

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
391-33 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW SECTION 20 TO PART I, CHAPTER II, SECTIONS 15 AND 16 TO PART II, CHAPTER III, SECTIONS 4 AND 5 TO PART III, CHAPTER III, AND SECTIONS 1(M)(7), 1(N)(7), AND 1(AA)(5) TO CHAPTER V ALL OF PUBLIC LAW 33-185 RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS APPROPRIATED TOWARD SAFETY, HEALTH, AND EDUCATION AGENCIES IN FISCAL YEAR 2017.	10/21/16 4:37 p.m.	10/24/16	Committee on Appropriations and Adjudication	12/06/16 2:00 p.m.	12/26/16 5:14 p.m.	Fiscal Note Request 10/24/16 Fiscal Note 11/23/16

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

DEC 23 2016

The Honorable Judith T. Won Pat

Speaker

I Mina'trentai Tres na Liheslaturan Guåhan

33rd Guam Legislature

155 Hesler Place

Hagåtña, Guam 96910

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

Rory J. Respicio

2016 DEC 26 PM 5:14

RE: Committee Report on Bill No. 391-33 (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. 391-33 (COR), As Substituted by the Committee - B. J.F. Cruz - "An act to add new sections 15 and 16 to part ii, chapter iii, sections 4 and 5 to part iii, chapter iii, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter v all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017."

Committee votes are as follows:

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

Sincerely,

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



COMMITTEE REPORT

Bill No. 391-33 (COR), As Substituted by the Committee

"An act to *add* new sections 15 and 16 to part *ii*, chapter *iii*, sections 4 and 5 to part *iii*, chapter *iii*, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter *v* all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017."

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

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

DEC 23 2016

MEMORANDUM

TO: All Members

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

SUBJECT: Committee Report on Bill No. 391-33 (COR), As Substituted by the Committee

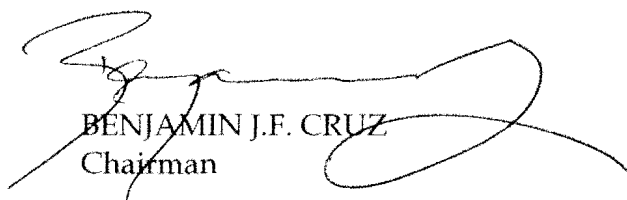
Transmitted herewith for your consideration is the Committee Report on Bill No. 391-33 (COR), As Substituted by the Committee – B. J.F. Cruz – “An act to *add* new sections 15 and 16 to part *ii*, chapter *iii*, sections 4 and 5 to part *iii*, chapter *iii*, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter *v* all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017.”

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 391-33 (COR), As Introduced
- Bill No. 391-33 (COR), As Substituted by the Committee
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 391-33 (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
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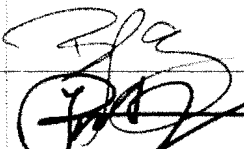
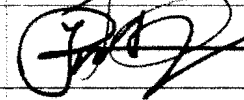

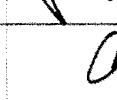
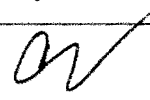
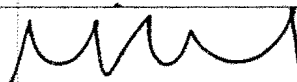




I Mina'trentai Tres na Liheslaturan Guåhan
THE THIRTY-THIRD GUAM LEGISLATURE

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

COMMITTEE VOTING SHEET

Bill No. 391-33 (COR), As Substituted by the Committee – B. J.F. Cruz – “An act to *add* new sections 15 and 16 to part ii, chapter iii, sections 4 and 5 to part iii, chapter iii, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter v all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017.”

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	 12/22/14	✓				
WON PAT, Ed.D., JUDITH T. Speaker and Ex-Officio Member						
MUÑA BARNES, TINA ROSE Member		✓				
RODRIGUEZ, Jr., DENNIS G. Member				✓ 12/23		
SAN NICOLAS, MICHAEL, F.Q. Member		✓				
UNDERWOOD, Ph.D., NERISSA B. Member						
ADA, V. ANTHONY Member				12/22		
MORRISON, THOMAS A. Member						
TORRES, MARY C. Member		✓				

VICE SPEAKER BENJAMIN J.F. CRUZ

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

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

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

COMMITTEE REPORT DIGEST

Bill No. 391-33 (COR), As Substituted by the Committee – B. J.F. Cruz – “An act to *add* new sections 15 and 16 to part *ii*, chapter *iii*, sections 4 and 5 to part *iii*, chapter *iii*, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter *v* all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017.”

I. OVERVIEW

Bill No. 391-33 (COR) was introduced by Vice Speaker Benjamin J.F. Cruz on October 21, 2016, and was referred to the **Committee on Appropriations and Adjudication** on October 24, 2016.

The Committee on Appropriations and Adjudication convened a public hearing on Tuesday, December 6, 2016, beginning at 2:00PM in the Guam Legislature Public Hearing Room. The hearing for Bill No. 391-33 (COR) began at 2:14PM and ended at 2:43PM.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on November 29, 2016, and December 2, 2016, via email. Copies of the hearing notices are appended to the report.

Senators Present

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

Speaker Judith T. Won Pat, *Ex-Officio Member*

Senator V. Anthony Ada, *Member*

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

Senator James V. Espaldon, *Member*

Senator Thomas C. Ada

Appeared Before the Committee

Mr. Joey S. Calvo, *Director, Bureau of Budget Management and Research*

Submitted Written Testimony

Ms. Christine W. Baleto, *Director, Department of Administration*

Ms. Rosie R. Tainatongo, *Acting Chairwoman, Guam Education Board*

Mr. Joseph L.N. Sanchez, *Acting Superintendent of Education, Guam Department of Education*

Mr. James W. Gillan, *Director, Guam Department of Public Health and Social Services*

Mr. Joseph I. Cruz, *Chief of Police, Guam Police Department*

II. TESTIMONY & DISCUSSION

Vice Speaker Benjamin J.F. Cruz, Chairman of the Committee on Appropriations and Adjudication (Committee) announced Bill No. 391-33 (COR), and proceeded to make statement as the sponsor of the measure.

“The genesis of this bill was that during the preparation of the current [fiscal] year’s budget, I, as chair of the Committee on Appropriations, was invited to discuss the budget and whether or not there was a way of increasing the revenue projection or trying to find some additional funds. It was pretty evident that it would be impossible to realistically increase the revenue projection. It was then the request that the hand of the Administration be untied. The original draft of the [Fiscal Year 2017] Budget Act included several provisions that restricted the authority of the governor to transfer funds from public safety agencies from the educational agencies. As a result of the discussions with Adelup, as appropriations chair, I returned to the Legislature and asked the body if I could amend the bill that was on the floor in the Committee of the Whole and delete [the provisions restricting] transfer authority, as was requested.

“When we were advised that the Administration did not want to use the transfer authority from these agencies to fill the thirteen (13) to fourteen (14) million dollar outstanding, we applauded it and decided that maybe we should just make sure that, though they didn’t want to do it for the insurance provisions, make sure it wasn’t done for any other reason later on the year. So Bill No. 391-33 was introduced to reinstate those provision which were taken out of the original draft in the Budget Act.”

Chairman Cruz noted for the record that the Department of Administration (DOA) had submitted testimony *opposing* the legislation. The Committee also received testimony from the Guam Education Board and the Guam Department of Education (GDOE) expressing *support* for the measure. The chairman then called on Mr. Joey S. Calvo, the Director of the Bureau of Budget and Management Research (BBMR), to present his testimony.

