - Exhibit A	111,611	-	111,611	-	111,611	-	-
8	Flood Mitigation-Agna - Exhibit B	111,611	-	111,611	-	111,611	-	-
9	Flood Mitigation-AzaroMarina Exhibit - C	111,611	-	111,611	-	111,611	-	-
10	Flood Mitigation-Barrigada Exhibit D	111,611	-	111,611	-	111,611	-	-
11	Flood Mitigation-Chaban Pago/Oliva - Exhibit E	111,611	-	111,611	-	111,611	-	-
12	Flood Mitigation-Dededo Exhibit F	111,611	-	111,611	-	111,611	-	-
13	Flood Mitigation-Hagana Exhibit G	111,611	-	111,611	-	111,611	-	-
14	Flood Mitigation-Iorazan Exhibit - H	111,611	-	111,611	-	111,611	-	-
15	Flood Mitigation-Mangfiao Exhibit I	111,611	-	111,611	-	111,611	-	-
16	Flood Mitigation-Merizo - Exhibit J	111,611	-	111,611	-	111,611	-	-
17	Flood Mitigation-Mongfiao/TasaMarie Exhibit K	111,611	-	111,611	-	111,611	-	-
18	Flood Mitigation-Piti - Exhibit L	111,611	-	111,611	-	111,611	-	-
19	Flood Mitigation-Santa Rita - Exhibit M	111,611	-	111,611	-	111,611	-	-
20	Flood Mitigation-Tadofig - Exhibit N	111,611	-	111,611	-	111,611	-	-
21	Flood Mitigation-Tamuning/Tamuning/Hacion - Exhibit O	111,611	-	111,611	-	111,611	-	-
22	Flood Mitigation-Umanac - Exhibit P	111,611	-	111,611	-	111,611	-	-
23	Flood Mitigation-Yigo - Exhibit Q	111,611	-	111,611	-	111,611	-	-
24	Flood Mitigation-Yona - Exhibit R	111,611	-	111,611	-	111,611	-	-
25	Flood Mitigation Projects DPV	-	-	-	-	-	-	-
26	GRAND TOTAL	3,400,000	-	3,400,000	-	3,400,000	-	1,027,142

261,677  
47,750  
299,744  
166,635  
102,201  
31,165  
150,000  
31,808  
128,000  
661,498  
1,116,008  
1,042,872



**YIGO MAYOR'S OFFICE**  
"OFFICINAN I TAOTAO"

Rudy M. Matanane, Mayor  
Anthony P. Sanchez, Vice Mayor

## Letter of Support

09/17/2015

Vice Speaker Benjamin J.F. Cruz  
Committee on Appropriations and Adjudication  
The 33<sup>RD</sup> Guam Legislature

Hafa Adai, Vice Speaker Cruz,

I am submitting this letter of support for **Bill No. 136-33(COR)**. The residents of Yigo have endured unsafe driving conditions for years due to poor road conditions, I hear so many complaints about our residents getting flat tires often and that when cars are driving thru a few stretches of highway that they will occupy the shoulder or the center lane to avoid all the pot holes that are prevalent throughout the village. I myself had more than a few near collisions in the past couple of years and our staff vehicles have lost numerous tires throughout my 2 ½ years in office.

Flood mitigation is one of the biggest problems that we have through out our municipality the sheer size of the village of Yigo just compounds this problem, during typhoons and most especially heavy downpours that my staff and I go out and evacuate residents from their homes and help them move to higher ground. The look of hopelessness and despair from these residents is heart wrenching. This Bill can alleviate a lot of problems now it won't fix everything but it's a good start.

