


I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session


TRANSMISSION CHECKLIST TO I MAGA'LAHEN GUÅHAN
(INCLUDED IN FILE WITH ALL BILLS TRANSMITTED)

BILL/RESOLUTION NO.: 116-32 (a.p)

- ENGROSSED SIGN "*" REMOVED FROM BILL
- 15 SENATORS IN SPONSORSHIP OR CONFIRM OTHERWISE
- CAPTION ON CERTIFICATION MATCHES BILL CAPTION
- CONFIRM NUMBER OF PAGES 5 PAGES
 - CERTIFICATION PAGE SIGNED BY SPEAKER & LEGISLATIVE SECRETARY
 - EMERGENCY DECLARATION, if any
 - APPENDIX/EXHIBITS ATTACHED
 -

Confirmed By: 

Dated: 11/15/13

- HAND CARRY BILL IN BLUEBACK (ORIGINAL & COPY) TO THE GOVERNOR.
- ACKNOWLEDGED COPY WITH ORIGINAL BLUEBACK PLACED ON CLERK'S DESK.
- UPDATE HISTORY (AMENDMENT CLERK)
- FORWARD TO MIS (AMENDMENT CLERK)
- FILED BY: 

FINAL REVIEW:

Dated: 11/19/13

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
116-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO AMEND §§ 65102 AND 65103 OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW § 65103.1 TO THE SAME CHAPTER; RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM.	05/13/13 2:01 p.m.	05/13/13	Committee on the Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary	6/5/13, 9:00am 06/13/13 9:00 a.m.	08/12/13 2:05 p.m.	Fiscal Note Requested 05/13/13 Fiscal Note Received 11/22/13
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LAHEN GUAHAN	PUBLIC LAW NO.	NOTES
	11/12/2013	AN ACT TO AMEND § 65102; AND TO ADD A NEW SUBSECTION (e) TO § 65103, AND A NEW § 65103.1, ALL OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM.	11/15/13	11:28 a.m.				As amended by the Committee on Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs and Judiciary; and further amended on the Floor.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael E.Q. San Nicolas
Member


Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

November 22, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

From: Senator Rory J. Respicio 

Subject: Fiscal Notes & Waivers

Hafa Adai!

Transmitted herewith are fiscal notes received from BBMR on the following Bill Nos. 91-32(COR), 98-32(LS), 116-32(COR), 153-32(COR), 176-32(COR), 181-32(COR), 194-32(COR), 195-32(COR), 202-32(COR), 209-32(COR), 211-32(COR) and Fiscal Note Waivers on the following Bill Nos. 94-32(COR), 165-32(COR), 170-32(COR), 189-32(COR), 193-32(COR), 210-32(COR).

Please include fiscal notes and waivers with their respective Committee Reports.

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Si Yu'os Ma'ase'!

2013 NOV 22 09:14:16 

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNOR

NOV 15 2013

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 116-32(COR), ~~XXXXXXXXXX~~,
~~XXXXXXXXXX~~, and Fiscal Note Waiver on the following Bill Nos.: 94-32(COR),
210-32(COR), ~~XXXXXXXXXX~~.

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.



JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 116-32(COR)**

AN ACT TO AMEND §§65102 AND 65103 OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW §65103.1 TO THE SAME CHAPTER; RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Homeland Security/Office of Civil Defense	Dept./Agency Head: Ambrosio D. Constantino, Jr.
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$0

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 1(4-S))	\$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 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

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

Analyst: <u><i>Orilda J. Guerrero</i></u> Date: <u><i>11/14/13</i></u> Director: <u><i>John A. Rios</i></u> Date: <u><i>NOV 15 2013</i></u>
Orilda J. Guerrero John A. Rios, Director

Footnotes:
1/ See attached comments.

Comments on Bill No. 116-32 (COR)

The proposed legislation is a measure to amend Sections 65102 and 65103 of Chapter 65 and to add a new Section 65103.1 all to Title 10 of the Guam Code Annotated to be cited as the "Responsible Operational Continuity Plans Act". Per the Bill, *I Liheslatura Guåhan* finds that there should be continuity of operations for the Government of Guam in the event resulting from natural disaster or other hostile action and that the Office of Civil Defense is authorized to prepare for and direct government emergency functions in the event of emergency conditions. Therefore, the Bill's intent is to have each government of Guam agency establish and maintain an up-to-date operational continuity plan to achieve maximum operations in the event of a short or long term emergency, to ensure that agencies are able to continue performance of essential government services under a broad range of circumstances such as power outages, water outages, weather disturbances, typhoons, data center crashes, terrorist attacks, fire, or other unexpected disruptions. The operational continuity plans should identify what resources are needed for recovery, the order in which operations will be recovered and that copies of the operational continuity plans shall be submitted to the Administrator of the Office of Civil Defense.

Upon enactment of the proposed legislation, the early phases of developing and implementing a plan may likely be absorbed from within each of the department's current funding levels. However, there may be a potential fiscal impact in the future, although unknown at this time, with regard to annual updating of the plan in order to keep up with the changes in a department, exercises and training requirements in the way the plan will be executed during a disaster, supplies, equipment, maintenance, or hiring of a consultant, and etc.



FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

November 13, 2013

The Honorable Edward J.B. Calvo
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

OFFICE OF THE GOVERNOR
CENTRAL FILES
J. Dela Rosa
RECEIVED BY
TIME 11:28 AM DATE 11/15/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 35-32(COR), 74-32(LS), 75-32(LS), 91-32(COR), 94-32(COR), 98-32(LS), 99-32(LS), 108-32(COR), 112-32(COR), 116-32(COR), 133-32(COR), 134-32(COR), 140-32(COR), 141-32(COR), 143-32(COR), 145-32(LS), 150-32(COR), 153-32(COR), 154-32(COR), 156-32(COR), 157-32(COR), 158-32(COR), 160-32(COR), 161-32(COR), 162-32(LS), 165-32(COR), 170-32(LS), 176-32(COR), 189-32(COR), 193-32(COR), 194-32(COR), 195-32(COR), 196-32(COR), 200-32(COR), 205-32(COR), 210-32(COR), 211-32(COR) and 217-32(LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on November 12, 2013.

Sincerely,

Tina Rose Muña Barnes
Legislative Secretary

Enclosures (38)

FILE COPY

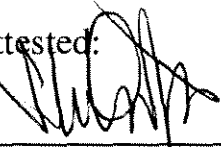
I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 116-32 (COR)**, "AN ACT TO AMEND § 65102; AND TO ADD A NEW SUBSECTION (e) TO § 65103, AND A NEW § 65103.1, ALL OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM", was on the 12th day of November 2013, duly and regularly passed.




Judith T. Won Pat, Ed.D.
Speaker

Attested: 

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 15th day of Nov.,
2013, at 11:28 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 116-32 (COR)

As amended by the Committee on Guam U.S. Military Relocation,
Homeland Security, Veteran's Affairs and Judiciary;
and further amended on the Floor.

Introduced by:

Michael F.Q. San Nicolas
B. J.F. Cruz
FRANK B. AGUON, JR.
Vicente (ben) C. Pangelinan
T. C. Ada
V. Anthony Ada
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND § 65102; AND TO ADD A NEW
SUBSECTION (e) TO § 65103, AND A NEW § 65103.1,
ALL OF CHAPTER 65, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO THE ESTABLISHMENT
OF OPERATIONAL CONTINUITY PLANS FOR EACH
AGENCY OF THE GOVERNMENT OF GUAM.**

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

2 **Section 1. Short Title.** This Act *shall* be cited as the "Responsible
3 Operational Continuity Plans Act."

