

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

OCT 14 2015

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

Rory J. Respicio

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

RE: **Committee Report on Bill No. 154-33 (LS), As Introduced**

2015 OCT 14 PM 12:17



Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on Appropriations and Adjudication on Bill No. 154-33 (LS), As Introduced - 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 Yona Mayor's Office for the purpose of the repair of the Yona gym facilities."

Committee votes are as follows:

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

Sincerely,

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

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
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THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

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

COMMITTEE REPORT

**Bill No. 154-33 (LS),
As Introduced**

“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 Yona Mayor’s Office for the purpose of the repair of the Yona gym facilities.”

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
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I Mina'trentai Tres na Liheslaturan Guåhan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

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OCT 14 2015

MEMORANDUM

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

SUBJECT: Committee Report on Bill No. 154-33 (LS), As Introduced


Transmitted herewith for your consideration is the Committee Report on Bill No. 154-33 (LS), As Introduced - 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 Yona Mayor's Office for the purpose of the repair of the Yona gym facilities."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 154-33 (LS), As Introduced
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 154-33 (LS)
- 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 Guahan
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. 154-33 (LS), As Introduced - 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 Yona Mayor's Office for the purpose of the repair of the Yona gym facilities."

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		<input checked="" type="checkbox"/>				
AGUON, Jr., FRANK B. Vice Chairperson	 12/14/15	<input checked="" type="checkbox"/>				
WON PAT, Ed.D., JUDITH T. Speaker and Ex-Officio Member						
MUÑA BARNES, TINA ROSE Member						
RODRIGUEZ, Jr., DENNIS G. Member		<input checked="" type="checkbox"/>				
SAN NICOLAS, MICHAEL, F.Q. Member				<input checked="" type="checkbox"/>		
UNDERWOOD, Ph.D., NERISSA B. Member		<input checked="" type="checkbox"/>				
ADA, V. ANTHONY Member						
MORRISON, THOMAS A. Member		<input checked="" type="checkbox"/>				
TORRES, MARY C. Member		<input checked="" type="checkbox"/>				



COMMITTEE REPORT DIGEST

Bill No. 154-33 (LS), As Introduced – 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 Yona Mayor’s Office for the purpose of the repair of the Yona gym facilities.”

I. OVERVIEW

Bill No. 154-33 (LS) was introduced by Senators Frank B. Aguon, Jr., Dennis R. Rodriguez, Jr., and Tina R. Muña Barnes on August 12, 2015, and subsequently referred to the **Committee on Appropriations and Adjudication** on August 13, 2015.

The **Committee on Appropriations and Adjudication** convened a public hearing on **Thursday, September 17, 2015**, beginning at **2:00PM** in the Guam Legislature Public Hearing Room. The hearing for **Bill No. 154-33 (LS)** began at **2:17PM** and ended at **2:30PM**.

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 Thomas A. Morrison, *Member*
Senator James V. Espaldon, *Member*

Appeared Before the Committee

Mayor Ken Joe Ada, *Municipality of Yona*

Submitted Written Testimony

Mayor Ken Joe Ada, *Municipality of Yona*
Mr. Jose S. Calvo, *Director, Bureau of Budget & Management Research*

II. TESTIMONY & DISCUSSION

Chairman Benjamin J.F. Cruz announced **Bill No. 154-33 (LS)** and called on Senator Frank B. Aguon, Jr. to provide his sponsor statement.

Senator Frank B. Aguon, Jr. proceeded with his brief sponsor remarks:

“And so we had a preliminary discussion with regards to the funding source, but in regards to this, the community in Yona as well as the rest of the island community had access and use of the Yona gymnasium for a good number of years, on a consistent number of years. And, unfortunately, as a result of Typhoon Dolphin—and I’m sure you, Honorable Mayor [Ken Joe Ada], would be able to [substantiate] this—[the Mayor of Yona] has had to shut it down primarily because of the damages [it] incurred [from] that particular storm. Mr. Chairman-Vice Speaker, I’d like to yield to the mayor to be able to explain exactly what the damages are that were incurred [from] that particular storm and that this measure would appropriate funding to ensure that at least the Yona gymnasium is made available for continued use by the community of Yona as well as the island community. Thank you, Mr. Chairman.”