Sincerely,

Mayor Rudy Matanane  
Yigo, Guam

# BARRIGADA

Office of the Mayor & Vice Mayor  
124 Luayao Lane, Barrigada, Guam 96913

September 17, 2015

Honorable Benjamin J.F. Cruz  
Chairperson, Committee on Appropriations and Adjudication  
33<sup>rd</sup> Guam legislature  
Hagåtña, Guam 096910

Re: Bill No. 136-33 (COR), AN ACT TO AMEND PUBLIC LAW 32-053 AND TO APPROPRIATE FUNDS FROM FISCAL YEAR 2014 GUAM TERRITORIAL FUND UNAPPROPRIATED FUND BALANCE TO THE DEPARTMENT OF PUBLIC WORKS (DPW) FOR FLOOD MITIGATION AND OTHER CAPITAL IMPROVEMENT PROJECTS RELATED TO IMPROVING THE ROADS OF GUAM.

Dear Senator Cruz:

*Buenas yan Hafu Adai!* Vice Mayor Jessie P. Bautista and I, together with members of the Barrigada Municipal Planning Council support Bill No. 136-33 (COR), specifically those provisions pertaining to Barrigada.

The specific provisions relating to Barrigada contained in Section 2 (1) are as follows:

- (C) Lot 6-1, Block 2, municipality of Barrigada (Route 8), as directed by the Director of DPW ~~\$300,000~~ **up to \$550,000**
- (F) Lot 1019-5-4 and 1019-5-3, municipality of Barrigada, as directed by the Mayor of Barrigada ~~\$180,000~~ **up to \$300,000**
- (G) Flood mitigation and road repair and repavement around the island, as directed by the Director of DPW and as prescribed in Exhibit "A" through "S" of this Act. Road repairs and repavement shall be directed by the DPW director and shall commence with improvements to Chalan Maimai Street, Chalan Pago, Swamp Road in Dededo, Lalo Street in Mangilao, and Chalan Frijoles Street in Dededo **\$1,457,000.**

Thank you for your time and if you have any questions, please feel free to contact us at (61) 734-3737 or email at [bmomayor@teleguam.net](mailto:bmomayor@teleguam.net); [jessie.bautista007@gmail.com](mailto:jessie.bautista007@gmail.com); or [bmoadmin@teleguam.net](mailto:bmoadmin@teleguam.net).

*Sincerely,*

  
JUNE U. BLAS  
Mayor

  
Vice Speaker Benjamin J.F. Cruz  
Jessie P. BAUTISTA  
Vice Mayor

Date: 9/18/15 Time: 9:56am

cc: Senator Dennis G. Rodriguez, Jr

File No.: 33-579

Received By: 



# COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guåhan* • The 33rd Guam Legislature

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

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

August 6, 2015

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

## Memorandum

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

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

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

Legislative Secretary  
Tina Rose Muna Barnes  
Member

Subject: **Fiscal Notes**

Senator

*Hafa Adai!*

2015 President 11 233

G. Rodríguez, Jr.  
Member

Attached please find the draft fiscal notes for the bills below. Please note that the fiscal notes are issued on the bills as introduced.

Senator  
Blas Aguon, Jr.  
Member

### FISCAL NOTES:

Bill No. 136-33(COR)

Bill No. 142-33(COR)