1 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
2 that the Office of Civil Defense is given the authority to prepare for and direct and
3 control government emergency functions in the event of emergency conditions.
4 The main function of Civil Defense is related to the continuation of government
5 emergency functions for public health, safety, transportation and utilities.

6 *I Liheslatura* further finds that the continuity of operations for the
7 government of Guam in the event of any emergency resulting from a natural or
8 other disaster or hostile action is necessary for the security of individuals and
9 property in Guam. Additionally, some circumstances may adversely impact
10 operational continuity for agencies which do *not* arise from emergency conditions,
11 such as the loss of personnel by attrition, the breakdown of equipment, or the loss
12 of records due to a systems failure.

13 It is, therefore, the intent of *I Liheslaturan Guåhan* that each agency of the
14 government of Guam should establish and maintain an up-to-date operational
15 continuity plan to achieve maximum operational continuity in the events which
16 would disrupt the ability of the agency to operate, including emergencies resulting
17 from a natural or other disaster or hostile action.

18 **Section 3.** §65102, Chapter 65, Title 10, Guam Code Annotated, is hereby
19 *amended* to read:

20 **“§ 65102. Definition and Scope of Activity.**

21 As used in this Chapter, the term *Civil Defense shall* mean the
22 preparation for the carrying out of all emergency functions, other than
23 functions for which United States military forces or other Federal agencies
24 are primarily responsible, to prevent, minimize and repair injury and damage
25 resulting from disaster caused by enemy attack, sabotage or other hostile
26 action, or by fire, flood, typhoon or other causes. These functions include,
27 without limitation, fire fighting services, police services, medical and health

1 services, rescue, engineering, air raid warning services, communications,
2 radiological, chemical and other special weapons of defense, evacuation of
3 persons from stricken areas, emergency welfare services (civilian war aid),
4 emergency transportation, plant protection, the approval and maintenance of
5 a separate record of adopted operational continuity plans for agencies of the
6 government of Guam, temporary restoration of public utility services and
7 other functions related to civilian protection, together with all other activities
8 necessary or incidental to the preparation for the carrying out of the
9 foregoing functions.”

10 **Section 4.** A new Subsection (e) is hereby *added* to §65103 of Chapter 65,
11 Title 10, Guam Code Annotated, to read:

12 “(e) The Administrator *shall* maintain a separate record for each
13 adopted operational continuity plan submitted to the Office of Civil
14 Defense.”

15 **Section 5.** A new §65103.1 is hereby *added* to Chapter 65, Title 10, Guam
16 Code Annotated, to read:

17 **“§ 65103.1. Agency Operational Continuity Plans.**

18 Each agency of the government of Guam *shall* establish an operational
19 continuity plan. Each such plan *shall* be reviewed for adequacy and
20 thereafter adopted by the governing board or, in the absence of a governing
21 board, *I Maga’lahen Guåhan* and, thereafter, submitted annually on or
22 before October 1st with amendments, as necessary, to the Administrator of
23 the Office of Civil Defense. Copies of the adopted plan *shall* be furnished to
24 *I Liheslaturan Guåhan* (the Guam Legislature) and *I Maga’lahi* (the
25 Governor) *no later than* October 1st of each year. Such plan *shall* include
26 provisions for:

1 (a) events which would disrupt the ability of the agency to
2 operate, such as:

3 (1) the loss of personnel by retirement, whether known
4 or unknown in advance, national guard deployment, military
5 reserve deployment, sickness, death or other contingencies;

6 (2) the loss, malfunction or breakdown of equipment
7 necessary for the efficient provision of services;

8 (3) the loss of physical or electronic records necessary
9 for the efficient provision of services;

10 (4) the unavailability of a facility which is necessary
11 for the efficient provision of services; or

12 (5) any combination of the above through reasonably
13 foreseeable instances, such as natural or other disasters or acts,
14 or omission of the agency or other entities, including hostile
15 acts;

16 (b) the maintenance of maximum operational continuity in
17 the event of any situation which would disrupt the ability of the
18 agency to operate pursuant to Subsection (a) of this Section; and

19 (c) a statement of actions to be taken to prevent or mitigate
20 any vulnerabilities, pursuant to Subsection (a) of this Section, which
21 pose a significant risk to the continuity of operations of the agency.”

LEGISLATIVE SESSION

I MINA'TRENTAI DOS NA LIHESLATURAN

2013 (FIRST) Regular Session

Voting Sheet

Bill No. 116-32 (COR)

Speaker Antonio R. Unipingco Legislative Session Hall

As amended by the Committee on Guam U.S.
Military Relocation, Homeland Security, Veteran's
Affairs and Judiciary; and further amended on the

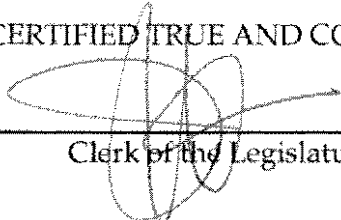
November 12, 2013

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA		✓			
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS		✓			
Senator Michael LIMTIACO		✓			
Senator Brant McCREADIE	✓	✓			
Senator Thomas "Tommy" MORRISON		✓			
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

<u>11</u>	<u>4</u>	<u> </u>	<u> </u>	<u> </u>
Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

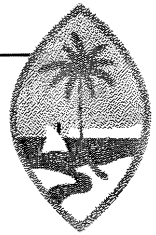
I = Pass



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I Mina'trentai Dos Na Liheslaturan Guåhan | 32ND GUAM LEGISLATURE



August 8, 2013

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

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

RE: Committee Report on Bill No. 116-32 (COR) As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Amended Bill No. 116-32 (COR) – “An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.”

Committee votes are as follows:

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

Respectfully,

SENATOR TINA ROSE MUÑA BARNES
Acting Committee Chairperson on Guam U.S. Military Relocation,
Homeland Security, Veterans' Affairs, and the Judiciary
Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature

2013 AUG 12 PM 2:05

Senator
FRANK B. AGUON, JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

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

Senator
Rory J. Respicio
Committee Member

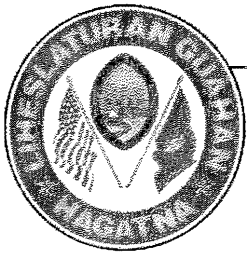
Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodríguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

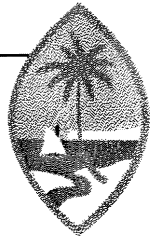
Senator
Thomas Morrison
Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



Senator

FRANK B. AGUON, JR.

Committee Chairperson

Senator

Tina Muna-Barnes

Committee Vice Chairperson

Speaker

Judith T. Won Pat, Ed.D.

Committee Member

Senator

Rory J. Resplcio

Committee Member

Senator

Thomas C. Ada

Committee Member

Senator

Dennis G. Rodriguez, Jr.

Committee Member

Senator

V. Anthony Ada

Committee Member

Senator

Michael Limtiaco

Committee Member

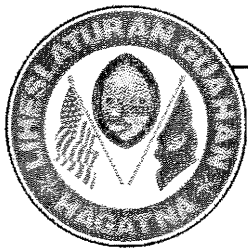
Senator

Thomas Morrison

Committee Member

COMMITTEE REPORT ON AMENDED BILL NO. 116-32 (COR)

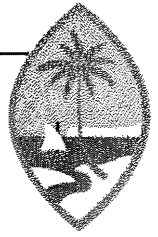
An act to amend §§65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new §65103.1 to the same Chapter, relative to the establishment of operational continuity plans for each agency of the government of Guam.