Mr. Calvo greeted the Committee and proceeded to testify *in opposition* of Bill No. 391-33 (COR):

“Thank you for the opportunity to provide testimony on Bill No. 391-33 (COR), relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in Fiscal Year 2017. As mentioned in the Bureau of Budget and Management Research’s fiscal note for Bill No. 391-33

(COR), the proposed legislation will [have] a significant impact [on] the executive branch's ability to effectively manage financial resources to ensure the government of Guam is able to meet its financial obligation. Section 1 of the subject legislation stipulates the Department of Administration shall make deposits into the Guam DOE Fund bank account in accordance with the drawdown schedule submitted by the GDOE, per Section 19, Part 1, Chapter 2, [of] Public Law 33-185. This will likely have an adverse impact on DOA's ability to manage cash resources especially during months of low cash collections. To elaborate, although the early months of the fiscal year are historically low collection months, the Administration is still mandated to make a single lump sum payments for retirees cost of living allowance (COLA) no later than November 1st of each fiscal year, and to comply with the mandate to pay out income tax refunds by October, or within a six (6) month period of filing.

"Such requirement will place an additional and serious burden on DOA in the overall cash management required for all departments and agencies of the Executive Branch including GDOE. This would severely limit DOA's and the Administration's ability to effectively manage cash resources, including biweekly payroll, vendor payments, etc. Additionally, it should be noted that nowhere in the bill does it mention amendments to increase existing revenues or identify new revenue sources as a means to generate more cash. The subject legislation also includes mandates that affect BBMR's authority to control allotments through appropriations reserves by further restricting or eliminating such control as is the case with P.L. 33-185, the FY 2017 Budget Act. And as proposed in Sections 2 and 3 of the subject legislation, this not only impedes BBMR's duties mandated in Chapters 1 and 4 of Title 5 GCA, but it also impacts the Governor's ability to manage appropriations made for Executive Branch operations. Title 5 GCA Chapter 1, Subsection 1303 states in part:

'...in the release of monthly or quarterly allotments, by the Bureau of Budget and Management Research from Appropriation Acts, the Director thereof shall base such allotments and anticipated cash receipts so that the obligations incurred pursuant to such release of periodic allotments shall have sufficient cash for their payments...'

"In order for the General Fund (GF) to meet its obligations, it is important that the Governor, through BBMR, be provided with the budgetary tools necessary in the management of limited cash resources. Application of BBMR's allotment control is necessary for all line departments to ensure funding with revenue collections. It is also necessary to cover funding shortfalls as a result of unexpected but required obligations. To accomplish this necessary function, BBMR would utilize the Governor's transfer authority to reprogram current available balances to those departments with existing or anticipated shortfalls. To

ensure that funding would always be available throughout the fiscal year, it would be necessary to hold available funding and reserve to be released as required to cover line departments and agencies, operational requirements during the fiscal year.

"As I've previously mentioned in my transmittal memos for the mandated Appropriation Reserve reports, while reserves were imposed to continue the fiscal constraint through FY2016, departments and agencies have been drawing on these reserves to facilitate or accommodate their operations. This proposed legislation is clearly a mandate to restrict the governor's transfer authority, which eliminates his use of basic budgetary tools in the management of annual appropriations. Such legislation does not address the fundamental issues of budgeting, accounting, and finance [or] that there are no solutions reflected in this legislation to address departmental shortcomings as a result of unfunded legislative mandates or unfunded court order expenditures. With the transfer authority restrictions in Sections 2-6 of the subject legislation, BBMR estimates that it would reduce the governor's General Fund transfer authority in FY 2017 by approximately twenty one point six (21.6) million dollars.

"This is so as it eliminates GF transfers out of the following departments and agencies: Guam Department of Public Health and Social Services (DPHSS), Guam Behavioral Health and Wellness Center (GBHWC), Guam Police Department (GPD), Department of Corrections (DOC), and the Guam Fire Department (GFD). This would be in addition to the fifty five point seven (55.7) million dollars in the GF from the eleven (11) entities including GDOE, the Mayor's Council, the Office of the Attorney General (OAG), the University of Guam (UOG), and the Guam Community College (GCC) which are already exempted from the governor's transfer authority and BBMR allotment control.

"The Administration would not invoke such authority if it would adversely impact the health education and public safety departments. Bill No. 391-33 removes the necessary financial tools to effectively manage the financial resources appropriated for executive branch operations. For example, in FY2016, the Governor utilized his transfer authority for PL 33-66 to reprogram available balances from the GBHWC to cover the shortfall of the Residential Treatment Fund of seven hundred fifty thousand dollars (\$750,000). In addition, pursuant to PL 33-152, the Governor identified and transferred six hundred and four thousand seven hundred sixty nine dollars (\$604,769) to the Guam Election Commission (GEC) to conduct the recent 2016 elections.

"I also want to mention that we have challenges that are very near in the future as it relates to the Residential Treatment Fund (RTF). We had transferred seven hundred and fifty thousand (\$750,000) in FY2016 to make up the shortfall. We

move into FY17 and we've already been notified that we're going to be needing another one point one (1.1) million dollars to satisfy the obligation of a contract that affects the Residential Treatment Fund. Notice has been given. There's been some court discussion on this already and there's a hearing on the 12th for this particular purpose. That's something in the near future that we would probably rely on the governor's transfer authority to cover, unless we have some other funding source to do that or to pay for that. And then recently, this is just an article yesterday regarding the new plan for attorneys' fees in the refund case—that the government has agreed to accommodate seven hundred and forty thousand dollars (\$740,000) for this purpose. This is the stipulation that was assigned which detailed how much and when the government will pay Attorneys Aguigui, Girard, and Stein. These are the lawyers that represented taxpayers who sued GovGuam in 2011 in response to decades of delayed tax refund payments. And then there's a drawdown schedule of four (4) successive months of seventy six thousand seven hundred and fifty dollars (\$76,750) beginning January. This is a case and point where if we don't have any other option available provided by the Legislature or other means, we're probably going to have to exercise the governors transfer authority to pay for this.

"This is just examples of what we go to, to fund either unfunded requirements or new things that arise as the fiscal year goes along. So again going back to the Residential Treatment Fund of the seven hundred fifty thousand dollars (\$750,000) and GEC of six hundred and four thousand dollars (\$604,000)—this would not have been possible if the governor didn't have that authority and didn't exercise it. So [with] these aforementioned concerns, BBMR [is] strongly opposed to the passage of Bill No. 391-33. Thank you, Vice Speaker and members of the Committee."

Chairman Cruz thanked Mr. Calvo and opened the floor for inquiries.

Senator Tom Ada:

"It seems that when we're going through the budget process, we have allocated funds and allocated enough funds which reflect the priority that we put on those functions. But it seems, based on your testimony, and I understand what you're saying about cash management and all that, all that goes out the window, really all those lines of division kind of goes away and becomes one big pot to draw from as opposed to...so I'm just a little concerned that then when it comes to BBMR's time to do these things, we all say, 'education is a priority, but we need cash to pay somebody else.' [So] we take the cash from wherever it is. There's no such thing as priority basically other than who needs to get paid first and if I understand this correctly it's basically saying 'hands off DOE.'"

Mr. Calvo:

"From a budget perspective, when situations arise, you're right. Stepping back during the budget process, we try to bring forward as much information and as much knowledge as we have and present it to the Legislature in terms of the Governor's request, public hearings and so forth and it just goes through the whole process, which is fine. But during the course of the whole fiscal year, things do change unfortunately, and sometimes those changes are not very favorable to anybody and they become obligations of the government that needs to be dealt with. It's something that we really cannot suppress or put aside. So the example I gave of the RTF—that's a big amount of seven hundred and fifty thousand (750,000). And then the six hundred (600) some thousand that we had to go to for these past elections—we had to identify and transfer the amount necessary to accommodate that.

"So things do change and we go with the changes. And we take action to address those kinds of issues. That's the only time we really go to the Governor's transfer authority is to accommodate those that perhaps are already anticipating a deficit or just funding requirements in general."

Chairman Cruz:

"When BBMR issued the last Consolidated Revenue and Expenditure Report (CRER) indicating how we ended the last fiscal year..."

Mr. Calvo:

"[The end of the fiscal year was] September 30"

Chairman Cruz:

"Yes right, with the revenue projection, how did we do?"

Mr. Calvo:

"Well at the time, we reported—I think we were one point one (1.1) or one point three (1.3) [million dollars] less [than anticipated revenue]. And that was our reading of the financial as of September 30. The books for 2016 have yet to close. They may have just closed this week, so the numbers are being refined and there may be changes to that report and that CRER for September."