Senator  
E.Q. San Nicolas  
Member

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

Senator  
Tanna Underwood  
Member

*Si Yu'os mi'ase!*

V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

Net

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 136-33 (COR)**

**AN ACT TO AMEND PUBLIC LAW 32-053 AND TO APPROPRIATE FUNDS FROM FISCAL YEAR 2014 GUAM TERRITORIAL HIGHWAY FUND UN-APPROPRIATED FUND BALANCE TO THE DEPARTMENT OF PUBLIC WORKS (DPW) FOR FLOOD MITIGATION AND OTHER CAPITAL IMPROVEMENT PROJECTS RELATED TO IMPROVING THE ROADS OF GUAM.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Public Works	Dept./Agency Head: Glenn Leon Guerrero
Department's General Fund (GF) appropriation(s) to date:	6,995,334
Department's Other Fund (Specify) appropriation(s) to date: Guam Highway Fund	11,591,169
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$18,586,503</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	Guam Highway Fund (FY14 Un-appropriated Fund Balance)	Total:
FY 2014 Unreserved Fund Balance		\$7,316,487	\$7,316,487
FY 2015 Adopted Revenues	\$0	\$0	\$0
FY 2015 Appro. (P.L. 32-181 thru 33-07)	\$0	(\$3,642,696)	(\$3,642,696)
Sub-total:	\$0	\$3,673,791	\$3,673,791
Less appropriation in Bill	\$0	(\$2,197,000)	(\$2,197,000)
<b>Total:</b>	<b>\$0</b>	<b>\$1,476,791</b>	<b>\$1,476,791</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2015 (if applicable)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Guam Highway Fund (FY14 Un-appropriated Fund Balance)	\$2,197,000	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$2,197,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Analyst: <u>Angela Flores</u> Angela Flores, BMA IV	Date: <u>7/22/15</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Director	Date: <u>AUG 05 2015</u>
--	----------------------	---	--------------------------

Footnotes: 1/ The itemized details included in the proposed legislation under Section 2 entail a total cost impact of \$2,097,000, and not \$2,197,000 as appropriated under Section 1, from the FY2014 Guam Highway Fund Un-Appropriated Fund Balance. As such, Section 1 intends to appropriate \$100,000 more than the details specified in Section 2 of the Bill. The Audited FY2014 Financial Statement for the Guam Highway Fund reflects \$7,316,487 as the Fund Balances at End of Year.





## COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guåhan* • The 33rd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muna Barnes  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
Nerissa Bretania Underwood  
Member

V. Anthony Ada  
MINORITY LEADER


Mary C. Torres  
MINORITY MEMBER

July 1, 2015

### MEMORANDUM

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

Attorney Therese M. Terlaje  
*Legislative Legal Counsel*

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

**Subject:** Referral of Bill No. 136-33(COR)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 136-33(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 Tres 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 Tres Nu Lihelaturan Received*

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
136-33 (COR)	Dennis G. Rodriguez, Jr.	AN ACT TO AMEND PUBLIC LAW 32-053 AND TO APPROPRIATE FUNDS FROM FISCAL YEAR 2014 GUAM TERRITORIAL HIGHWAY FUND UN-APPROPRIATED FUND BALANCE TO THE DEPARTMENT OF PUBLIC WORKS (DPW) FOR FLOOD MITIGATION AND OTHER CAPITAL IMPROVEMENT PROJECTS RELATED TO IMPROVING THE ROADS OF GUAM.	07/01/15 9:16 a.m.	07/02/15	Committee on Appropriations and Adjudication			

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
T: (671) 477-2520/1 | F: (671) 477-2522

September 10, 2015

**MEMORANDUM**

To: All Members/All Senators  
From: Vice Speaker Benjamin J.F. Cruz, Chairperson

**Re: FIRST NOTICE of Public Hearing - September 17, 2015**

*Håfa Adai!* The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills on **Thursday, September 17, 2015**, in the *I Liheslatura Public Hearing Room* with the following schedule:

**9:30AM**

- **Bill No. 117-33 (COR)** – V.A. Ada / J.V. Espaldon – “An act to *add* a new §77136 to Chapter 77 of 10 GCA, relative to authorizing a continuing annual appropriation for the costs of the Annual Peace Officers’ Memorial Ceremony.”
- **Bill No. 133-33 (COR)** – D.G. Rodriguez, Jr. – “An act to *add* a new § 33202.1 to Part 1 of Article 2, Chapter 33, Division 3, Title 5, Guam Code Annotated, relative to authorizing a Guam commissioned Notary Public to perform notarial acts in a foreign country for documents to be used in Guam.”
- **Bill No. 136-33 (COR)** – D.G. Rodriguez, Jr. - “An act to *amend* Public Law 32-053 and to appropriate funds from Fiscal Year 2014 Guam Territorial Highway Fund un-appropriated fund balance to the Department of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam.”
- **Bill No. 144-33 (COR)** – F.F. Blas, Jr. / J.V. Espaldon – “An act to *add* a new § 4123, Chapter 4, Title 5, Guam Code Annotated, relative to establishing federal receipts reporting requirements.”
- **Bill No. 146-33 (COR)** – F.B. Aguon, Jr. – “An act to *add* a new § 832.1 to Article 1, Chapter 8, Title 1, Guam Code Annotated, relative to the establishment of a War on Terror Fallen Heroes Monument on the Adelup Parade Field in the Ricardo J. Bordallo Governor’s Complex at Adelup; and to repeal Public Law 32-046.”