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



August 8, 2013

MEMORANDUM

To: All Members
Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary

From: Senator Tina Rose Muña Barnes
Acting Committee Chairperson

Subject: Committee Report on Amended Bill No. 116-32 (COR)

Transmitted herewith for your consideration is the Committee Report on Amended Bill No. 116-32 (COR) – "An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Amended Bill No. 116-32 (COR)
- Copy of Bill No. 116-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 116-32 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Related News Reports

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

Si Yu'os Ma'åse'!

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

**Senator
Rory J. Respicio**
Committee Member

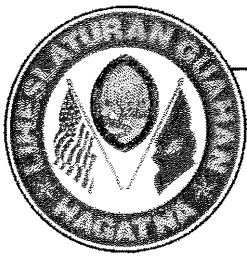
**Senator
Thomas C. Ada**
Committee Member

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

**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member



COMMITTEE ON

GUAM U.S. MILITARY RELOCATION VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



COMMITTEE VOTING SHEET

Bill No. 116-32 (COR) – "An act to amend §§65102 and 65103 of Chapter 65, Title 10, Guam Code *As Amended Annotated, and to Add a NEW §65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the Government of Guam."

Senator FRANK B. AGUON, JR.
Committee Chairperson

Senator Tina Muna-Barnes
Committee Vice Chairperson

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

Senator Rory J. Respicio
Committee Member

Senator Thomas C. Ada
Committee Member

Senator Dennis G. Rodriguez, Jr.
Committee Member

Senator V. Anthony Ada
Committee Member

Senator Michael Limtiaco
Committee Member

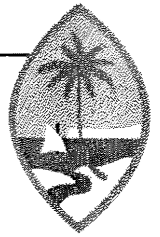
Senator Thomas Morrison
Committee Member

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
AGUON, FRANK B. JR Committee Chairperson						
MUNA BARNES, TINA ROSE Committee Vice Chairperson				<input checked="" type="checkbox"/>		
SPEAKER WON PAT, JUDITH T. Ed.D. Committee Member						
RESPICIO, RORY J. Committee Member						
ADA, THOMAS C. Committee Member		<input checked="" type="checkbox"/>				
RODRIGUEZ, DENNIS G. JR. Committee Member						
ADA, V. ANTHONY Committee Member		<input checked="" type="checkbox"/>				
LIMTIACO, MICHAEL Committee Member				<input checked="" type="checkbox"/>		
MORRISON, THOMAS Committee Member				<input checked="" type="checkbox"/>		



**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 116-32 (COR) was introduced on May 13, 2013 by Senator Michael F.Q. San Nicolas, and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary on May 13, 2013 .

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary convened a public hearing on Bill No. 116-32 (COR) on June 13, 2013 at 9:00AM in I Liheslatura's Public Hearing Room.

Public Notice Requirements

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets June 6, 2013 (5-Day Notice), and again on June 11, 2013 (48-Hour Notice). Notices were also published in the Marianas Variety Newspaper on June 6, 2013 and June 11, 2013.

Senators Present

- Senator Frank B. Aguon, Jr., Chairperson
- Vice Speaker Benjamin J.F. Cruz
- Senator Christopher M. Duenas
- Senator V. Anthony Ada
- Senator Aline A. Yamashita, Ph.D.
- Senator Brant T. McCreddie
- Senator Thomas C. Ada
- Senator Michael F.Q. San Nicolas
- Senator Michael Limtiaco

Appearing Before the Committee

- Ambrosio Constantino, Guam Homeland Security Advisory
- Mary Okada, President of Guam Community College

The public hearing was Called-to-Order at 9:09 AM.

II. SUMMARY OF TESTIMONY & DISCUSSION

Senator Frank B. Aguon, Jr.:

"Moving ahead to Bill 116. I understand there is one particular individual, he may have left the building. But we do have Mr. Ambrose Constantino who signed up, he also provided written testimony on Bill Number 116 sponsored by Senator San Nicolas relative to the establishment of operational continuity plans for each agency of the Government of Guam. Senator San Nicolas if you would like to provide some brief comments."

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

**Senator
Rory J. Respiclo**
Committee Member

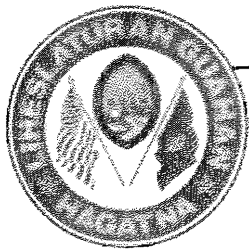
**Senator
Thomas C. Ada**
Committee Member

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

**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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Senator Michael F.Q. San Nicolas:

"Thank you Mr. Chair. Bill No. 116 is an act to amend § 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.

In a nutshell what this bill is intending to do is it's requiring every single agency to develop operational continuity plans that must be transmitted to the Office of Civil Defense where they will review these plans and make sure that they are meeting the minimum standard of what they're supposed to accomplish. And that minimum standard is to create these continuity plans so that in the event, if certain things were to happen, the agency is still able to function.

And so some of these things, these plans need to address is 1: the loss of personnel by retirement, whether known or unknown in advance; National Guard deployment; Military Reserve deployment; Sickness, death or other contingencies. In other words we have very , very valuable Government of Guam employees. And when they leave, we need to know how we're going to continue to operate this government when that institutional knowledge walks out the door whether permanently or temporarily.

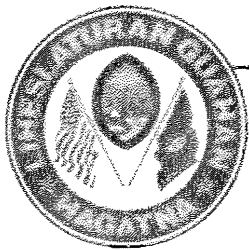
The 2nd things that these plans need to provision for is a loss, malfunction, or breakdown of equipment necessary for the efficient provision of services. In the not too distant past, we have a public auditor report that basically stated that the Revenue & Taxation GRT (Gross Receipts Tax) Division was not reconciling their GRT filings because a machine broke and it's been broken for 2 years, and as the oversight chair of Rev & Tax, I said it's absolutely unacceptable that a broken machine is disallowing us from continuing to function the way we're supposed to. So we need to make sure that we have operational continuity plans on key pieces of equipment so that when they go down we're not all of a sudden letting the work pile up.

The 3rd provision is for the loss of physical or electronic records necessary for the efficient provision of services. So in other words, let's say that there were to be a fire or a storm or what have you, and documents were to be lost. There used to be an operational continuity plan in place that we're able to continue functioning in this government, we're not going to be crippled by the loss of data. We just recently heard testimony here today from one of the victims who said there is no data going – the most recent data is from 2008. And so if those records were lost or misplaced or what have you, we need to have at least a back-up or a failsafe so that they're able to retrieve that data and we're able to make informed decisions.

The 4th provision is the unavailability of a facility which is necessary for the efficient provision of services. Again, if a building were to burn down or were to become unusable, for whatever reason, that should be no reason for us to be able to continue offering the services that our people rely on.

And the 5th provision is any combination of the above, through reasonably foreseeable circumstances in natural or other disaster or act or omission of the agency or other entities including hostile acts.

These various areas need to be provisioned into an operational continuity plan and provided to the Office of Civil Defense so that in the event that anything were to happen whether it be somebody retiring, something breaking, or a Director getting moved from one agency to another. Or even agencies being consolidated and reorganized. We need to be able to understand how we're going to continue to provision the necessary services to our people regardless of



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these circumstances that take place. So Bill 116, Mr. Chairman seeks to do that and I look forward to the testimony and the comments from the public. Thank you."

Senator Frank B. Aguon, Jr.:

"Thank you very much Senator San Nicolas. Mr. Constantino, please identify yourself for the record and proceed."

Ambrosio Constantino, Guam Homeland Security Advisor

"My name is Ambrosio Constantino, I am the Homeland Security Advisor for Guam Homeland Security. I'm going to go off my testimony as well as speak off-line. [Reads attached written testimony verbatim – attached]

Now if I may, this is my off-line portion.