Mayor Ken Joe Ada, Municipality of Yona, proceeded with his testimony in support of the legislation:

“Last night I was very nervous; I laid in my bed and I prayed and I really asked God to give me the right words to say, and realistically, it came to me and said, ‘Just be honest.’ And the thing that really concerns me is that the reason why we closed the gym was because [when] Typhoon Dolphin came through about mid May 2015, there’s about a thirty- (30) to sixty- (60) foot gash in the roof, which also exposed the insulation and made the fiber-like material airborne, which is very dangerous to breathe for anybody. And so that was the—I made the decision to close the gym, [a decision for which] I had professional advice.

“Unfortunately, during that time, we had a couple funerals and we had to resort to setting up canopies and chairs outside of the church, which is very uncomfortable, but the family was very understanding. I’ve also extended my invitation to other entities throughout the island, seeking corporate sponsorship, seeking other donations and things they can help us with. However, none have come forward. When I made my statements here [...] to the Legislature, this is pretty much my last resort in order for me to attain funding.

“Now the gymnasium serves for, like Senator Aguon was saying, for thousands of people [who] are affected by this. Although I don’t have the documents to prove it, over the summer we got a lot of phone calls from residents about kids being on the side of the road, potentially just having no other productive thing to do [other] than sports activity. So I saw an increase of youth activity during the summer. And the gymnasium also—this is the first year that Yona will not be celebrating our fiesta in the gymnasium. We actually had to resort to the gymnasium at St. Francis School, which also charges the church for use of the facility. And we have some people [who are] kind enough and willing to donate towards that cost, for this year’s fiesta. Thank you, Mr. [Vice] Speaker and Senators for hearing my statements.”

Senator James V. Espaldon proceeded with his line of questioning:

“Mayor, I’m glad you’re here. I’ve seen the letters that you’ve sent to my office and I’m sure you’ve sent [them] to all the senators along with pictures and whatnot; [the gymnasium] definitely needs work. I guess the only question that I have really is the sum of money being requested. One Hundred Thousand Dollars (\$100,000) is what you’re requesting; is that based upon any estimates given by contractors to come in and repair it?”

Mayor Ada responded:

“Yes, we had. We had a previous—I kind of wanted to lay down groundwork for potential future projects for the village. And so we had previous contractors come in to make an estimate at how to get the gym at least in better shape. And again it’s a contemporary issue because those estimates they gave me were only specific to pre-Typhoon Dolphin. Now you’re talking post-Typhoon Dolphin. And so I was able to get a couple quotes from that as well. And it’s in the ballpark for One Hundred Thousand Dollars (\$100,000). So I understand that we have to bid it out and everything like that so—but we were able to clearly identify the scope of work, to get the gym back up to operational status quo, at least.”

Senator Espaldon continued:

“I saw the gaping hole on the roof, definitely. And that’s [the] primary [damage], I would imagine. Any other thing [that was damaged]? And then, of course, I saw some of the rust spots that definitely need repair, that look like [the roof] could fall down if somebody is accident-prone; it might just fall on them. Any other issues [with] the gym aside from that? Plumbing that needs to be redone or flooring after the typhoon?”

Mayor Ada replied:

“Yes, plumbing, flooring. But my goal is—I don’t want to ask for the whole pie because I understand that you guys are in a very difficult situation when it comes to funding and how precious that resource is for our island. What I’m asking for is for our gym to be at least operational status quo. And I firmly attest that I believe the One Hundred Thousand Dollar (\$100,000) special appropriation will be a really good step in that direction for the village. Thank you.”

Senator Thomas A. Morrison provided some remarks about open-air gym structures:

“The facility there is similar to many other facilities; I think it was around the same time those gyms went up and I’m not sure how they took into consideration Guam’s climate. Of course, we see some structures even in Paseo [de Susana] and with the recreation center there. I’m thinking long term if, the mayors are here, [Sinajaña] Mayor [Robert] Hofmann is here and they have a design and, I’m curious to see how it goes for the future of how we construct and

develop these gyms. It's an open-air gym, right? Probably won't require too much air con[ditioning]. It's open air. Plus it's really just putting a roof over, protecting these youths participating in the sports in the gym from the weather. But have you considered that? Because I'm thinking that looking at that model that's already in place—I've talked to the mayors and some of the mayors may be looking to propose with their existing outdoor gyms—if that will be something more feasible in the long term, maintenance-wise, because it's really open air and it's not a really a structure that will [use] as much energy."