Chairman Cruz:

"But the revenue projections was about one million (\$1,000,000) off right?"

Mr. Calvo:

"That is correct, as of that snapshot in time."

Chairman Cruz:

"But the budget that was passed provided for education, public safety, and a number of agencies and as Senator Ada put it, we set the priority about how much we thought education was supposed to receive from the anticipated revenue. We received almost the exact amount. We were short one million dollars (\$1,000,000). How much is the university short of its appropriation for 2016?"

Mr. Calvo:

"I don't have that information with me, but I can get it for you. I was just commenting on Bill No. 391. My understanding is that they were not given their full allotment or appropriation. That's my understanding. And also I believe [Christine Baleto, Director of DOA] had provided testimony addressing the concerns about the allotments, the timing of revenue coming in, and the paying out."

Chairman Cruz:

"But to Senator Ada's point, we determined by the Legislature that of the eight hundred million (800,000,000) that was going to be their revenue for the previous fiscal year, we wanted the university to receive thirty three (33). [Recent media reports indicated] that the University was short almost ten (10), maybe eleven (11). But they're short."

Mr. Calvo:

"My understanding is that that time will come. I can't put a finger on a date. But that's my understanding: that that appropriation is still an obligation and would have to be fulfilled at some point in time. But I defer to my sister department, DOA, because they manage the cash and the disbursements."

Chairman Cruz:

"And what I was trying to get to is that we had, as a Legislature, said they should get thirty three (33). Someone in the managing of the money decided that the University was only going to get twenty some (21). GCC is short also eight (8) or nine (9) million. DOE is short six (6).

"So all we were trying to do was to ensure with those three (3) agencies that education is indeed the priority. That they at least be protected from that. And in spite of the 'no reserves from those departments,' someone in the management of cash—I don't know if it was your decision or if it was Christine's or the

Governor's—decided that they were going to withhold the full allotment to these three (3) educational institutions. Is that correct?"

Mr. Calvo:

"I think DOA is doing the best it can do under the circumstances. Funds do come in on a daily basis and expenditures are done on a daily basis so managing is it is something that DOA has done a tremendous job in, in spite of the shortage of some of these are going to be dealt with something soon—they've been doing a pretty job, the tax refunds are being paid..."

Chairman Cruz:

"Somebody is making decisions that is shorting at least from the budget we passed is shorting these three (3) educational institutions."

Mr. Calvo:

"I can tell you one thing for sure, Vice Speaker. I don't think you'll find any person or persons in the decision-making body that would just purposely deny anyone their allotments. I think it's a responsibility of whoever is making the decision to maximize their resources a lot where they can and just take it like that, just take in that vein because nobody wants to short anybody."

Chairman Cruz:

"I understand but what I was trying to get to was if we were short thirty (30) million dollars in revenue I could understand that these three (3) departments would be shorted thirty (30) million dollars. But we were practically on target and so the priority that the Legislature set was not adhered to."

Mr. Calvo:

"Given the constraints that we have, probably one of the highest priorities if not the highest is payroll. So when Monday comes in, that payroll item is a high priority. So I don't see it in DOA's analysis anywhere that would show that we're shortchanging anyone for example for payroll. There is a hierarchy. Irrespective of education and safety, payroll is a very critical item as far as expenditures are concerned and I know that DOA Director has mentioned to me on many occasions that [it is a] high priority. Under the circumstances, we were hoping things would get better and in the meantime that's just how it goes so to speak but there's no intention to shortchange anybody. All intention [is] to fully acknowledge that there's an appropriation made and that the allotments will eventually get there."

Chairman Cruz:

"And you recall the statement in, I believe it was, late October or right after we had passed the budget, where the Director of DOA had stated that she did not want to use the authority [to transfer] ten million dollars (\$10,000,000) that was given to move money to make any initial or partial payment or down payment or good faith payments on the health insurance issue. If thirteen million (13,000,000) was there, she wasn't going to do anything – if we had given all the transfer authority including the twenty one million (21,000,000) in transfer authority that you say we're trying to take away at this point. But she didn't want to because she believed that these agencies were on a, as she put it, on a 'shoestring budget' as it was. And to short them anything would short them even more than what they really had asked for. And so all Bill No. 391 is doing is saying, 'we agree with you.'"

Mr. Calvo:

"My take on that Vice Speaker, and I think I mentioned it in the last hearing that I was present, that the ten million dollars (\$10,000,000) of authorization was so late in the fiscal year, it was almost impossible to find ten million (10,000,000) in appropriations when the fiscal year has basically closed. So that was a challenge and I did mention that in the hearing that that was really where we are at with that."

Chairman Cruz:

"Out of this year's appropriation..."

Mr. Calvo:

"No but in FY16, you authorized the Governor to utilize his transfer authority, to fund the deficiency which we thought was thirty point eight (13.8) million. Now it's over fourteen million (14,000,000) and you're giving it to the Administration after the passage of FY17. Fiscal Year 2016 is virtually over and you have given us supposedly that authority to fund the ten million (10,000,000) from the FY16. Where would we get it? Where would we get it?"

Chairman Cruz:

"So does the Administration not want Bill No. 389 either?"

Mr. Calvo:

"Pardon me?"

Chairman Cruz:

"Does the Administration not want Bill No. 389 either? It's from 2016."

Mr. Calvo:

"I'm sorry. I'm here for Bill No. 391. I didn't read Bill No. 389. But for 391 and the discussion on that particular issue..."

Chairman Cruz:

"As BBMR director, you did not read Bill No. 389 to determine what it was? Have you provided a fiscal note on that [measure]?"

Mr. Calvo:

"I don't have the note with me."

Chairman Cruz:

"Thank you, Mr. Calvo."

Mr. Calvo:

"That's the position. If it came a little bit earlier maybe, but it came late and the same thing in FY17, you've given us the Governor's transfer authority to make up the deficiency in the retirees' medical, dental, life. Where do you suggest that we get it? Since you're the appropriations chair and you allocated out everything? Where do we get it? I'd like to find that out from you."

Chairman Cruz:

"Thank you very much."

Mr. Calvo

"Let me know."

On account that there were neither additional questions from the Committee nor other individuals present to testify, the Chairman considered Bill No. 391-33 (COR) as heard.

Subsequent to the hearing, the Committee received testimony from **Mr. Joseph I. Cruz**, Chief of Police of the Guam Police Department and **Mr. James W. Gillan**, Director of the Guam Department of Public Health and Social Services in opposition to Bill No. 391-33 (COR). Their testimonies are appended to the report.

III. FINDINGS AND RECOMMENDATIONS

Based on testimony provided by administration officials, the Committee on Appropriations and Adjudication removed language originally in Section 1 requiring the Director of the Department of Administration (DOA) to deposit cash "in accordance with" the Guam Department of Education's drawdown schedule and mandating that any deviation be authorized by Executive Order.

The Committee on Appropriations and Adjudication to which was referred **Bill No. 391-33 (COR) - B. J.F. Cruz - "An act to add new sections 15 and 16 to part ii, chapter iii, sections 4 and 5 to part iii, chapter iii, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter v all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017"** hereby submits these findings to *I Mina'trentai Tres na Liheslaturan Guåhan* and reports out **Bill No. 391-33 (COR), As Substituted by the Committee**, with a recommendation TO _____.

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

Bill No. 391-36 (COR)

Introduced by:

B. J. F. Cruz



AN ACT TO ADD A NEW SECTION 20 TO PART I, CHAPTER II, SECTIONS 15 AND 16 TO PART II, CHAPTER III, SECTIONS 4 AND 5 TO PART III, CHAPTER III, AND SECTIONS 1(m)(7), 1(n)(7), AND 1(aa)(5) TO CHAPTER V ALL OF PUBLIC LAW 33-185 RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS APPROPRIATED TOWARD SAFETY, HEALTH, AND EDUCATION AGENCIES IN FISCAL YEAR 2017.