I went through training, less than a year ago, through Homeland Security, prior to me becoming the Homeland Security Advisor. That training was involving COOP -- how to develop it, how to create it, how to do all those things. So I was developing the COOP plan for the Guam National Guard at that time, prior to coming here. So that was something that I was working on. I come on board, just recently, about a month ago, and one of the first things that happened is I went through an exercise with the CST. And the exercise planner basically made me COOP. So I was able to take a look at my COOP plan, actually do a portion of it, and it made me re-look at that COOP plan. Basically, it made me revalidate my own COOP plan.

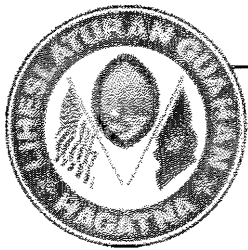
So as a Director, first off I feel that COOP belongs to each agency. Because I do not understand, or would not be able to comprehend what are the individual requirements for let's say, DEPCOR. If DEPCOR had to COOP what are the requirements for them? The second thing is, of course the requirements for me as Homeland Security Advisor. If I had to COOP, what is the reason for my COOP. One is to make sure of the continuation of the government - one is the Governor, the Lieutenant Governor, and the Speaker. So my COOP plan, is not just one location, I have to look at two separate locations. And with that location I need to have a Memorandum of Understanding or Memorandum of Agreement between myself and the airport, or myself and the Guam National Guard establish each individual requirement. So as the Director, and I'm pretty sure all of the other Directors are going to do the same thing. Because I think that is the responsibility of each director. And secondly of course, there's a funding issue. For me, it's money because I'm required to find the resources to, for the equipment because mine is radio intensive. As opposed to another agency which might be, for example, the hospital, what is their COOP plan. Well they have to evacuate people that are hospitalized, that sort of thing. And so I thank you for this opportunity."

Senator Frank B. Aguon, Jr.:

"Thank you Mr. Constantino. President Okada? Please identify yourself for the record."

Mary Okada, President of Guam Community College

"Hafa Adai and Good Morning. My name is Mary Okada, President of the Guam Community College. I had not previously intended to provide testimony on this bill but as I sit in the audience, I see how it could be relevant to the Guam Community College and so in my first read of this bill, I would have to say I am not in favor of it, but let me provide you with maybe perhaps an alternate solution to address this issue.



COMMITTEE ON

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This seems to me as something that can be included in the audit of the government agencies. So for example, at GCC one of our audit requirements is to have a disaster recovery plan. So we have that in place because we maintain student records, we maintain grades and that type of database. The other thing as part of our administrator's evaluation, what we have implemented at the college is a succession plan. So these are things that each agency can identify and incorporate into their overall institutional strategic master plans for example. And you can require it in terms of when the agency is audited on the financial side, on the employment side, on the classification side for the agencies that you've included as part of the audit component. That you therefore require. The specific area that I do not approve or agree with is for a person outside of the college, outside of the board, that approves a plan that we submit that is then after their approval is presented to the board. The board has the authority over the organization, the board approves these plans that are developed by the institution. So I would prefer that the board may take its oversights and authority over the administration of the college and allow the agency director or the CEO to develop those continuity plans specific for, or as part of their evaluations. And so that's my testimony this morning, thank you."

Senator Frank B. Aguon, Jr.:

"Thank you very much President Okada, Senator San Nicolas?"

Senator Michael F.Q. San Nicolas:

"Thank you Mr. Chair. Thank you both for that testimony, that's very excellent feedback.

So what I'm getting is that there's no opposition to the development of continuity plans, you just want to make sure that they're being developed by the agency and being reviewed by that agency and being maintained by that agency."

Mary Okada, President of Guam Community College

"That's correct and the reason why I say that is because as he mentioned earlier, he may not be familiar with the operations of higher education. We are in the business of higher education and therefore laws associated or policies associated with administering higher education is provided. Guidance is provided to us through a series of associations for community college or associations for community college trustees. So those are areas or organizations that we professionally belong to, identify what policies are necessary for the institution, and adopt accordingly. And so instead of having someone who doesn't have the specific expertise in that area, allow the agencies because of the business that they're in to develop their plans and you're right, we're not opposed to having the plan, it's just the mechanism by which it's going to be approved and presented to us."

Senator Michael F.Q. San Nicolas:

"Ok, so if we were going to draft up a substitute bill that instead of having it be reviewed and approved by the Office of Civil Defense, it was instead, kept entirely internal to the agencies, there would be no opposition to that kind of legislation."

Mary Okada, President of Guam Community College

"I would not oppose it. It would just be another one of the reporting requirements that we see in the budget bill every year."



COMMITTEE ON

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Ambrosio Constantino, Guam Homeland Security Advisor

"I basically concur with majority of what she's saying. The department head, or the agency must relook because they know what they need to do. They need to know, they know what their critical aspects that in order for them to continue on with their operation. So I would not know that. Where I fall in as the Homeland Security Advisor, would be to support them for example. We gave training on COOP -- we gave the training, we had an instructor come in, we paid for the instructor and we had people come in and they came and they got the training. And so I got the training to develop a COOP based on the training that the Office of Civil Defense provided at that time. So that would be something where I would help the other agencies. But I cannot be the one to approve any other agencies because why would I approve higher education? Why would I approve DepCor or Medical? That's why they hire department heads or directors to run that operation. In their case (GCC) they have a Board to help them. So yes, and of course if you have a substitute bill I would also look at it to see what merits that it might have. So I am very much open to that, yes sir, I am."

Senator Michael F.Q. San Nicolas:

"Ok, thank you Mr. Chair."

Senator Frank B. Aguon, Jr.:

"Thank you Senator San Nicolas. Any other comments or questions from the panel? Senator Duenas?"

Senator Christopher M. Duenas:

"Thank you Mr. Chair, I just wanted to take this opportunity to congratulate you on your appointment and your willingness to serve and also on the fact that Civil Defense has achieved the Fusion Plan level which you're going to put into effect on Guam. I know many folks may not know what that is but it's going to bring a great deal of resources to there for Guam and meet some heavy federal requirements. So thank you for that and that really elevates Guam. Thank you very much and congratulations."

Senator Frank B. Aguon, Jr.:

"Thank you very much Senator Duenas. President Okada and Mr. Constantino, thank you very much for your testimony again this morning."

The public hearing was adjourned at 12:32 PM.

III. FINDINGS & RECOMMENDATIONS

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary hereby submits these findings and reports out Bill No. 99-32 (LS) as substituted by the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary, with a recommendation To Report Out Only.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

2013 MAY 13 PM 2:01

Bill No. 114-32 (002)

Introduced by: Michael F.Q. San Nicolas

AN ACT TO AMEND §§ 65102 AND 65103 OF
CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED
AND TO ADD A NEW § 65103.1 TO THE SAME
CHAPTER; RELATIVE TO THE ESTABLISHMENT OF
OPERATIONAL CONTINUITY PLANS FOR EACH
AGENCY OF THE GOVERNMENT OF GUAM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Short Title. This Act shall be cited as the "Responsible
3 Operational Continuity Plans Act."

4 Section 2. Legislative Findings and Intent. I Liheslaturan Guåhan
5 finds that the Office of Civil Defense is given authority to prepare for and
6 direct and control government emergency functions in the event of
7 emergency conditions. The main function of Civil Defense is related to the
8 continuation of government emergency functions for public health, safety,
9 transportation and utilities.