Mayor Ada stated that he commends Mayor Hofmann for erecting that gym for his village but proceeded to explain the different demands of each village:

"Every village is different. They all [have] their own special issues they have to overcome. However, Yona is definitely moving in that direction. Mayor Hofmann also offered to help us out, point us in the right direction on that one. But the fact remains that the gym as it sits was our sole outlet for village activities. And again, it is in our future plans but it isn't technically, for a lack of a better word, feasible, for us to pursue right now."

Senator Espaldon asked whether the gym falls under the jurisdiction of the Mayor of Yona or the Department of Public Works (DPW), to which the Mayor Ada confirmed was under his purview, though he has requested help from DPW and the Department of Parks and Recreation.

Senator Espaldon asked if the Mayor of Yona, as opposed to DPW, had the proper contracting authority.

Mayor Ada stated that the contract would go through DPW, as was the case with the Tagachang Beach main pavilion repair for which the Legislature granted a special appropriation last year.

Chairman Cruz considered Bill No. 154-33 (LS) heard.




III. FINDINGS AND RECOMMENDATIONS

The Committee on Appropriations and Adjudication to which was referred **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 Yona Mayor's Office for the purpose of the repair of the Yona gym facilities"** hereby submits these findings to *I Mina'trentai Tres na Liheslaturan Guåhan* and reports out **Bill No. 154-33 (LS), As Introduced**, with a recommendation TO PASS.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Bill No. 54-33 (LS)

Introduced by:

FRANK 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 PURPOSES OF THE REPAIR OF THE YOÑA GYM FACILITIES.


2015 AUG 12 AM 10:40

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

2 **Section 1. Appropriation.** Notwithstanding any other provision of law,
3 the sum of one hundred thousand dollars (\$100,000.00) is hereby appropriated
4 from the initial savings realized in Fiscal Year 2015 pursuant to Public Law 33-060
5 to the *Yoña* Mayor's Office for the purposes of the repair of the *Yoña* Gym
6 Facilities.

7 The appropriation in this Section *shall not* lapse and *shall* remain available
8 pursuant to this Act until fully expended.

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

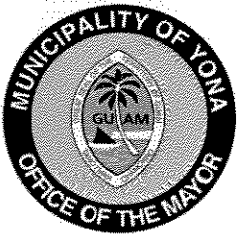
155 Hesler Place, Suite 107, Hagåtña, Guam 96910
 T: (671) 477-2520/1 | F: (671) 477-2522

PUBLIC HEARING SIGN-IN SHEET

2:00PM Thursday, September 17, 2015
 Guam Legislature Public Hearing Room • Hagåtña, 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."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
Ken Joe Ada	Yoña Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	799-6072	kenjoeadada@yahoo.com
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MUNICIPALITY OF YONA

Mayors' Council of Guam
Konsehelon Mahot Guåhan

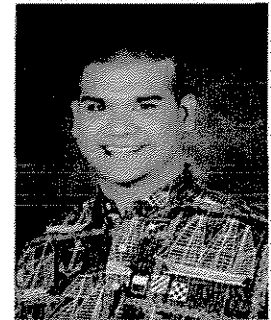
Ken Joe M. Ada, MPA

Mayor

P. O. Box 786 Hagåtña, Guam 96932 / 265 Sister Eucharita Street, Yona, Guam 96915

September 17, 2015

TO: 33rd Guam Legislature
FR: Ken Joe M. Ada, MPA, Yona Mayor
RE: Yona Gymnasium restoration project



Hafa Adai! Thank you for taking the time to read my letter of concern, but more importantly, this is an opportunity to make a lasting difference in rehabilitating the Yona Gymnasium for a healthier community and a place of gathering.