2016 OCT 21 PM 1:11

Law

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Section 20 is hereby *added* to Part I, Chapter II of Public Law 33-185 to read:

“Section 20. Transparency in De-Prioritizing Education Funding. The Director of Administration *shall* deposit into the GDOE Operations Fund bank account, the amounts in accordance with the drawdown schedule required to be submitted by the GDOE to the Department of Administration in Section 19 of this Part, of this Chapter. It *shall* be a ministerial duty of the Director of the Department of Administration to make the deposits to the GDOE Operations Fund bank account as required by this Section. Any deviation in the deposit of funds by the Director of Administration from the drawdown schedule as submitted by the GDOE to the Department of Administration *shall only* be authorized via Executive Order by *I Maga'låhen Guåhan* which *shall* be delivered to the Speaker of *I Liheslaturan Guåhan* prior to the deviation from the drawdown schedule. If such Executive Order

1 is not delivered to the Speaker of *I Liheslaturan Guåhan* no such deviation from the
2 drawdown schedule *shall* be authorized.”

3 **Section 2.** New Sections 15 and 16 are hereby *added* to Part II, Chapter III of
4 Public Law 33-185 to read:

5 “**Section 15. Appropriation Reserve Restriction.** The BBMR *shall not* have
6 the authority to place any appropriations reserves on any General Fund, Healthy
7 Futures Fund, Environmental Health Fund, and Sanitary Inspection Revolving Fund
8 appropriations in this Section 1, Part II, Chapter III of this Act.

9 **Section 16. Transfer Authority Restrictions.** Notwithstanding any other
10 provision of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to
11 transfer any General Fund, Healthy Futures Fund, Environmental Health Fund, and
12 Sanitary Inspection Revolving Fund appropriations in this Section 1, Part II, Chapter
13 III of this Act to any other department or agency of the government of Guam.”

14 **Section 3.** New Sections 4 and 5 are hereby *added* to Part III, Chapter III of
15 Public Law 33-185 to read:

16 “**Section 4. Appropriation Reserve Restriction.** The BBMR *shall not* have
17 the authority to place any appropriations reserves on any General Fund and Healthy
18 Futures Fund appropriations in this Section 1, Part III, Chapter III of this Act.

19 **Section 5. Transfer Authority Restrictions.** Notwithstanding any other
20 provision of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to
21 transfer any General Fund and Healthy Futures Fund appropriations in this Section
22 1, Part III, Chapter III of this Act to any other department or agency of the
23 government of Guam.”

24 **Section 4.** A new Section 1(m)(7) is hereby *added* to Chapter V of Public Law
25 33-185 to read:

26 “**(7) Transfer Authority Restrictions.** Notwithstanding any other provision
27 of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to transfer any

1 General Fund, Police Services Fund, and Tourist Attraction Fund appropriations in
2 this Subsection (m)(1) to any other department or agency of the government of
3 Guam.”

4 **Section 5.** A new Section 1(n)(7) is hereby *added* to Chapter V of Public Law
5 33-185 to read:

6 **“(7) Transfer Authority Restrictions.** Notwithstanding any other provision
7 of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to transfer any
8 General Fund, Corrections Inmate Revolving Fund, and Safe Streets Fund
9 appropriations in this Subsection (n)(1) to any other department or agency of the
10 government of Guam.”

11 **Section 6.** A new Section 1(aa)(5) is hereby *added* to Chapter V of Public
12 Law 33-185 to read:

13 **“(5) Transfer Authority Restrictions.** Notwithstanding any other provision
14 of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to transfer any
15 General Fund, Enhanced 911 Emergency Reporting System Fund, or F.L.A.M.E.
16 Fund appropriations in this Subsection (aa)(1) to any other department or agency of
17 the government of Guam.”

18 **Section 7. Effective Date.** This Act *shall* become effective upon enactment.

19 **Section 8. Severability.** *If* any provision of this Act or its application to any
20 person or circumstance is held invalid, the invalidity *shall not* affect other provisions
21 or applications of this Act which can be given effect without the invalid provision
22 or application and to this end the provisions of this Act is severable.

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

Bill No. 391-33 (COR)

As Substituted by the Committee
on Appropriations and Adjudication

Introduced by:

B. J. F. Cruz

AN ACT TO *ADD* NEW SECTIONS 15 AND 16 TO PART II, CHAPTER III, SECTIONS 4 AND 5 TO PART III, CHAPTER III, AND SECTIONS 1(M)(7), 1(N)(7), AND 1(AA)(5) TO CHAPTER V ALL OF PUBLIC LAW 33-185 RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS APPROPRIATED TOWARD SAFETY AND HEALTH AGENCIES IN FISCAL YEAR 2017.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. New Sections 15 and 16 are hereby *added* to Part II, Chapter III of Public Law 33-185 to read:

“Section 15. Appropriation Reserve Restriction. The BBMR *shall not* have the authority to place any appropriations reserves on any General Fund, Healthy Futures Fund, Environmental Health Fund, and Sanitary Inspection Revolving Fund appropriations in this Section 1, Part II, Chapter III of this Act.

Section 16. Transfer Authority Restrictions. Notwithstanding any other provision of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to transfer any General Fund, Healthy Futures Fund, Environmental Health Fund, and Sanitary Inspection Revolving Fund appropriations in this Section 1, Part II, Chapter III of this Act to any other department or agency of the government of Guam.”

Section 2. New Sections 4 and 5 are hereby *added* to Part III, Chapter III of Public Law 33-185 to read:

1 **“Section 4. Appropriation Reserve Restriction.** The BBMR *shall not* have
2 the authority to place any appropriations reserves on any General Fund and Healthy
3 Futures Fund appropriations in this Section 1, Part III, Chapter III of this Act.

4 **Section 5. Transfer Authority Restrictions.** Notwithstanding any other
5 provision of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to
6 transfer any General Fund and Healthy Futures Fund appropriations in this Section
7 1, Part III, Chapter III of this Act to any other department or agency of the
8 government of Guam.”

9 **Section 3.** A new Section 1(m)(7) is hereby *added* to Chapter V of Public Law
10 33-185 to read:

11 **“(7) Transfer Authority Restrictions.** Notwithstanding any other provision
12 of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to transfer any
13 General Fund, Police Services Fund, and Tourist Attraction Fund appropriations in
14 this Subsection (m)(1) to any other department or agency of the government of
15 Guam.”

16 **Section 4.** A new Section 1(n)(7) is hereby *added* to Chapter V of Public Law
17 33-185 to read:

18 **“(7) Transfer Authority Restrictions.** Notwithstanding any other provision
19 of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to transfer any
20 General Fund, Corrections Inmate Revolving Fund, and Safe Streets Fund
21 appropriations in this Subsection (n)(1) to any other department or agency of the
22 government of Guam.”

23 **Section 5.** A new Section 1(aa)(5) is hereby *added* to Chapter V of Public
24 Law 33-185 to read:

25 **“(5) Transfer Authority Restrictions.** Notwithstanding any other provision
26 of law and this Act, *I Maga'låhen Guåhan shall not* be authorized to transfer any
27 General Fund, Enhanced 911 Emergency Reporting System Fund, or F.L.A.M.E.

1 Fund appropriations in this Subsection (aa)(1) to any other department or agency of
2 the government of Guam.”

3 **Section 6. Effective Date.** This Act *shall* become effective upon enactment.

4 **Section 7. Severability.** *If* any provision of this Act or its application to any
5 person or circumstance is held invalid, the invalidity *shall not* affect other provisions
6 or applications of this Act which can be given effect without the invalid provision
7 or application and to this end the provisions of this Act is severable.

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, Tuesday, December 06, 2016

Guam Legislature Public Hearing Room • Hagåtña, Guam

Bill No. 391-33 (COR) - B. J.F. Cruz - "An act to add a new section 20 to part i, chapter ii, sections 15 and 16 to part ii, chapter iii, sections 4 and 5 to part iii, chapter iii, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter v all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017."