**2:00PM**

- **Bill No. 153-33 (LS)** – F.B. Aguon, Jr. / V.A. Ada / R.J. Respicio / F.F. Blas, Jr. – “An act to *appropriate* the sum of Twenty Five Thousand Dollars (\$25,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060 to the Department of Administration for the purpose of funding the Fallen Heroes Monument to be erected by the Fallen Heroes of the Pacific Foundation (GUAM).”

FIRST NOTICE OF PUBLIC HEARING – September 17, 2015

Committee on Appropriations and Adjudication

Vice Speaker Benjamin J.F. Cruz, Chairperson

Page 2 of 2

- **Bill No. 154-33 (LS)** – F.B. Aguon, Jr. / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of One Hundred Thousand Dollars (\$100,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060 to the Yoña Mayor’s Office for the purpose of the repair of the Yoña gym facilities.”
- **Bill No. 155-33 (LS)** – F.B. Aguon, Jr. / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of Thirty Nine Thousand Dollars (\$39,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Talofó’fo’ Mayor’s Office for the purpose of repair and upgrades to the Talofó’fo’ Baseball Field.”
- **Bill No. 156-33 (LS)** – F.B. Aguon, Jr. / T.A. Morrison / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of Seventy Three Thousand Dollars (\$73,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Department of Public Works for the repair of the Umatac Bridge Towers. “
- **Bill No. 157-33 (LS)** – F.B. Aguon, Jr. / V.A. Ada / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Sinajaña Mayor’s Office for the completion of the Open Air Gymnasium, renovations and reconfiguration of the parking lot, building of a playground, and renovation of the baseball field.”
- **Bill No. 158-33 (LS)** – F.B. Aguon, Jr. / D.G. Rodriguez, Jr. – “An act to *appropriate* the sum of One Hundred Eighty-Six Thousand, Four Hundred Fifty-Four Dollars and Eighty-Five (\$186,454.85) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Department of Administration for the purposes of Typhoon Halong Overtime Payments.”

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; via facsimile to 477-2522; or via e-mail to [senator@senatorbjcruz.com](mailto:senator@senatorbjcruz.com). Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at [carlo.branch@senatorbjcruz.com](mailto:carlo.branch@senatorbjcruz.com).

We look forward to your attendance and participation.

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication  
senator@senatorbicruz.com | www.senatorbicruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

FOR IMMEDIATE RELEASE

September 10, 2015

## FIRST NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as five (5) days' notice for a series of Public Hearings by the **Committee on Appropriations and Adjudication** scheduled on **Thursday, September 17, 2015**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

### 9:30AM – PUBLIC HEARING OF BILLS

- **Bill No. 117-33 (COR)** – V.A. Ada / J.V. Espaldon – “An act to *add* a new §77136 to Chapter 77 of 10 GCA, relative to authorizing a continuing annual appropriation for the costs of the Annual Peace Officers' Memorial Ceremony.”
- **Bill No. 133-33 (COR)** – D.G. Rodriguez, Jr. – “An act to *add* a new § 33202.1 to Part 1 of Article 2, Chapter 33, Division 3, Title 5, Guam Code Annotated, relative to authorizing a Guam commissioned Notary Public to perform notarial acts in a foreign country for documents to be used in Guam.”
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### 2:00PM – PUBLIC HEARING OF BILLS

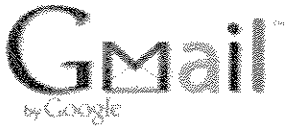
- **Bill No. 153-33 (LS)** – F.B. Aguon, Jr. / V.A. Ada / R.J. Respicio / F.F. Blas, Jr. – “An act to *appropriate* the sum of Twenty Five Thousand Dollars (\$25,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060 to the Department of Administration for the purpose of funding the Fallen Heroes Monument to be erected by the Fallen Heroes of the Pacific Foundation (GUAM).”