This contemporary issue was determined by Typhoon Dolphin was a powerful tropical cyclone that impacted Guam and the Northern Mariana Islands, in mid-May 2015. Subsequently, the typhoon underwent rapid deepening to a Category 5 super typhoon.

The Yona Mayor's Office decided to close the gym due to safety and health concerns. Safety concerns include but not limited to the structural integrity of the building has been compromised greatly made evident by the 30+ foot gash in the building, but mostly because the Gym has not seen any maintenance or major upgrades since the day it was built.

Yona Gymnasium closed due to safety and health concerns



"Strength of People United"

YONA MAYOR'S OFFICE
TEL: (671) 789-1525/4798
FAX: (671) 789-1821



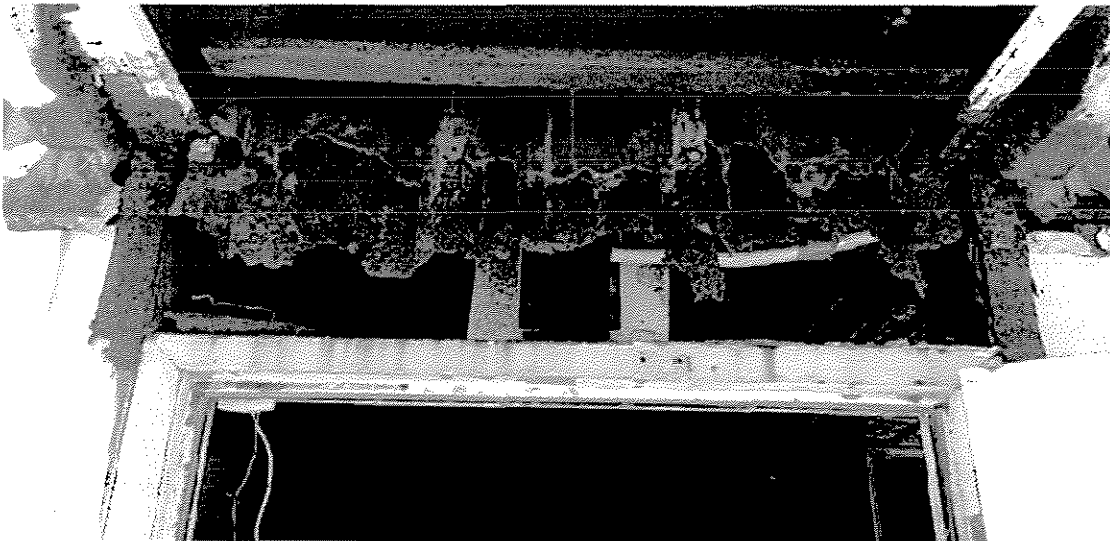
Village Flower "Bougainvillea"

Depicted below is a portion of the Gym's roofing that has been damaged by Typhoon Dolphin.



Although unseen, it is also important to mention that the health concerns that I have for the use of the Gym is that the insulation used has been damaged making air-borne insulation fibers, which can in turn cause irreparable health issues.

BELOW: Rusted Away portions of the Gym Entrance



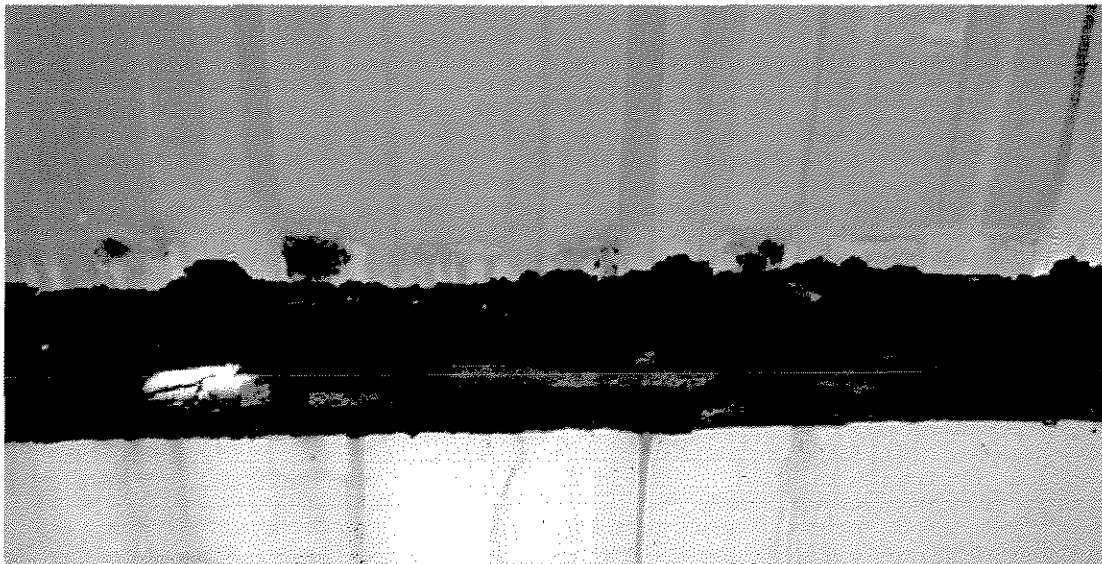
According to some advisors and professionals in the field of insulation, health hazards from this specific insulation can be actually absorbed through the skin of people using the gym, additionally, the insulation is also considered obsolete and should not be used when constructing.