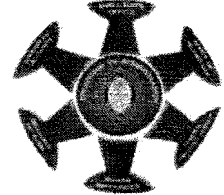
NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
Joey S. Calvo	BBMR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	475-9412	joey.calvo@BBMR.guam.gov
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Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(Ufisinan Direktot)

590 South Marine Corps Drive
Suite 224, GIRC Building, Tamuning, Guam 96913
Post Office Box 884 * Hagåtña, Guam 96932
TEL: (671) 475-1101/1221/1250 * FAX: (671) 477-6788



Christine W. P. Baletto
Director

December 2, 2016

Vice Speaker Benjamin J.F. Cruz

The Honorable Benjamin J.F. Cruz, Vice Speaker
Chairman, Committee on Appropriations and Adjudication
I Mina' Trentai Tres Na Liheslaturan Guåhan
Suite 107, 155 Hesler Place.
Hagåtña, Guam 96910

DEC 05 2016
Time: 9:30 AM H.A.M. J.P.C. File No: 33-1357
Received By: *alaw*

RE: Written Testimony on Bill 391-33 (COR)

Buenas yan Háfa Adai Mr. Chairman and members of the Committee,

Thank you for the opportunity to provide comments on Bill 391-33 (COR).

AN ACT TO ADD A NEW SECTION 20 TO PART I, CHAPTER II, SECTIONS 15 AND 16 TO PART II, CHAPTER III, SECTIONS 4 AND 5 TO PART III, CHAPTER III, AND SECTIONS 1(m)(7), 1(n)(7), AND 1(aa)(5) TO CHAPTER V ALL OF PUBLIC LAW 33-185 RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS APPROPRIATED TOWARD SAFETY, HEALTH, AND EDUCATION AGENCIES IN FISCAL YEAR 2017.

The Department of Administration (DOA) understands the intent of Bill 391-33 and is strongly opposed to the passage of the Bill. This bill negates all principles of cash flow management. It does not take into consideration actual revenue receipts nor does it account for all other obligations of the Government of Guam. This bill will jeopardize the government's ability to operate and will result in payless paydays for the majority of Government of Guam employees whose pay is processed by the Department of Administration.

Revenue collections are not realized evenly throughout the fiscal year. What this means is that if \$716,553,931 total income is expected throughout the year, the Government of Guam does not collect \$59,712,827 monthly. Cash receipts fluctuate from month to month. Thus, payments on obligations must be managed to ensure that there is sufficient cash (from actual collections) to cover payments released.

The following are critical monthly expenditures for the operations of the Government:

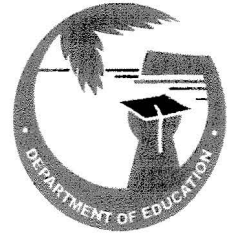
Bond Obligations:	\$ 8,620,118 (Average Monthly payments)
Government Payroll:	\$ 8,800,000
Payroll Liabilities:	\$ 9,965,501
GDOE:	\$15,200,000
UOG:	\$ 2,600,000
GCC:	\$ 1,300,000
Judiciary:	\$ 2,626,500
Legislature:	\$ 690,000
OPA:	\$ 108,000
Public Defender's Off	\$ 334,000
Charter Schools:	\$ 672,000
Non-Profits:	\$ 845,000
TOTAL:	\$51,761,119



JOSEPH L. M. SANCHEZ
Superintendent of Education, Acting

DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT

www.gdoe.net
500 Mariner Avenue
Barrigada, Guam 96913
Telephone: (671) 300-1547/1536 • Fax: (671) 472-5001
Email: jsanchez@gdoe.net



December 5, 2016

Honorable Benjamin J. F. Cruz
Vice-Speaker, I Mina'Trentai Tres Na Liheslaturan Guahan
155 Hesler Place, Suite 107
Hagatna, Guam 96910

Re: Testimony on Bill 391-33

Dear Vice-Speaker Cruz,

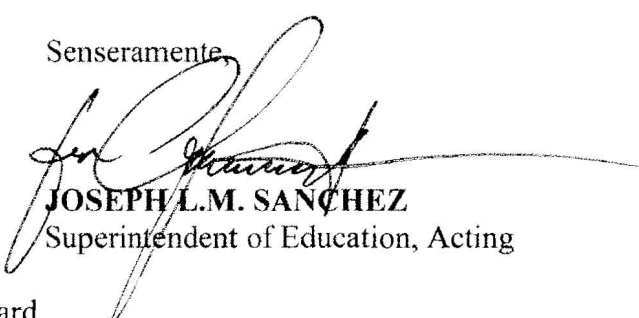
Thank you for the opportunity to provide testimony in support of **Bill 391-33** relative to prioritizing and maintaining funding levels appropriated to the Guam Department of Education (GDOE) in Fiscal Year 2017 (FY17).

Since the start of the fiscal year, GDOE has consistently received \$3.8M each week. This is the amount that the Department of Administration (DOA) has informed us they are able to provide based on cash availability. Unfortunately, this is \$600K less than the \$4.4M weekly disbursement in GDOE's FY17 cash drawdown schedule. This consequently impacts GDOE's ability to effectively meet vendor payments, including payroll vendors; and the certification of contracts and purchase orders. These challenges are further exacerbated by the department having received \$12.9M less in appropriations than the projected costs needed to maintain baseline operations including personnel and critical contracts as noted in the Guam Education Board FY17 Spending Resolution 2016-14.

Although we are aware of the cash situation faced by our government, we cannot ignore the fact that this shortened amount in cash allotments to the GDOE has a direct impact on our day to day operations. Section 1 of Bill 391-33 requires the DOA to adhere to GDOE's drawdown schedule based on FY'17 appropriations. Providing for a consistent level of funding will help the department better plan expenditures, operate more efficiently, and meet its financial obligations.

The Department fully supports the intent of Bill 391-33 and looks forward to working with you and members of the Legislature to address GDOE's funding needs.

Senseramente,


JOSEPH L.M. SANCHEZ
Superintendent of Education, Acting

cc: Chairwoman and Members, Guam Education Board
Deputy Superintendent, FAS



LOURDES B. SAN NICOLAS
Chairman

GUAM EDUCATION BOARD

500 Mariner Avenue
Barrigada, Guam 96913-1608
Telephone Number: (671) 300-1627
Facsimile Number: (671) 472-5001
Website Address: www.gdoe.net/geb



ROSIE R. TAINATONGO
Vice-Chairperson

December 5, 2016

Honorable Benjamin J.F. Cruz
Vice-Speaker
I Mina'Trentai Tres Na Liheslaturan Guahan
155 Hesler Place, Suite 107
Hagatna, Guam 96910

VOTING MEMBERS

Lourdes B. San Nicolas, Chair
Rosie R. Tainatongo, Vice-Chair
Peter Alecxis D. Ada
Lourdes M. Benavente
Kenneth P. Chargualaf
Jose Q. Cruz, Ed. D.
Maria A. Gutierrez
Lourdes San Nicolas

Subj: Testimony on Bill 391-33

Dear Vice-Speaker Cruz,

EX-OFFICIO MEMBERS

Martin Borja (SHS)
IBOGS Representative

Franklin Perez (AJMS)
GFT Representative

Mayor, Rudy M. Matanane
MCOG Representative

EXECUTIVE SECRETARY

Joseph L.M. Sanchez
GDOE Superintendent, Acting

This is to provide testimony in support of Bill 391-33 relative to prioritizing and maintaining funding levels appropriated toward safety, health, and education agencies in Fiscal Year 2017 (FY17).

As you may be aware, over the past several years the Guam Department of Education (GDOE) has struggled with its annual appropriations and in some cases, our allotments not being fully funded. While GDOE received nearly the same funding level this fiscal year as compared to FY16, the Department of Administration (DOA) has advised us nearly \$6M in FY16 cash allotments may not be realized.

By directing the DOA to prioritize and maintain funding levels in FY17 appropriations for education, Bill 391-33 may help ensure GDOE receives a consistent level of cash to meet its financial obligations and to stabilize operations.