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Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; by facsimile to 477-2522; or by e-mail to [senator@senatorbjcruz.com](mailto:senator@senatorbjcruz.com). Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at [carlo.branch@senatorbjcruz.com](mailto:carlo.branch@senatorbjcruz.com).

###



Hermina Certeza <hermina.certeza@senatorbjcruz.com>

## FIRST NOTICE of Public Hearing – September 17, 2015

1 message

Dani Reyes <danireyes@senatorbjcruz.com>

Thu, Sep 10, 2015 at 9:00 AM

To: PH Notice <phnotice@guamlegislature.org>

Cc: "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)"

<sgtarms@guamlegislature.org>, Management Information System <mis@guamlegislature.org>, Clerks

<clerks@guamlegislature.org>

September 10, 2015

### MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamín J.F. Cruz, Chairperson

Re: **FIRST NOTICE of Public Hearing – September 17, 2015**

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(The links provided above, as shown in the boldfaced and underlined text, direct to the respective PDF documents posted on the Guam Legislature website. For direct access, go to <http://www.guamlegislature.org>; bills are found under Bills > Introduced > 33rd).

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We look forward to your attendance and participation.

cc: COR  
Sgt-at-Arms  
MIS  
Clerks  
Media

—  
**Dani Reyes**  
Policy Analyst

**Vice Speaker Benjamin J.F. Cruz**  
I Mina'trentai Tres na Liheslaturan Guåhan  
T 671-477-2520 | F 671-477-2522  
<http://www.senatorbjcruz.com>

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**2 attachments**

 **FIRST NOTICE PH 09172015.pdf**  
255K

 **FIRST NOTICE PR PH 09172015.pdf**  
226K



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**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

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September 15, 2015

**MEMORANDUM**

To: All Members/ All Senators  
From: Vice Speaker Benjamin J.F. Cruz, Chairperson

Re: **SECOND NOTICE of Public Hearing - September 17, 2015**

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We look forward to your attendance and participation.



FOR IMMEDIATE RELEASE

September 15, 2015

## SECOND NOTICE OF PUBLIC HEARING

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SECOND NOTICE OF PUBLIC HEARING – September 17, 2015

Committee on Appropriations and Adjudication

Vice Speaker Benjamin J.F. Cruz, Chairperson

Page 2 of 2

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###



Hermina Certeza <hermina.certeza@senatorbjcruz.com>

## SECOND NOTICE of Public Hearing – September 17, 2015

1 message

**Dani Reyes** <danireyes@senatorbjcruz.com>

Tue, Sep 15, 2015 at 9:08 AM

To: PH Notice <phnotice@guamlegislature.org>

Cc: "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>, Management Information System <mis@guamlegislature.org>, Clerks <clerks@guamlegislature.org>

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We look forward to your attendance and participation.

cc: COR  
Sgt-at-Arms  
MIS  
Clerks  
Media

–  
**Dani Reyes**  
*Policy Analyst*

**Vice Speaker Benjamin J.F. Cruz**  
*I Mina'trentai Tres na Liheslaturan Guåhan*  
T 671-477-2520 | F 671-477-2522  
<http://www.senatorbjcruz.com>

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## 2 attachments

 **SECOND NOTICE PH 09172015.pdf**  
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**Listsrv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)**