Because of the close proximity to ocean air, the Gymnasium has been exposed to conditions prime for rust to occur and destroy the integrity of the building from within.

Exterior of the Yona Gymnasium



Interior support beams rotted away



Exterior view of the Yona Gymnasium



In addition to recreation, the Gym also serves as a serving site for funerals and many other community activities to include, but not limited to St. Francis Fiesta, Parties, Government workshops, Police & Department of Corrections training and many other aspects of sports and community development.

In conclusion, based on my assessments and advice from professionals in the field, I have decided that it is not to the best interest of the Yona Mayor's Office and the Government of Guam to open the Gymnasium to resume operations based on the health issues and liabilities involved with running a non-functional facility like the Yona Gymnasium with respect to its current condition.

I am writing you with the hopes that we are able to find solutions to bring back the Gymnasium to operational status quo. Every little bit of in-kind donations will help. I believe in you and I have seen all the GREAT work you have done in the past, and I am confident you can make this impossible dream possible.

If you have any further questions or concerns, please feel free to contact me at 789-1525/6 or 797-6072. Thank you for your kind consideration and May God Bless Guam!

SI KEN JOE M. ADA, MPA



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

SEP 17 2015

Vice Speaker Benjamin J.F. Cruz

Date: 9/17/15 Time: 11:55am

File No.: 33-513

Received By: [Signature]

JOSE S. CALVO
DIRECTOR

LESTER L. CARLSON JR.
DEPUTY DIRECTOR

Testimony on Legislative Bill's 153-33, 154-33, 155-33, 156-33, 157-33 and 158-33.

Hafa Adai. I would like to thank you for providing me this opportunity to provide written testimony on a number of proposed measures with similar source of funding, specifically the savings associated with the recent refunding of the Government of Guam's 2007 and 2009 General Obligation Bonds.

These Bills are all laudable in their own right and promote capital improvements to recreational areas and the Umatac Bridge Towers, a monument to Fallen Heroes of the Pacific, and overtime funding for Typhoon Halong.

These Bills collectively would require approximately \$773,454.85 of the \$1,575,972 realized from the successful General Obligation bond refunding authorized under Public Law 33-60. The remaining funds, should all these proposals become law, would be approximately \$802,571.15.

The Bureau would be remiss if it did not call to the attention of this Committee that Section 1 of Public Law 33-60 states, "It is, further, the intent of I Liheslaturan Guahan that there will be no borrowing for new capital improvements with the refunding of the 2007 Bonds and the 2009 Bonds, but rather that the projected net cash flow savings that would be achieved from the refunding of the 2007 Bonds and the 2009 Bonds be appropriated from the General Fund and applied toward capital improvements relating to the Guam Memorial Hospital Authority (GMHA) and other health related matters."

Our only public hospital continues to face challenges while at the same time saving lives and providing quality health care for our Island and our neighbors who seek care at the GMHA. The Bureau therefore urges this Committee and the members of the 33rd Guam Legislature to remember that the savings from the refunding was to provide an infusion of cash to GMHA in order for them to continue their valiant efforts to serve the healthcare needs of Micronesia. It is further the Bureau's desire to state for the record that it is in full support of all remaining savings to be immediately appropriated directly to GMHA for the good of our healthcare system and consistent with legislative policy as embodied in Public Law 33-60.