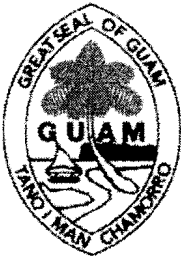
In light of the current government-wide financial challenges, the GEB has provided guidance to the Superintendent to streamline operations within its authorized appropriations. GEB Resolution 2016-14 contains provisions to contain costs by maximizing classes in all grade levels and content areas; implementing energy conservation; and imposing a moratorium on unfunded initiatives or programs.

Thank you for the opportunity to provide testimony.

Senseramente,

Rosie R. Tainatongo
ROSIE R. TAINATONGO
Acting Chairwoman

cc: Members, Guam Education Board
Superintendent of Education, Acting



GUAM POLICE DEPARTMENT

DIPATTAMENTON POLISIAN GUAHAN
Government of Guam



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Bldg. 13-16A Mariner Avenue, Tiyan
Barrigada, Guam 96913
P.O. Box 23909 Barrigada, Guam 96921
Telephone: (671) 475-8473 (Switchboard); (671) 475-8508 / 8509 / 8512
Fax: (671) 475-3222

JOSEPH I. CRUZ
Chief of Police

MARK C. CHAREAUROS
Police Commander

Vice Speaker Benjamin J.F. Cruz

WRITTEN TESTIMONY OF

JOSEPH I. CRUZ

Chief of Police, Guam Police Department
in Opposition of Bill 391-33(COR) -

**RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS
APPROPRIATED TOWARD SAFETY, HEALTH, AND EDUCATION AGENCIES
IN FISCAL YEAR 2017**

Before the Committee on Appropriations and Adjudication
33RD Guam Legislature
December 6, 2016

Dec 7 2016
Time 12:12
Received By [Signature] 33-1366

Magof Ha'Ani yan Hafa Adai, Vice Speaker Cruz and Members of the Committee on Appropriations and Adjudication.

I am Joseph I. Cruz, the Chief of Police for the Guam Police Department; before I begin my testimony this afternoon, I would like to thank you for the opportunity to appear before you today in my official capacity along with key members of the Guam Police Department to render testimony in opposition of Bill 391-33 (COR).

EXECUTIVE SUMMARY

Bill 391-33 does not provide additional funding needed to fully support all the objectives detailed in GPD's FY2017 Budget submission provided to this Committee on June 30th of this year. As a result of the shortfall, the careful distribution of funds within each category is crucial to the success of operations, administrative services, and the department's overall goals and objectives. An analysis of Bill 391-33 inclusive of provisions in the FY2017 budget act (PL 33-185) provides an overview of the potential hindrance in the execution of police services in FY2017 that this bill infers. The restrictions imposed on the Chief Executive without appropriating additional fiscal year funding does not support our operations and therefore we oppose this bill.

The FY 2017 Budget Act, appropriates the sum of Thirty-Five Million Six Hundred Nine Thousand Six Hundred Ninety-Eight Dollars (\$35,609,698) for operations throughout the year. This appropriation is short of the funding needs submitted to the Legislature prior to the enactment of the law, and identified in Section 1. II. D. Chapter II. of Bill 250-33 to the

total amount of Thirty-Nine Million Eight Hundred Thirty-Eight Thousand Eight Hundred Seventeen Dollars (\$39,838,817). This amount of funding is representative of the true need to sustain operations throughout the year. Bill 391-33 does not appropriate any additional funding to supplement the apparent shortfall for GPD in this fiscal year.

The FY 2017 Budget Act, Section 1(m)(4) allows the Chief Executive transfer authority of up to One Million Seven Hundred Thousand Dollars (\$1,700,000) from General Fund appropriations to fund the new Section 2. "§77113.1. Annual Police Cycles for Fiscal Years 2017 through 2021.....", or the recruitment objective of Public Law 33-163. On May 25, 2016, the Guam Police Department provided testimony that the funding source sufficient to support this law is the Public Safety Vacancy Pool Cost Account of One Million One Hundred Eighty-Eight Thousand Eight Hundred Sixty-One Dollars (\$1,188,861) which the FY 2017 Budget Act makes available in the very next passage; which is codified in Section 1(m)(5) of P.L. 33-185.

The FY 2017 Budget Act, allows for the expenditure of Two Million Eight Hundred Eighty-Eight Thousand Eight Hundred Sixty-One Dollars (\$2,888,861) to recruit forty (40) Police Officer Trainees (\$1.7M), and promote one hundred thirty two officers (\$1.18M). Previous testimony provided of GPD's FY2017 Budget submission identified \$1,051,237.00 for 25 new Police Officer Trainees (POT's), in addition to the 15 POT's funded through federal grants, for a total of 40 POT's projected to be trained during the fiscal year. The allocation for the promotion of 132 officers throughout the sworn ranks of the Guam Police Department is projected to cost \$742,463.59 for a total of \$1,793,700.59. Essentially, the FY 2017 Budget Act over budgets and restricts \$1,095,160.41 not available for other expenditures in the current budget. Although the Legislature over-appropriated monies in the current budget act to meet the intent of P.L. 33-163, the Guam Police Department continually strives to execute fiscal responsibility to meet all its operational needs without the conditions placed on the Chief Executive by the provisions of the current Budget Act and Bill 391-33. In FY2015, FY2016, and the current fiscal year (FY2017) GPD has experienced these same challenges which has only served to hamper the department's ability to efficiently budget and execute appropriated funding.

Having discussed the impacts of the current budget act and the potential impacts of Bill 391-33, the position of the Guam Police Department is that Bill 391-33 potentially serves to be *inorganic*.

In an "In Re" request for a declaratory judgment from the Guam Supreme Court in October 2001 (Supreme Court Case No. CRQ01-001) by then Governor Carl T.C. Gutierrez, the ensuing opinion provides that the Organic Act of Guam requires the application of the constitutional doctrine of separation of powers to government of Guam functions. Further declarations of this opinion, which was filed on February 7, 2002, are provided to this Committee in defense of GPD's opposition of Bill 391-33, that "the Legislature has plenary or absolute power over appropriations....." The legislative power of appropriation is defined as "the authority to set apart from the public revenue a certain sum of money for a specified object....." The power of appropriation encompasses the "principle....that it is

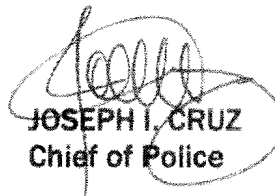
for the Legislature, and not the executive branch, to determine finally which social objectives or programs are worthy of pursuit." Under the references made in the Organic Act, it is the duty of the **Governor** to enforce the laws as enacted by the Legislature and Congress, and, in pursuit of the fulfillment of that duty, the Governor has the power to appoint executive employees and supervise the departments of the executive branch. The Governor's duties to supervise and control the executive branch for the purpose of the proper execution of the laws include the power of expenditure.

Bill 391-33 imposes restrictions on the Chief Executive and the Bureau of Budget and Management Research in the execution of appropriated funding. We request that the Committee reconsider the removal of restrictive provisions with funding appropriated the Guam Police Department, as we have consistently applied judicious management of the public budget. We anticipate that this Committee will discover confidence in the proficiency that the Guam Police Department executes its operations, by lifting restrictions and with appropriations that do not impinge on the Chief Executive's power to allocate resources.

In closing, I would like to take this opportunity to thank this Committee for allowing me to provide this testimony in opposition of Bill 391-33. Mr. Vice Speaker, this concludes my testimony; *si Yu'os Ma'ase para y tiempon miyu*. At this point I am subject to any questions that you may have.

Dated this 6th Day of December, 2016.

Respectfully submitted,


JOSEPH I. CRUZ
Chief of Police



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

Vice Speaker Benjamin J.F. Cruz

DEC 9 7 2016

December 6, 2016

Time: 3:00

Received By

[Signature]

33-1369

Honorable Benjamin J.F. Cruz
Vice Speaker, 33rd Guam Legislature
Committee on Appropriations and Adjudication

RE: BILL 391-33 AN ACT TO ADD A NEW SECTION 20 TO PART I, CHAPTER II. SECTIONS 15 AND 16 TO PART II, CHAPTER III, AND SECTIONS 1(m)(7), AND 1(aa)(5) TO CHAPTER V ALL OF PUBLIC LAW 33-185 RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS APPROPRIATED TOWARD SAFETY, HEALTH, AND EDUCATION AGENCIES IN FISCAL YEAR 2017.