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aalladi@guampdn.com
action@weareguahan.com
admin2@guamrealtors.com
admin@frankaguonjr.com
admin@guamrealtors.com
admin@weareguahan.com
aguon4guam@gmail.com
agusto.aflague@gmail.com
ahernandez@guamlegislature.org
ajuan@kijifm104.com
alerta.jermaine@gmail.com
aline4families@gmail.com
am800guam@gmail.com
amandalee.shelton@mail.house.gov
amcborja@gmail.com
amier@mvguam.com
ang.duenas@gmail.com
ann@toduguam.com
ataligba@gmail.com
av@guamlegislature.org
avon.guam@gmail.com
baza.matthew@gmail.com
bbautista@spbguam.com
bdydasco@senatorada.org
bernice@tinamunabarnes.com
betsy@spbguam.com
bmkelman@guampdn.com
brantforguam@gmail.com
bruce.lloyd.media@gmail.com
bshringi@moylans.net
carlaborja.73@yahoo.com
carlo.branch@gmail.com
carlo.branch@senatorbjcruz.com
carlsanchez@judiwonpat.com
carlsonc@pstripes.osd.mil
ccastro@guamchamber.com.gu
ccharfauros@guamag.org
ccolbert@guamlegislature.org
ccruz.duenas@gmail.com
cheerfulcatunao@yahoo.com
christine.quinata@takecareasia.com
cipo@guamlegislature.org
clerks@guamlegislature.org
clynt@spbguam.com
committee@frankaguonjr.com
communications@frankaguonjr.com
communications@guam.gov
cor@guamlegislature.org
coy@senatorada.org
cyrus@senatorada.org
danireyes@senatorbjcruz.com
derisost@guam.gannett.com
delisieduenas@judiwonpat.com

desori623@hotmail.com
divider_j.jimenez@hotmail.com
dleddy@guamchamber.com.gu
dmgeorge@guampdn.com
dtamondong@guampdn.com
duenasenator@gmail.com
ed@tonyada.com
edelynn1130@hotmail.com
editor@mvguam.com
editor@saipantribune.com
edpocaigue@judiwonpat.com
eflores@senatorbjcruz.com
elena.garcia@senatorbjcruz.com
emqcho@gmail.com
eo@guamrealtors.com
etajalle@guamlegislature.org
ewinstoni@yahoo.com
fbtorres@judiwonpat.com
fes22744@gmail.com
flores@senatorada.org
frank.blasjr@gmail.com
frank@judiwonpat.com
frank@mvguam.com
gdumat-ol@guampdn.com
gerry@mvguam.com
gerrypartido@gmail.com
gina@mvguam.com
gina.fccg12@yahoo.com
gktv23@hotmail.com
guadalupeignacio@gmail.com
guam.avon@gmail.com
guam@pstripes.osd.mil
guamnativesun@yahoo.com
hana@guam-shinbun.com
hermina.certeza@senatorbjcruz.com
hill.bruce@abc.net.au
hottips@kuam.com
info@chinesetimesguam.com
janela@mvguam.com
jason@kuam.com
jason@senatormorrison.com
jean@tinamunabarnes.com
jennifer.lj.dulla@gmail.com
jennifer@mvguam.com
jespaldonesq@gmail.com
joan@kuam.com
joe@toduguam.com
joesa@guamlegislature.org
john.calvo@noaa.gov
john@kuam.com
johnluces@toduguam.com
jon.calvo@mail.house.gov
jontalk@gmail.com