Thank you again for the opportunity to provide written testimony on this series of proposed measures.

Senseramente,

[Signature]
Jose S. Calvo



COMMITTEE ON RULES

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

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

October 14, 2015

Memorandum

To: Rennae Meno
Clerk of the Legislature

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

Subject: Fiscal Notes

Hafa Adai!

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

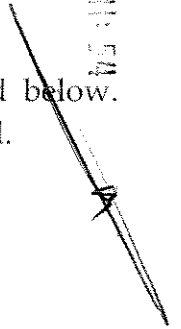
FISCAL NOTES:

Bill No. 153-33(LS)
Bill No. 154-33(LS)
Bill No. 155-33(LS)
Bill No. 156-33(LS)
Bill No. 157-33(LS)
Bill No. 158-33(LS)
Bill No. 159-33(LS)

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

Si Yu'os ma'åse'!

2015 OCT 14 AM 11:54



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 154-33 (LS)**

AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED THOUSAND DOLLARS (\$100,000) FROM THE INITIAL SAVINGS REALIZED IN FISCAL YEAR 2015 PURSUANT TO PUBLIC LAW 33-060, TO THE YONA MAYOR'S OFFICE FOR THE PURPOSES OF THE REPAIR OF THE YONA GYM FACILITIES.

Department/Agency Appropriation Information	
Dept./Agency Affected: Mayors Council of Guam	Dept./Agency Head: Angel Sablan, Executive Director
Department's General Fund (GF) appropriation(s) to date:	6,798,486
Department's Other Fund (Specify) appropriation(s) to date: Tourist Attraction Fund/Guam Highway Fund	5,915,626
Total Department/Agency Appropriation(s) to date:	\$12,714,112

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund: 1/	Total:
FY 2014 Unreserved Fund Balance		\$0	\$0
FY 2015 Adopted Revenues	\$0	\$0	\$0
FY 2015 Appra. (P.L. 32-181 thru 33-63)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

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
Special Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? // Yes /x/ No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? // N/A /x/ Yes // No
If no, what is the additional amount required? \$ _____ /x/ N/A
3. 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
4. Will the enactment of this Bill require new physical facilities? // Yes /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes /x/ No
// Requested agency comments not received by due date /x/ Other:

JP Sablan

Analyst: Matthew Ominata Date: _____ Director: Jose S. Calvo Date: **SEP 30 2015**
Matthew Ominata Jose S. Calvo, Director

Footnotes:
1/ See attachment to the fiscal note.

Bureau of Budget & Management Research
Comments to Fiscal Note No. 154-33 (LS)

Bill No. 154-33 (LS), under Section 1 proposes to appropriate \$100,000 from the initial savings realized from refunding of the Government of Guam General Obligation Bonds, 2007 Series A and the Government of Guam General Obligation Bonds, 2009 Series A per P.L. 33-060, to the *Yona* Mayor's Office for the purpose of repairing the *Yona* Gym Facilities.

The Guam Economic Development Authority (GEDA) has completed the refinancing of the noted Bonds. As such, the actual net amount of the estimated net savings is \$1,575,972 to become available around September 30, 2015. However, there are several legislative bills identified below, for various proposed appropriations from the identified savings:

Bill No.	Department	Purpose	Amount
153-33 (LS)	Administration / Fallen Heroes of the Pacific Foundation (Guam)	Construction of Fallen Heroes Monument	\$25,000
154-33 (LS)	Yona Mayor's Office	Repair of Yona Gym Facilities	\$100,000
155-33 (LS)	Talofo'fo' Mayor's Office	Repair and Upgrades to the Talofo'fo' Baseball Field	\$39,000
156-33 (LS)	Public Works	Repair of Umatac Bridge Towers	\$273,000
157-33 (LS)	Sinajana Mayor's Office	Completion of the Open Air Gymnasium, Renovations/ Reconfiguration of the Parking Lot, Building of a Playground, and Renovation of the Baseball Field	\$150,000
158-33 (LS)	Administration	Typhoon Halong Overtime	\$186,454.85
159-33 (LS)	Agriculture	Compensation to Farmers for Crop Damages	\$250,000
		Total	\$1,023,454.85

As calculated, \$1,023,455 has been identified for appropriations, leaving the available balance of \$552,517 for the Guam Memorial Hospital Authority (GMHA) pursuant to P.L. 33-060.