Dear Vice Speaker Cruz:

In summary, Section 2 of this bill adds "New Sections 15 and 16" which proposes to be added to Part II, Chapter III of Public Law 33-185 which is the Department's FY2017 budget. Section 15 proposes to restrict BBMR placement of a reserve on all appropriations from the General fund, Healthy Futures Fund, Environmental Health Fund and Sanitary Inspection Revolving Fund.

Section 16 proposes to restrict the Governor from transferring appropriations from the General Fund, Healthy Futures Funded, Environmental Health Fund, and Sanitary Inspection Revolving Fund to other department or agency of the government of Guam.

I am not in support of restricting BBMR from imposing a reserve from the General Fund and Special Funds since this has not caused an adverse impact on the operation where reserve funds have been placed. It has been our experience with BBMR that the reserves imposed to our program budgets has been released upon our request.

Section 16 restricting the transfers of funds by the Governor when needed by other programs also has not affected our operations. The transfers we have experienced are from lapses of unspent object categories and have been identified as such.

For Department of Public Health and Social Services, the intent of the bill to maintain specified funds within the Department would seem to make sense, but at the same time includes the

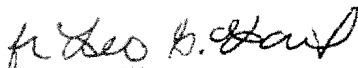
GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT

provision that restricts funds to be transferred to the department from other departments and agencies can be detrimental should the need for additional funds arise. Without this restriction funds can be immediately identified from other departments or agencies of government of Guam. This would be most critical especially in providing for M.I.P. and local match provisions for additional Medicaid funds provided through the Affordable Care Act. This also extends to providing for unexpected health related threats of disease outbreaks such as Dengue, TB, Zika, Food Borne outbreaks and the like which would require infusion of additional funds for immediate disease response.

The Department of Public Health and Social Services has not been negatively impacted since the reserves to the department have been released as needed. Section 15 is not needed and can be excluded. Section 16 restricting the transfer of funds to other departments in need has not adversely impacted our operations but restricting transfer of funds to the Department of Public Health and Social Services by the Governor from other departments and agencies when funds are critically needed, especially for unexpected health threats could adversely affect our Department's Mission, especially in disease outbreak response or opportunities to maximize ACA funds

The Department believes that Section 15 is not necessary and the restriction to the transfer of funds would be an impediment we are not in support of Bill 391-33.

Thank you for this opportunity.


James Gillan



COMMITTEE ON RULES

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

155 Hesler Place, Hagåtña, Guam 96910 • www.guamilegislature.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

November 23, 2016

Memorandum

To: Rennae Meno
Clerk of the Legislature

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

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. 391-33(COR)

Bill No. 392-33(COR)

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

Si Yu'os ma'åse'!

2016 NOV 23 11:19:53

Bureau of Budget & Management Research
Fiscal Note of Bill No. 391-33 (COR)

AN ACT TO ADD A NEW SECTION 20 TO PART I, CHAPTER II, SECTIONS 15 AND 16 TO PART II, CHAPTER III, SECTIONS 4 AND 5 TO PART III, CHAPTER III, AND SECTIONS 1(m)(7), 1(n)(7), AND 1(aa)(5) TO CHAPTER V ALL OF PUBLIC LAW 33-185 RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS APPROPRIATED TOWARD SAFETY, HEALTH, AND EDUCATION AGENCIES IN FISCAL YEAR 2017.

Dept./Agency Affected: Department of Administration	Dept./Agency Head: Christine Baeto, Director
Department's General Fund (GF) appropriation(s) to date:	10,653,059
Department's Other Fund appropriation(s) to date: Indirect Cost Fund (\$1,006,894) and Limited Gaming Fund (\$100,095)	1,106,989
Total Department/Agency Appropriation(s) to date:	\$11,760,048

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2016 Unreserved Fund Balance		\$0	\$0
FY 2017 Adopted Revenues	\$0	\$0	\$0
FY 2017 Appro. (P.L. 33-185 thru)	\$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 2017 (if applicable)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$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? / X / N/A / / 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: / X / Yes / / No
 / X / Requested agency comments not received by due date / / Other:

Analyst: <u>Jason Baza</u>	Date: <u>11/01/16</u>	Director: <u>Jose S. Calvo</u>	Date: <u>NOV 22 2016</u>
Jason Baza, BMA II		Jose S. Calvo, Director	

Notes:

1/ See attached comments.



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

October 24, 2016

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

MEMORANDUM

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

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

Vice-Speaker
Benjamin J.F. Cruz
Member

Attorney Julian Aguon
Legislative Legal Counsel

Legislative Secretary
Tina Rose Muna Barnes
Member

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

Subject: **Referral of Bill No. 391-33(COR)**

Senator
Dennis G. Rodriguez, Jr.
Member

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 391-33(COR)**.

Senator
Frank Blas Aguon, Jr.
Member

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*.

Senator
Michael F.Q. San Nicolas
Member

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

Senator
Nerissa Bretania Underwood
Member

Si Yu'os Ma'åse!

V. Anthony Ada
MINORITY LEADER

Attachment

Mary C. Torres
MINORITY MEMBER

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
391-33 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW SECTION 20 TO PART I, CHAPTER II, SECTIONS 15 AND 16 TO PART II, CHAPTER III, SECTIONS 4 AND 5 TO PART III, CHAPTER III, AND SECTIONS 1(M)(7), 1(N)(7), AND 1(AA)(5) TO CHAPTER V ALL OF PUBLIC LAW 33-185 RELATIVE TO PRIORITIZING AND MAINTAINING THE FUNDING LEVELS APPROPRIATED TOWARD SAFETY, HEALTH, AND EDUCATION AGENCIES IN FISCAL YEAR 2017.	10/21/16 4:37 p.m.	10/24/16	Committee on Appropriations and Adjudication			

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 391-33 (COR)

The intent of the proposed legislation is to prioritize and maintain the funding levels appropriated in FY 2017 for the Guam Department of Education (GDOE), Department of Public Health & Social Services (DPHSS), Guam Behavioral Health and Wellness Center (GBHWC), Guam Police Department (GPD), Department of Corrections (DOC), and the Guam Fire Department (GFD).

Section 1 of the proposed legislation essentially directs the Department of Administration (DOA) Director to make deposits into the GDOE Operations Fund bank account in accordance to the drawdown schedule submitted by the GDOE per Section 19, Part I, Chapter II, P.L. 33-185. This will likely have an adverse impact on DOA's ability to manage cash resources especially during months of low cash collections.

In so far as BBMR's authority to control allotments through appropriation reserves is restricted or eliminated, as is the case with P.L.33-185 (FY 2017 Budget Act) and Sections 2 and 3 of the subject legislation, it not only impedes on the Bureau's duties mandated in Chapter 4, Title 5 GCA, but it also impacts on the Governor's ability to manage appropriations made for executive branch operations.

Relative to transfer authority restrictions in Sections 2 to 6 of the proposed bill, the Bureau estimates that it effectively reduces the amount that the Governor can transfer in FY 2017 by approximately \$25.7M (General Fund and Special Funds). While it is unlikely that he would exercise such authority if it would adversely impact the affected departments / agencies (DPHSS, GBHWC, GPD, etc.), such provisions, again, impedes on the Governor's ability to effectively manage financial resources appropriated for executive branch operations. Case in point, in FY 2016, the Governor utilized his transfer authority per P.L. 33-66 to reprogram \$872K of lapsed funds from the GBHWC to cover shortfalls in the Residential Treatment Fund. This would not have been possible if transfer restrictions in the proposed legislation were in effect in FY 2016.