10 I Liheslatura further finds that the continuity of operations for the
11 government of Guam in the event of any emergency resulting from a
12 natural or other disaster or hostile action is necessary for the security of

1 individuals and property in Guam. Additionally, some circumstances may
2 adversely impact operational continuity for agencies which do not arise
3 from emergency conditions, such as loss of personnel by attrition,
4 breakdown of equipment or the loss of records due to a systems failure.

5 It is therefore the intent of *I Liheslaturan Guåhan* that each agency of
6 the government of Guam should establish and maintain an up-to-date
7 operational continuity plan to achieve maximum operational continuity in
8 the events which would disrupt the ability of the agency to operate,
9 including emergencies resulting from a natural or other disaster or hostile
10 action.

11 **Section 3. Definition and Scope of Activity.** § 65102, Chapter 65,
12 Title 10, Guam Code Annotated, is hereby *amended*, to read:

13 **“§ 65102. Definition and Scope of Activity.**

14 As used in this Chapter the term ‘Civil Defense’ *shall* mean the
15 preparation for the carrying out of all emergency functions, other than
16 functions for which United States military forces or other Federal agencies
17 are primarily responsible, to prevent, minimize and repair injury and
18 damage resulting from disaster caused by enemy attack, sabotage or other
19 hostile action or by fire, flood, typhoon or other causes. These functions
20 include, without limitation, fire fighting services, police services, medical
21 and health services, rescue, engineering, air raid warning services,
22 communications, radiological, chemical and other special weapons of
23 defense, evacuation of persons from stricken areas, emergency welfare

1 services (civilian war aid), emergency transportation, plant protection, the
2 approval and maintenance of a separate record of operational continuity
3 plans for agencies of the government of Guam, temporary restoration of
4 public utility services and other functions related to civilian protection,
5 together with all other activities necessary or incidental to the preparation
6 for the carrying out of the foregoing functions.”

7 **Section 4. Office of Civil Defense: Creation; Administrator;**
8 **Personnel.** § 65103, Chapter 65, Title 10, Guam Code Annotated, is hereby
9 *amended*, to read:

10 “§ 65103. **Office of Civil Defense: Creation; Administrator; Personnel.**

11 (a) There is hereby created, within the Office of *I Maga'lahren Guåhan*,
12 an Office of Civil Defense with an Administrator of Civil Defense,
13 hereinafter called the ‘Administrator,’ who *shall* be a member of the
14 classified service and *is* the administrative head of the Office of Civil
15 Defense, subject to the direction and control of *I Maga'lahren Guåhan*.

16 (b) The Administrator, with the approval of *I Maga'lahren Guåhan*, *may*
17 employ such technical, clerical, stenographic and other personnel and may
18 make such expenditures within the appropriation therefore, or from other
19 funds made available to him for purposes of civil defense, as *may* be
20 necessary to carry out the purposes of this Chapter.

21 (c) The Administrator and other personnel of the Office of Civil
22 Defense *shall* be provided by *I Maga'lahren Guåhan* with appropriate office
23 space, furniture, equipment, motor vehicles, supplies, stationery and

1 printing in the same manner as are provided for personnel of other
2 government of Guam agencies.

3 (d) The Administrator, subject to the direction and control of *l*
4 *Maga'lahaen Guåhan*, shall be the administrative head of the Office of Civil
5 Defense and shall be responsible to *l* *Maga'lahaen Guåhan* for carrying out the
6 program for the civil defense of Guam. He shall coordinate the activities of
7 all organizations for civil defense within Guam, and shall maintain liaison
8 with and cooperate with civil defense agencies and organizations and the
9 Armed Forces of the Federal government, and shall have such additional
10 authority, duties and responsibilities as are authorized by this Chapter, or
11 as may be prescribed by *l* *Maga'lahaen Guåhan*.

12 (e) The Administrator shall have approval authority, pursuant to the
13 criteria set forth in §65103.1 of this Chapter, for operational continuity
14 plans for agencies of the government of Guam submitted to the Office of
15 Civil Defense by the Director or equivalent officer of each agency. Such
16 plans shall be approved on or before October 1st of each year. The
17 Administrator shall, further, maintain a separate record for each such
18 approved operational continuity plan."

19 **Section 5. Agency Operational Continuity Plans.** A new § 65103.1 is
20 hereby added to Chapter 65, Title 10, Guam Code Annotated, to read:

21 "**§65103.1. Agency Operational Continuity Plans.**

22 The Director or equivalent officer of each agency of the government
23 of Guam shall establish an operational continuity plan, which shall be

1 submitted annually on or before July 1st with amendments, as necessary, to
2 the Administrator of the Office of Civil Defense for approval. Copies of the
3 plan, as approved by the Administrator of the Office of Civil Defense, *shall*
4 be furnished to the Guam Legislature, the Governor and any Board or
5 Commission with jurisdiction over the agency not later than thirty (30)
6 days following the approval of the plan. Such plan *shall* include provisions
7 for:

8 (a) events which would disrupt the ability of the agency to operate,
9 such as:

10 (1) loss of personnel by retirement, whether known or
11 unknown in advance, national guard deployment, military reserve
12 deployment, sickness, death or other contingencies,

13 (2) loss, malfunction or breakdown of equipment necessary for
14 the efficient provision of services,

15 (3) loss of physical or electronic records necessary for the
16 efficient provision of services,

17 (4) unavailability of a facility which is necessary for the efficient
18 provision of services, or

19 (5) any combination of the above through reasonably
20 foreseeable instances, as natural or other disaster or act or omission
21 of the agency or other entities, including hostile acts;

1 (b) maintenance of maximum operational continuity in the event of
2 any situation which would disrupt the ability of the agency to operate
3 pursuant to subsection (a) of this section; and

4 (c) a statement of actions to be taken to prevent or mitigate any
5 vulnerabilities, pursuant to subsection (a) of this section, which pose a
6 significant risk to the continuity of operations of the agency.”

7 **Section 6. Initial Operational Continuity Plans.** Notwithstanding
8 the provisions of §5 of this Act, relative to the time to submit an operational
9 continuity plan, the Director or equivalent officer of each agency *shall*
10 submit the initial operational continuity plan to the Administrator of the
11 Office of Civil Defense within ninety (90) days of the enactment of this Act,
12 who *shall* approve the plans, pursuant to the criteria established in §5 of
13 this Act, within one hundred eighty (180) days of the enactment of this Act.
14 Thereafter, the time for the annual submittal of operational contingency
15 plans *shall* be as provided in §5 of this Act.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 116-32 (COR)

As Amended by the Committee on Guam U.S. Military Relocation,
Homeland Security, Veteran's Affairs and Judiciary

Introduced by:

Michael F.Q. San Nicolas

**AN ACT TO AMEND §§ 65102 AND 65103 OF
CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED
AND TO ADD A NEW § 65103.1 TO THE SAME
CHAPTER; RELATIVE TO THE ESTABLISHMENT OF
OPERATIONAL CONTINUITY PLANS FOR EACH
AGENCY OF THE GOVERNMENT OF GUAM.**

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

2 **Section 1. Short Title.** This Act *shall* be cited as the "Responsible
3 Operational Continuity Plans Act."

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
5 finds that the Office of Civil Defense is given authority to prepare for and
6 direct and control government emergency functions in the event of
7 emergency conditions. The main function of Civil Defense is related to the
8 continuation of government emergency functions for public health, safety,
9 transportation and utilities.