It should be noted that P.L. 33-060 provides that any potential savings be used "toward capital improvements relating to the Guam Memorial Hospital Authority and other health related matters." As such, any alternate proposed use of those savings would redirect funds from the intended purpose of this law.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

August 13, 2015

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill No. 154-33(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 154-33(LS)**.

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
154-33 (LS)	FRANK B. AGUON, JR. Dennis 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 PURPOSES OF THE REPAIR OF THE YOÑA GYM FACILITIES.	08/12/15 10:40 a.m.	08/13/15	Committee on Appropriations and Adjudication			



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 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 ***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 §7136 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

- **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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- **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 Talof’fo’ Mayor’s Office for the purpose of repair and upgrades to the Talof’fo’ Baseball Field.”

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- **Bill No. 158-33 (LS)** – F.B. Aguon, Jr. / D.G. Rodríguez, 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.”

(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).

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. Please submit testimonies at least one day prior to the date of the hearing.

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

2 attachments

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

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

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

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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."
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FIRST 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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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.

###



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>

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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cc: COR
Sgt-at-Arms
MIS
Clerks
Media

–
Dani Reyes
Policy Analyst

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

2 attachments

 **SECOND NOTICE PH 09172015.pdf**
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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

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**

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.”
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- **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).”

SECOND 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. 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.

We look forward to your attendance and participation.

VICE SPEAKER BENJAMIN J.F. CRUZ

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



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THE 33RD GUAM LEGISLATURE

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FOR IMMEDIATE RELEASE

September 15, 2015

SECOND 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."
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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. 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.

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Public Hearing Notice Listserv
phnotice@guamlegislature.org (Media, All Senators, and Staff)

Updated: August 31, 2015

action@weareguahan.com	danireyes@senatorbjcruz.com	john.calvo@noaa.gov
admin2@guamrealtors.com	dcrisost@guam.gannett.com	john@mvguam.com
admin@frankaguonjr.com	debbieretuyan@judiwonpat.com	johnluces@toduguam.com
admin@guamrealtors.com	delisleduenas@judiwonpat.com	john taoconnor@gmail.com
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amier@mvguam.com	edpocague@judiwonpat.com	ken.kelly@gmail.com
ang.duenas@gmail.com	eflores@senatorbjcruz.com	keepinginformed.671@gmail.com
ann@toduguam.com	elena.garcia@senatorbjcruz.com	kelly.toves@mail.house.gov
ataligba@gmail.com	emqcho@gmail.com	kennylg@guamlegislature.org
av@guamlegislature.org	eo@guamrealtors.com	kenq@kuam.com
avon.guam@gmail.com	etajalle@guamlegislature.org	khmg@hbcguam.net
baza.matthew@gmail.com	ewinstoni@yahoo.com	koreanne@guam.net
bdydasco@senatorada.org	fbtorres@judiwonpat.com	koreatv@kuentos.guam.net
bernice@tinamunabarnes.com	fes22744@gmail.com	kstokish@gmail.com
berthaduenas@guamlegislature.org	flores@senatorada.org	kstonews@ite.net
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brantforguam@gmail.com	frank@judiwonpat.com	legislativecounsel@guamlegislature.org
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carlo.branch@gmail.com	ginaflores2595@gmail.com	llmatthews@guampdn.com
carlo.branch@senatorbjcruz.com	gktv23@hotmail.com	louella@mvguam.com
carlsanchez@judiwonpat.com	guadalupeignacio@gmail.com	louise@tonyada.com
carlsonc@pstripes.osd.mil	guam.avon@gmail.com	m.salaila@yahoo.com
ccastro@guamchamber.com.gu	guam@pstripes.osd.mil	mabuhaynews@yahoo.com
ccharfauros@guamag.org	guamnativesun@yahoo.com	mahoquinene@guam.net
ccolbert@guamlegislature.org	hana@guam-shinbun.com	malainse@gmail.com
cheerfulcatunao@yahoo.com	hermina.certeza@senatorbjcruz.com	maria.pangelinan@gec.guam.gov
christine.quinata@takecareasia.com	hill.bruce@abc.net.au	marycamachotorres@gmail.com
cipo@guamlegislature.org	hottips@kuam.com	maryfejeran@gmail.com
clerks@guamlegislature.org	info@chinesetimesguam.com	marym@guamlegislature.org
cmduenas@guamlegislature.org	jason@kuam.com	matthew.santos@senatorbjcruz.com
clynt@spbgguam.com	jason@senatormorrison.com	matthew@senatormorrison.com
committee@frankaguonjr.com	jean@tinamunabarnes.com	mcarlson@guamlegislature.org
communications@frankaguonjr.com	jennifer.lj.dulla@gmail.com	mcpherson.kathryn@abc.net.au
communications@guam.gov	jespaldonesq@gmail.com	media@frankaguonjr.com
cor@guamlegislature.org	joan@kuam.com	menchu@toduguam.com
coy@senatorada.org	joe@toduguam.com	millie@tinamunabarnes.com
cyrus@senatorada.org	joesa@guamlegislature.org	mindy@kuam.com