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)**  
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jpmanuel@gmail.com
jstedtaotao@gmail.com
jtenorio@guamcourts.org
julian.c.janssen@gmail.com
juliette@senatorada.org
kai@spbgum.com
kcharfauros@gmail.com
kcn.kelly@gmail.com
keepinginformed.671@gmail.com
kelly.toves@mail.house.gov
kennylg@guamlegislature.org
kenq@kuam.com
kevin@spbgum.com
khmg@hbcguam.net
koreannews@guam.net
koreatv@kuentos.guam.net
kstokish@gmail.com
kstone@ite.net
law@guamag.org
legislativecounsel@guamlegislature.org
leling@judiwonpat.com
life@guampdn.com
ljalcairo@gmail.com
llmatthews@guampdn.com
louella@mvguam.com
louise@tonyada.com
m.salaila@yahoo.com
mabuhaynews@yahoo.com
mahoquinene@guam.net
malainse@gmail.com
maria.pangelinan@gec.guam.gov
marym@guamlegislature.org
marycamachotorres@gmail.com
maryfejeran@gmail.com
matthew@senatormorrison.com
matthew.santos@senatorbjcruz.com
mcarlison@guamlegislature.org
mcpherson.kathryn@abc.net.au
media@frankaguonjr.com
menchu@toduguam.com
millie@tinamunabarnes.com
mindy@kuam.com
mis@guamlegislature.org
miseke@mcvguam.com
mlwheeler2000@yahoo.com
monty.mcdowell@amiguam.com
mspeps4873@gmail.com
mvariety@pticom.com
mwatanabe@guampdn.com
natasha@toduguam.com
news@guampdn.com
news@spbgum.com
nick@kuam.com

norman.aguilar@guamcc.edu
nsantos@guamlegislature.org
odngirairiki@guampdn.com
office@senatorada.org
officeassistant@frankaguonjr.com
oliviampalacios@gmail.com
onlyonguam@acubedink.com
orleen@senatorbjcruz.com
pacificjournalist@gmail.com
parroyo@k57.com
pdkprg@gmail.com
pete@tonyada.com
phillips@guam@gmail.com
policy@frankaguonjr.com
publisher@glimpsesofguam.com
rennae@guamlegislature.org
responsibleguam@gmail.com
rfteehan@yahoo.com
rgibson@k57.com
ricknauta@hitradiol100.com
rlintiaco@guampdn.com
rolly@kttkb.com
roryforguam@gmail.com
rowena@senatormorrison.com
senator@senatorbjcruz.com
senator@tinamunabarnes.com
senatorbrantmccreadie@gmail.com
senatordrodriguez@gmail.com
senjvespaldon@gmail.com
senatorsannicolas@gmail.com
senatortonyada@guamlegislature.org
senatorunderwood@guamlegislature.org
sgflores@tinamunabarnes.com
sgtarms@guamlegislature.org
sitarose2@yahoo.com
sixquintanilla@gmail.com
slintiaco@guampdn.com
smendiola@guamlegislature.org
sonedera-salas@guamlegislature.org
speaker@judiwonpat.com
staff@frankaguonjr.com
stephaniemendiola@gmail.com
tanya4families@gmail.com
tasigirl@gmail.com
tcastro@guam.net
telo.taitague@visitguam.org
tessa@senatorbjcruz.com
thebigshow@guamcell.net
thebigshow@k57.com
therese.hart.writer@gmail.com
tina@tinamunabarnes.com
tina.alicto@yahoo.com
tinamunabarnes@gmail.com



**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)**

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<a href="mailto:ijtaitano@cs.com">ijtaitano@cs.com</a>
<a href="mailto:tom@senatorada.org">tom@senatorada.org</a>
<a href="mailto:tommy@senatormorrison.com">tommy@senatormorrison.com</a>
<a href="mailto:tony@senatorada.org">tony@senatorada.org</a>
<a href="mailto:tony@tonyada.com">tony@tonyada.com</a>
<a href="mailto:tpocaigne@judiwonpat.com">tpocaigne@judiwonpat.com</a>
<a href="mailto:tritten@pstripes.osd.mil">tritten@pstripes.osd.mil</a>
<a href="mailto:tterlaje@guam.net">tterlaje@guam.net</a>

<a href="mailto:vejohntorres@guamlegislature.org">vejohntorres@guamlegislature.org</a>
<a href="mailto:vince@tinamunabarnes.com">vince@tinamunabarnes.com</a>
<a href="mailto:vleonguerrero@judiwonpat.com">vleonguerrero@judiwonpat.com</a>
<a href="mailto:xiosormd@gmail.com">xiosormd@gmail.com</a>
<a href="mailto:xiosormd@yahoo.com">xiosormd@yahoo.com</a>
<a href="mailto:ylee2@guam.gannett.com">ylee2@guam.gannett.com</a>
<a href="mailto:zita@mvguam.com">zita@mvguam.com</a>
<a href="mailto:zpalomo@guamag.org">zpalomo@guamag.org</a>