10 *I Liheslatura* further finds that the continuity of operations for the
11 government of Guam in the event of any emergency resulting from a

1 natural or other disaster or hostile action is necessary for the security of
2 individuals and property in Guam. Additionally, some circumstances may
3 adversely impact operational continuity for agencies which do not arise
4 from emergency conditions, such as loss of personnel by attrition,
5 breakdown of equipment or the loss of records due to a systems failure.

6 It is therefore the intent of *I Liheslaturan Guåhan* that each agency of
7 the government of Guam should establish and maintain an up-to-date
8 operational continuity plan to achieve maximum operational continuity in
9 the events which would disrupt the ability of the agency to operate,
10 including emergencies resulting from a natural or other disaster or hostile
11 action.

12 **Section 3. Definition and Scope of Activity.** § 65102, Chapter 65,
13 Title 10, Guam Code Annotated, is hereby *amended*, to read:

14 “§ 65102. **Definition and Scope of Activity.**

15 As used in this Chapter the term ‘Civil Defense’ *shall* mean the
16 preparation for the carrying out of all emergency functions, other than
17 functions for which United States military forces or other Federal agencies
18 are primarily responsible, to prevent, minimize and repair injury and
19 damage resulting from disaster caused by enemy attack, sabotage or other
20 hostile action or by fire, flood, typhoon or other causes. These functions
21 include, without limitation, fire fighting services, police services, medical
22 and health services, rescue, engineering, air raid warning services,
23 communications, radiological, chemical and other special weapons of

1 defense, evacuation of persons from stricken areas, emergency welfare
2 services (civilian war aid), emergency transportation, plant protection, the
3 approval and maintenance of a separate record of adopted operational
4 continuity plans for agencies of the government of Guam, temporary
5 restoration of public utility services and other functions related to civilian
6 protection, together with all other activities necessary or incidental to the
7 preparation for the carrying out of the foregoing functions.”

8 **Section 4. Office of Civil Defense: Creation; Administrator;**
9 **Personnel.** § 65103, Chapter 65, Title 10, Guam Code Annotated, is hereby
10 *amended*, to read:

11 **“§ 65103. Office of Civil Defense: Creation; Administrator; Personnel.**

12 (a) There is hereby created, within the Office of *I Maga’lahen Guåhan*,
13 an Office of Civil Defense with an Administrator of Civil Defense,
14 hereinafter called the ‘Administrator,’ who *shall* be a member of the
15 classified service and *is* the administrative head of the Office of Civil
16 Defense, subject to the direction and control of *I Maga’lahen Guåhan*.

17 (b) The Administrator, with the approval of *I Maga’lahen Guåhan*, *may*
18 employ such technical, clerical, stenographic and other personnel and may
19 make such expenditures within the appropriation therefore, or from other
20 funds made available to him for purposes of civil defense, as *may* be
21 necessary to carry out the purposes of this Chapter.

22 (c) The Administrator and other personnel of the Office of Civil
23 Defense *shall* be provided by *I Maga’lahen Guåhan* with appropriate office

1 space, furniture, equipment, motor vehicles, supplies, stationery and
2 printing in the same manner as are provided for personnel of other
3 government of Guam agencies.

4 (d) The Administrator, subject to the direction and control of *I*
5 *Maga'lahaen Guåhan*, shall be the administrative head of the Office of Civil
6 Defense and shall be responsible to *I Maga'lahaen Guåhan* for carrying out the
7 program for the civil defense of Guam. He shall coordinate the activities of
8 all organizations for civil defense within Guam, and shall maintain liaison
9 with and cooperate with civil defense agencies and organizations and the
10 Armed Forces of the Federal government, and shall have such additional
11 authority, duties and responsibilities as are authorized by this Chapter, or
12 as may be prescribed by *I Maga'lahaen Guåhan*.

13 (e) The Administrator shall maintain a separate record for each
14 adopted operational continuity plan submitted to the Office of Civil
15 Defense. ~~have approval authority, pursuant to the criteria set forth in~~
16 ~~§65103.1 of this Chapter, for operational continuity plans for agencies of the~~
17 ~~government of Guam submitted to the Office of Civil Defense by the~~
18 ~~Director or equivalent officer of each agency. Such plans shall be approved~~
19 ~~on or before October 1st of each year. The Administrator shall, further,~~
20 ~~maintain a separate record for each such approved operational continuity~~
21 ~~plan.~~"

22 **Section 5. Agency Operational Continuity Plans.** A new § 65103.1 is
23 hereby added to Chapter 65, Title 10, Guam Code Annotated, to read:

1 **“§65103.1. Agency Operational Continuity Plans.**

2 ~~The Director or equivalent officer of~~ Each agency and instrumentality
3 of the government of Guam *shall* establish an operational continuity plan,
4 Each such plan shall be reviewed for adequacy and thereafter adopted by
5 the governing board or, in the absence of a governing board, I Maga’lahen
6 Guåhan and, thereafter, which shall be submitted annually on or before
7 October 1st July 1st with amendments, as necessary, to the Administrator of
8 the Office of Civil Defense ~~for approval~~. Copies of the adopted plan, as
9 ~~approved by the Administrator of the Office of Civil Defense,~~ *shall* be
10 furnished to the Guam Legislature and, the Governor ~~and any Board or~~
11 ~~Commission with jurisdiction over the agency~~ not later than October 1st of
12 each year. thirty (30) days following the approval of the plan. Such plan
13 *shall* include provisions for:

14 (a) events which would disrupt the ability of the agency to operate,
15 such as:

16 (1) loss of personnel by retirement, whether known or
17 unknown in advance, national guard deployment, military reserve
18 deployment, sickness, death or other contingencies,

19 (2) loss, malfunction or breakdown of equipment necessary for
20 the efficient provision of services,

21 (3) loss of physical or electronic records necessary for the
22 efficient provision of services,

1 (4) unavailability of a facility which is necessary for the efficient
2 provision of services, or

3 (5) any combination of the above through reasonably
4 foreseeable instances, as natural or other disaster or act or omission
5 of the agency or other entities, including hostile acts;

6 (b) maintenance of maximum operational continuity in the event of
7 any situation which would disrupt the ability of the agency to operate
8 pursuant to subsection (a) of this section; and

9 (c) a statement of actions to be taken to prevent or mitigate any
10 vulnerabilities, pursuant to subsection (a) of this section, which pose a
11 significant risk to the continuity of operations of the agency.”

12 ~~Section 6. Initial Operational Continuity Plans. Notwithstanding~~
13 ~~the provisions of §5 of this Act, relative to the time to submit an operational~~
14 ~~continuity plan, the Director or equivalent officer of each agency shall~~
15 ~~submit the initial operational continuity plan to the Administrator of the~~
16 ~~Office of Civil Defense within ninety (90) days of the enactment of this Act,~~
17 ~~who shall approve the plans, pursuant to the criteria established in §5 of~~
18 ~~this Act, within one hundred eighty (180) days of the enactment of this Act.~~
19 ~~Thereafter, the time for the annual submittal of operational contingency~~
20 ~~plans shall be as provided in §5 of this Act.~~

**COMMITTEE ON GUAM US MILITARY RELOCATION, VETERANS' AFFAIRS HOMELAND
SECURITY & JUDICIARY**

I Mina'Trentai Dos na Liheslaturan Guahan | 32nd Guam Legislature



**SENATOR FRANK B. AGUON, JR
CHAIRMAN**

THURSDAY, JUNE 13, 2013 at 9:00AM

Bill No. 116-32 (COR) – Senator Michael F.Q. San Nicolas

An act to *amend* §§65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to *add a new* §65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.