Public Hearing Notice Listserv
phnotice@guamlegislature.org (Media, All Senators, and Staff)

Updated: August 31, 2015

mis@guamlegislature.org	sonedera-salas@guamlegislature.org
mlwheeler2000@yahoo.com	speaker@judiwonpat.com
monty.mcdowell@amiguam.com	staff@frankaguonjr.com
mspeps4873@gmail.com	stephaniemendiola@gmail.com
mwatanabe@guampdn.com	tasigirl@gmail.com
natasha@toduguam.com	tcastro@guam.net
news@guampdn.com	telo.taitague@visitguam.org
news@spbguam.com	tessa@senatorbjcruz.com
nick@kuam.com	tina.alicto@yahoo.com
norman.aguilar@guamcc.edu	tina@tinamunabarnes.com
nsantos@guamlegislature.org	tinamunabarnes@gmail.com
office@senatorada.org	tjtaitano@cs.com
officeassistant@frankaguonjr.com	tom@senatorada.org
oliviampalacios@gmail.com	tommy@senatormorrison.com
onlyonguam@acubedink.com	tony@senatorada.org
orleen@senatorbjcruz.com	tony@tonyada.com
oyaol.ngirairikl@gmail.com	tritten@pstripes.osd.mil
pacificjournalist@gmail.com	tterlaje@guam.net
parroyo@k57.com	vejohntorres@guamlegislature.org
pdkprg@gmail.com	vparriola1@gmail.com
pete@tonyada.com	vpaulino@guamlegislature.org
policy@frankaguonjr.com	xiosormd@gmail.com
publisher@glimpsesofguam.com	xiosormd@yahoo.com
rennae@guamlegislature.org	ylee2@guam.gannett.com
responsibleguam@gmail.com	
rfteehan@yahoo.com	
rgibson@k57.com	
ricknauta@hitradio100.com	
rlimtiaco@guampdn.com	
robert@mvguam.com	
rolly@ktkb.com	
roryforguam@gmail.com	
rowena@senatormorrison.com	
sabrina@kuam.com	
senator@senatorbjcruz.com	
senator@tinamunabarnes.com	
senatorbrantmccreadie@gmail.com	
senatordrodriguez@gmail.com	
senatorsannicolas@gmail.com	
senatorTonyada@guamlegislature.org	
senatorunderwood@guamlegislature.org	
sgflores@tinamunabarnes.com	
sgtarms@guamlegislature.org	
sitarose2@yahoo.com	
sixquintanilla@gmail.com	
sflimtiaco@guampdn.com	
smendiola@guamlegislature.org	



PUBLIC HEARING AGENDA

Thursday, September 17, 2015

Guam Legislature Public Hearing Room • Hagåtña, Guam

PUBLIC HEARING OF BILLS

9:30AM

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