Sarah Elmore <sarah.elmore@senatorbjcruz.com>

FIRST NOTICE of Public Hearing – December 06, 2016

1 message

Hermína Certeza <hermina.certeza@senatorbjcruz.com>

Tue, Nov 29, 2016 at 11:45 AM

To: PH Notice <phnotice@guamlegislature.org>

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

November 29, 2016

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz

Re: **FIRST NOTICE of Public Hearing – December 06, 2016**

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing beginning at **2:00 PM** on **Tuesday, December 06, 2016**, in the **I Liheslatura Public Hearing Room** with the following schedule:

- **Bill No. 358-33 (COR) - D. G. Rodriguez, Jr.** - "An act to amend § 1909, § 1909(i), and §1907(c), and to add new § 1907(e), (f) and (g), all of chapter 19 of title 1, Guam Code Annotated, relative to granting increased autonomy to the Office of Public Accountability on personnel matters."
- **Bill No. 389-33 (COR) - B. J.F. Cruz** - "An act to appropriate fiscal year 2016 General Fund Revenues to the Government of Guam Retirement Fund, to amend section 6 of chapter xi and section 8, chapter i of Public Law 33-66 relative to the payment of Fiscal Year 2016 retiree medical, dental, and life insurance expenses and to provide a cash contingency for anticipated fiscal year 2017 retiree medical, dental, and life insurance expenses."
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- **Bill No. 397-33 (COR) - J.T. Won Pat, Ed.D. / T. R. Muña Barnes** - "An act to add new §§ 127115 and 127116, both of chapter 127, title 11, Guam code annotated, and to add a new § 41003(b) to article 10, chapter 4, title 12, Guam code annotated, relative to authorizing the Guam Housing Corporation to establish a pilot housing first program and utilize escheated funds in the housing trust fund to fund the same."

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 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.

cc: COR
Sgt-at-Arms
MIS
Clerks
Media


—
Sí Yu'os ma'åse'

Hermína R.B. Certeza

Legislative Assistant

**Office of Vice Speaker Benjamin J.F. Cruz
Committee on Appropriations & Adjudication
155 Hesler Place, Suite 107
Hagatna, GU 96910
Phone: 477-2520 /1**

2 attachments

 **FIRST NOTICE PH MEMO 120616.pdf**
207K

 **FIRST NOTICE PH PR 120616.pdf**
191K

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

November 29, 2016

MEMORANDUM

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

Re: FIRST NOTICE of Public Hearing - December 06, 2016

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing beginning at **2:00 PM on Tuesday, December 06, 2016**, in the *I Liheslatura Public Hearing Room* with the following schedule:

2:00 PM - PUBLIC HEARING

- **Bill No. 358-33 (COR)** - D.G. Rodriguez, Jr. - "An act to amend § 1909, § 1909(i), and §1907(c), and to add new § 1907(e), (f) and (g), all of chapter 19 of title 1, Guam Code Annotated, relative to granting increased autonomy to the Office of Public Accountability on personnel matters."
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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

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

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

FOR IMMEDIATE RELEASE

November 29, 2016

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 Public Hearing by the **Committee on Appropriations and Adjudication** scheduled on **Tuesday, December 06, 2016**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

2:00 PM - PUBLIC HEARING

- **Bill No. 358-33 (COR)** - D.G. Rodriguez, Jr. - "An act to amend § 1909, § 1909(i), and §1907(c), and to add new § 1907(e), (f) and (g), all of chapter 19 of title 1, Guam Code Annotated, relative to granting increased autonomy to the Office of Public Accountability on personnel matters."
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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.

###



Sarah Elmore <sarah.elmore@senatorbjcruz.com>

SECOND NOTICE of Public Hearing - December 06, 2016

1 message

Hermina Certeza <hermina.certeza@senatorbjcruz.com>

Sun, Dec 4, 2016 at 3:34 PM

To: PH Notice <phnotice@guamlegislature.org>

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

December 04, 2016

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz

Re:
SECOND NOTICE of Public Hearing – December 06, 2016

Håfa Adai! The Committee on Appropriations and Adjudication will conduct a Public Hearing beginning at 2:00 P M on Tuesday, December 06, 2016, in the I Liheslatura Public Hearing Room with the following schedule:

Bill No. 358-33 (COR) - D. G. Rodriguez, Jr. - "An act to amend § 1909, § 1909(i), and §1907(c), and to add new § 1907(e), (f) and (g), all of chapter 19 of title 1, Guam Code Annotated, relative to granting increased autonomy to the Office of Public Accountability on personnel matters."

Bill No. 389-33 (COR) - B. J.F. Cruz -
"An act to appropriate fiscal year 2016 General Fund Revenues to the Government of Guam Retirement Fund, to amend section 6 of chapter xi and section 8, chapter i of Public Law 33-66 relative to the payment of Fiscal Year 2016 retiree medical, dental, and life insurance expenses and to provide a cash contingency for anticipated fiscal year 2017 retiree medical, dental, and life insurance expenses."

Bill No. 391-33 (COR)-B. J.F. Cruz -
"An act to add a new section 20 to part i, chapter ii, sections 15 and 16 to part ii, chapter iii, sections 4 and 5 to part iii, chapter iii, and sections 1(m)(7), 1(n)(7), and 1(aa)(5) to chapter v all of public law 33-185 relative to prioritizing and maintaining the funding levels appropriated toward safety, health, and education agencies in fiscal year 2017."

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We look forward to your attendance and participation.

cc: COR
Sgt-at-Arms
MIS
Clerks
Media


Si Yu'os ma'ãse'

Hermína R.B. Certeza
Legislative Assistant

Office of Vice Speaker Benjamin J.F. Cruz
Committee on Appropriations & Adjudication
155 Hesler Place, Suite 107
Hagatna, GU 96910
Phone: 477-2520 /1

2 attachments

 **SECOND NOTICE PH MEMO 120616.pdf**
223K

 **SECOND NOTICE PH PR 120616.pdf**
206K

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

December 04, 2016

MEMORANDUM

To: All Members/ All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing - December 06, 2016**

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing beginning at **2:00 PM on Tuesday, December 06, 2016**, in the *I Liheslatura Public Hearing Room*, on the following:

2:00 PM - PUBLIC HEARING

Bill No. 358-33 (COR) - D.G. Rodriguez, Jr. - "An act to amend § 1909, § 1909(i), and §1907(c), and to add new § 1907(e), (f) and (g), all of chapter 19 of title 1, Guam Code Annotated, relative to granting increased autonomy to the Office of Public Accountability on personnel matters."

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We look forward to your attendance and participation.

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

FOR IMMEDIATE RELEASE

December 04, 2016

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 forty-eight (48) hours' notice for a Public Hearing by the **Committee on Appropriations and Adjudication** scheduled on **Tuesday, December 06, 2016**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

2:00 PM - PUBLIC HEARING

Bill No. 358-33 (COR) - D.G. Rodriguez, Jr. - "An act to amend § 1909, § 1909(i), and §1907(c), and to add new § 1907(e), (f) and (g), all of chapter 19 of title 1, Guam Code Annotated, relative to granting increased autonomy to the Office of Public Accountability on personnel matters."

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Bill No. 397-33 (COR) - J.T. Won Pat, Ed. D. / T. R. Muña Barnes - "An act to add new §§ 127115 and 127116, both of chapter 127, title 11, Guam code annotated, and to add a new § 41003(b) to article 10, chapter 4, title 12, Guam code annotated, relative to authorizing the Guam Housing Corporation to establish a pilot housing first program and utilize escheated funds in the housing trust fund to fund the same."

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; 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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Updated: October 27, 2016

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Updated: October 27, 2016

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PUBLIC HEARING AGENDA

Tuesday, December 06, 2016

Guam Legislature Public Hearing Room • Hagåtña, Guam

2:00 PM

Bill No. 358-33 (COR) - D.G. Rodriguez, Jr. - "An act to amend § 1909, § 1909(i), and §1907(c), and to add new § 1907(e), (f) and (g), all of chapter 19 of title 1, Guam Code Annotated, relative to granting increased autonomy to the Office of Public Accountability on personnel matters."

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