NAME (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
<i>Constantino, Ambrosio D.</i>	<i>GHS /OCD</i>	<i>671-498-3596</i>	<i>✓</i>	<i>✓</i>		<i>AC</i>



GUAM HOMELAND SECURITY/OFFICE OF CIVIL DEFENSE

Inasiguran I Tano' Guahan/Ufsinan Difensia Sibet
221-B Chalan Palasyo, Agana Heights, Guam 96910
Tel: (671) 475-9600 / Fax: (671) 477-3727
Website: www.ghs.guam.gov



EDWARD BAZA CALVO
Governor
Muga' lahi Guahan

RAY TENORIO
Lt. Governor
I Segundu Muga' lahi Guahan

AMBROSIO D. CONSTANTINO JR.
Homeland Security Advisor
Konseheron Inasiguran I Tano'

JAMES T. MCDONALD
Acting Administrator
Administrador

13 June 2013
Testimony for Guam Homeland Security
Homeland Security Advisor

Bill 116-32 (COR)

Hafa Adai Chairman Aguon and Members of the Committee

Thank you for the opportunity to provide testimony on Bill #116-32. As the Guam Homeland Security Advisor, we do not support Bill 116-32 for the following reason.

1. The position as Administrator already exists. Public Law 24-298 already establishes the position of Administrator, Office of Civil Defense.
2. The timeframe required by this bill is unrealistic
 - a. Establishing a COOP Plan 90 days and finalizing within 180 days after the passage of this bill is an unrealistic goal. GHS planning requires coordination with the other agency heads for use of their facility as the alternate site. MOU / MOA is required to identify each party's tasks and equipment. Once both sides works out the details, the MOU /MOA goes through legal.
 - b. The approving authority for the agency's COOP should be the Agency Director, not HSA / OCD Director. As HSA, I am very familiar with the COOP requirements for GHS / OCD. I have no understanding of the COOP requirements for other organizations such as DEPCOR, DPHSS, GMH, etc. For example, DEPCOR's COOP may be more prison population intensive versus ours focuses heavily on maintaining communications with all agencies.
3. This bill does not identify funding associated with cost or equipment required for COOP. Each director of each agency must develop their own analysis in determining COOP cost. The Governor, through each of his agency directors, must calculate respective budgets based on forecasted costs and expenditures.
4. COOP is a requirement that falls within the responsibilities of each agency director. Each agency will review their individual requirement, assess their cost and validate their COOP. Each agency should continually reassess their COOP.

I wish to thank the committee for the opportunity to hear our concerns and reasoning for our opposition to this bill.

Sensermente,

Ambrosio D. Constantino Jr.
Guam Homeland Security Advisor



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

May 13, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill Nos. 113-32 through 116-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 113-32 through 116-32(COR)**.

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

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
116-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO AMEND §§ 65102 AND 65103 OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW § 65103.1 TO THE SAME CHAPTER; RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM.	5/13/2013 2:01pm	5/13/13	Committee on the Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary			



FIRST NOTICE: Public Hearing at 9:00AM on Wednesday, June 5, 2013

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com>
To: phnotice@guamlegislature.org

Wed, May 29, 2013 at 5:04 PM

May 29, 2013

MEMORANDUM

TO: All Senators

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: FIRST NOTICE of **Public Hearing** on Wednesday, June 5, 2013 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Wednesday, June 5, 2013, at *Li heslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 116-32 (COR)** - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.
- **Bill No. 119-32 (COR)** - An act to add a new Article 2 to Chapter 37 of 9GCA relative to home invasion.
- **Bill No. 128-32 (COR)** - Proposed Customs User Fee Adjustment from \$6.36 to \$8.29 per passenger

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3 (4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *Li heslaturan*

Guåhan's website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Yvette Cruz at 475-GUM1/2 (4861/2) or via email to admin@frankaguonjr.com.

Si Yuos Maase!

Cc: Clerks
MIS
Sgt-at-Arms

—
Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary

155 Hesler PL Suite 104, Hagatña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

 **AllSenMemo.pdf**
398K



SECOND NOTICE: Public Hearing at 9:00AM on Wednesday, June 5, 2013

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com>
To: phnotice@guamlegislature.org

Mon, Jun 3, 2013 at 3:13 PM

June 03, 2013

MEMORANDUM

TO: All Senators

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs,
Homeland Security and Judiciary

SUBJECT: SECOND NOTICE of **Public Hearing** on Wednesday, June 5, 2013 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Wednesday, June 5, 2013, at *I Liheslaturan Guåhan*'s Public Hearing Room in Hagåtña, on the following:

~~• **Bill No. 116-32 (COR)** – *POSTPONED AT THE REQUEST OF THE SPONSOR*~~

~~○ An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter, relative to the establishment of operational continuity plans for each agency of the government of Guam.~~

- **Bill No. 119-32 (COR)** - An act to add a new Article 2 to Chapter 37 of 9GCA relative to home invasion.

- **Bill No. 128-32 (COR)** - Proposed Customs User Fee Adjustment from \$6.36 to \$8.29 per passenger

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Si Yuos Maase!

Cc: Clerks
MIS
Sgt-at-Arms

—
Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary

155 Hesler PL Suite 104, Hagåtña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

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 **2ndNotice_AllSenMemo.pdf**
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**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE



**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

**Senator
Rory J. Respicio**
Committee Member

**Senator
Thomas C. Ada**
Committee Member

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


**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Lintiacó**
Committee Member

**Senator
Thomas Morrison**
Committee Member

May 30, 2013

MEMORANDUM

TO: All Senators 

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: FIRST NOTICE of Public Hearing on Wednesday, June 5, 2013 at 9:00AM

Buenas yan Hafa Adai!

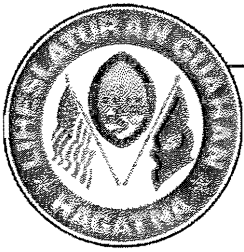
The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Wednesday, June 5, 2013, at / *Liheslaturan Guáhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 116-32 (COR)** - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.
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- **Bill No. 128-32 (COR)** - Proposed Customs User Fee Adjustment from \$6.36 to \$8.29 per passenger

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Si Yu'os Ma'asel

Cc: Clerks
MIS
Sgt-at-Arms



GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 03, 2013

MEMORANDUM

TO: All Senators

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs,
Homeland Security and Judiciary

SUBJECT: SECOND NOTICE of Public Hearing on Wednesday, June 5, 2013 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Wednesday, June 5, 2013, at / *Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

- ~~Bill No. 116-32 (COR) - POSTPONED AT THE REQUEST OF THE SPONSOR~~
 - ~~An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.~~
- **Bill No. 119-32 (COR)** - An act to add a new Article 2 to Chapter 37 of 9GCA relative to home invasion.
- **Bill No. 128-32 (COR)** - Proposed Customs User Fee Adjustment from \$6.36 to \$8.29 per passenger

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Si Yu'os Ma'ase!

Cc: Clerks
MIS
Sgt-at-Arms

Senator
FRANK B. AGUON, JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

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

Senator
Rory J. Respicio
Committee Member

Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member



Mina Trentai Dos Na Liheslaturan Guahan
32nd Guam Legislature

OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam US Military Relocation, Homeland Security
Veterans Affairs and Judiciary

Public Hearing
WEDNESDAY, June 5, 2013 | 9:00AM

AGENDA

Bill No. 116-32 (COR) - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.

Bill No. 119-32 (COR) - An act to add a new Article 2 to Chapter 37 of 9GCA relative to home invasion.

Bill No. 128-32 (COR) - Proposed Customs User Fee Adjustment from \$6.36 to \$8.29 per passenger.

The public hearing will be broadcasted on
MCV Channel 13 or GUDTV Channel 21.