## PUBLIC HEARING AGENDA

Thursday, September 17, 2015

Guam Legislature Public Hearing Room • Hagåtña, Guam

### PUBLIC HEARING OF BILLS

9:30AM

**Bill No. 117-33 (COR)** – V.A. Ada / J.V. Espaldon – “An act to *add* a new §77136 to Chapter 77 of 10 GCA, relative to authorizing a continuing annual appropriation for the costs of the Annual Peace Officers’ Memorial Ceremony.”

**Bill No. 133-33 (COR)** – D.G. Rodriguez, Jr. – “An act to *add* a new § 33202.1 to Part 1 of Article 2, Chapter 33, Division 3, Title 5, Guam Code Annotated, relative to authorizing a Guam commissioned Notary Public to perform notarial acts in a foreign country for documents to be used in Guam.”

**Bill No. 136-33 (COR)** – D.G. Rodriguez, Jr. – “An act to *amend* Public Law 32-053 and to appropriate funds from Fiscal Year 2014 Guam Territorial Highway Fund un-appropriated fund balance to the Department of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam.”

**Bill No. 144-33 (COR)** – F.F. Blas, Jr. / J.V. Espaldon – “An act to *add* a new §4123, Chapter 4, Title 5, Guam Code Annotated, relative to establishing federal receipts reporting requirements.”

**Bill No. 146-33 (COR)** – F.B. Aguon, Jr. – “An act to *add* a new § 832.1 to Article 1, Chapter 8, Title 1, Guam Code Annotated, relative to the establishment of a War on Terror Fallen Heroes Monument on the Adelup Parade Field in the Ricardo J. Bordallo Governor’s Complex at Adelup; and to repeal Public Law 32- 046.”

2:00PM

**Bill No. 153-33 (LS)** – F.B. Aguon, Jr. / V.A. Ada / R.J. Respicio / F.F. Blas, Jr. – “An act to *appropriate* the sum of Twenty Five Thousand Dollars (\$25,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060 to the Department of Administration for the purpose of funding the Fallen Heroes Monument to be erected by the Fallen Heroes of the Pacific Foundation (GUAM).”

**Bill No. 154-33 (LS)** – F.B. Aguon, Jr. / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of One Hundred Thousand Dollars (\$100,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060 to the Yoña Mayor’s Office for the purpose of the repair of the Yoña gym facilities.”

**Bill No. 155-33 (LS)** – F.B. Aguon, Jr. / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of Thirty Nine Thousand Dollars (\$39,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Talofó’fo’ Mayor’s Office for the purpose of repair and upgrades to the Talofó’fo’ Baseball Field.”

**Bill No. 156-33 (LS)** – F.B. Aguon, Jr. / T.A. Morrison / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of Seventy Three Thousand Dollars (\$73,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Department of Public Works for the repair of the Umatac Bridge Towers. ”

**Bill No. 157-33 (LS)** – F.B. Aguon, Jr. / V.A. Ada / D.G. Rodriguez, Jr. / T.R. Muña Barnes – “An act to *appropriate* the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Sinajaña Mayor’s Office for the completion of the Open Air Gymnasium, renovations and reconfiguration of the parking lot, building of a playground, and renovation of the baseball field.”

**Bill No. 158-33 (LS)** – F.B. Aguon, Jr. / D.G. Rodriguez, Jr. – “An act to *appropriate* the sum of One Hundred Eighty-Six Thousand, Four Hundred Fifty-Four Dollars and Eighty-Five (\$186,454.85) from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060, to the Department of Administration for the purposes of Typhoon Halong Overtime Payments.”