If you require any special accommodations, please contact
the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2
(486172) or e-mail Committee@frankaguonjr.com.

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Marianas Variety-Guam Edition is circulated by home and office consignments, and vending machines throughout Guam, as mail delivery to the States of Micronesia, the Marshall Islands, South Pacific, Hawaii, Japan and the U.S. Daily coverage can also be read from our website www.mvguam.com.

MONDAY, JUNE 3, 2013 - MARIANAS VARIETY GUAM EDITION



Mina Trentai Dos Na Liheslaturan Guahan
32nd Guam Legislature

OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam-US Military Relocation, Homeland Security
Veterans Affairs and Judiciary

Public Hearing
WEDNESDAY, June 5, 2013 | 9:00AM

AGENDA

Bill No. 116-32 (COR) - An act to amend 55 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new 5 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.

Bill No. 119-32 (COR) - An act to add a new Article 2 to Chapter 37 of 9GCA relative to home invasion.

Bill No. 128-32 (COR) - Proposed Customs User Fee Adjustment from \$6.36 to \$8.29 per passenger

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MCV Channel 13 or GUDTV Channel 21.

If you require any special accommodations, please contact
the Office of Senator Frank B. Aguon, Jr. at 475 GUM1/2
(4861/2) or e-mail committee@frankaguonjr.com.

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FIRST NOTICE: Public Hearing at 9:00AM on THURSDAY

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>
To: phnotice@guamlegislature.org

Thu, Jun 6, 2013 at 11:15 AM

June 06, 2013

MEMORANDUM

TO: All Senators

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: FIRST NOTICE of **Public Hearing** on Thursday, June 13, 2013 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Wednesday, June 5, 2013, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-32 (LS)** - An act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated, relative to clarifying minimum sentences for crimes.
- **Bill No. 107-32 (COR)** - An act to add a new Section to Chapter 80, Title 9, Guam Code Annotated, relative to creating a "Two Strikes" provision for habitual offenders of serious crimes.
- **Bill No. 116-32 (COR)** - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.
- **Bill No. 134-32 (COR)** - An act relative to recognizing the Office of Veterans Affairs as the official local agency for establishing and maintaining the "Guam Veterans Registry" which shall be utilized for

enumerating the population of veterans on Guam, and for the use of such information for increasing or acquiring necessary healthcare and other relevant services to benefit veterans and their families; through adding a new §67110 to Chapter 67, Title 10, Guam Code Annotated.

- **Bill No. 135-32 (COR)** - An act relative to increasing the representation of the number of veterans serving on the Guam Veterans Commission, to initiate efforts toward the eventual establishment of the "Sengsong Beteranun Guahan - Guam Veterans Village", which shall serve as a one-stop veterans services center; and for other purposes; through the repeal and re-enactment §67107 of Chapter 67, Title 10, Guam Code Annotated.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3 (4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Yvette Cruz at 475-GUM1/2 (4861/2) or via email to admin@frankaguonjr.com.

Si Yu'os Ma'ase!

Cc: Clerks
MIS
Sgt-at-Arms

--
Thanks!
Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary
Office of Senator Frank B. Aguon, Jr.
155 Hesler PL Suite 104 Hagatña, Guam 96910
Tel: (671) 475-GUM1/2 (4861/2)
Fax: (671) GUM3 (4863)
aguon4guam@gmail.com | www.frankaguonjr.com

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FIRST NOTICE: Public Hearing at 9:00AM on THURSDAY

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>

Thu, Jun 6, 2013 at 1:54 PM

To: phnotice@guamlegislature.org

Please note the following correction:

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, ~~Wednesday~~ Thursday, June 5 13, 2013, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña.

On Thu, Jun 6, 2013 at 11:15 AM, Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com> wrote:

[Quoted text hidden]

[Quoted text hidden]



SECOND NOTICE: Public Hearing at 9:00AM on THURSDAY, June 13, 2013

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>
To: phnotice@guamlegislature.org

Tue, Jun 11, 2013 at 3:03 PM

June 11, 2013

MEMORANDUM

TO: All Senators

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: SECOND NOTICE of **Public Hearing** on Thursday, June 13, 2013 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Thursday, June 13, 2013, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-32 (LS)** - An act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated, relative to clarifying minimum sentences for crimes.
- **Bill No. 107-32 (COR)** - An act to add a new Section to Chapter 80, Title 9, Guam Code Annotated, relative to creating a "Two Strikes" provision for habitual offenders of serious crimes.
- **Bill No. 116-32 (COR)** - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.
- **Bill No. 134-32 (COR)** - An act relative to recognizing the Office of Veterans Affairs as the official local agency for establishing and maintaining the "Guam Veterans Registry" which shall be utilized for enumerating the population of veterans on Guam, and for the use of such information for increasing or acquiring necessary healthcare and other relevant services to benefit veterans and their families; through adding a new §67110 to Chapter 67, Title 10, Guam Code Annotated.

- **Bill No. 135-32 (COR)** - An act relative to increasing the representation of the number of veterans serving on the Guam Veterans Commission, to initiate efforts toward the eventual establishment of the "Sengsong Beteranun Guahan - Guam Veterans Village", which shall serve as a one-stop veterans services center; and for other purposes; through the repeal and re-enactment §67107 of Chapter 67, Title 10, Guam Code Annotated.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3 (4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhans* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Yvette Cruz at 475-GUM1/2 (4861/2) or via email to admin@frankaguonjr.com.

Si Yu'os Ma'ase!

Cc: Clerks
MIS
Sgt-at-Arms

—
Thanks!

Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary

Office of Senator Frank B. Aguon, Jr.


155 Hesler PL Suite 104, Hagåtña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

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GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

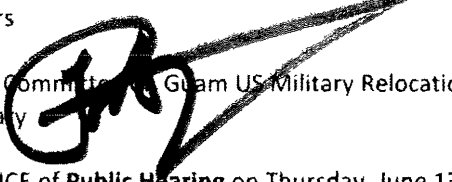
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 06, 2013

MEMORANDUM

TO: All Senators

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary 

SUBJECT: FIRST NOTICE of Public Hearing on Thursday, June 13, 2013 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Wednesday, June 5, 2013, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-32 (LS)** - An act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated, relative to clarifying minimum sentences for crimes.
- **Bill No. 107-32 (COR)** - An act to add a new Section to Chapter 80, Title 9, Guam Code Annotated, relative to creating a "Two Strikes" provision for habitual offenders of serious crimes.
- **Bill No. 116-32 (COR)** - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.
- **Bill No. 134-32 (COR)** - An act relative to recognizing the Office of Veterans Affairs as the official local agency for establishing and maintaining the "Guam Veterans Registry" which shall be utilized for enumerating the population of veterans on Guam, and for the use of such information for increasing or acquiring necessary healthcare and other relevant services to benefit veterans and their families; through adding a new §67110 to Chapter 67, Title 10, Guam Code Annotated.
- **Bill No. 135-32 (COR)** - An act relative to increasing the representation of the number of veterans serving on the Guam Veterans Commission, to initiate efforts toward the eventual establishment of the "Sengsong Beteranun Guahan - Guam Veterans Village", which shall serve as a one-stop veterans services center; and for other purposes; through the repeal and re-enactment §67107 of Chapter 67, Title 10, Guam Code Annotated.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3 (4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Yvette Cruz at 475-GUM1/2 (4861/2) or via email to admin@frankaguonjr.com.

Si Yu'os Ma'asel!

Cc: Clerks | MIS | Sgt-at-Arms

Senator
FRANK B. AGUON, JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

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

Senator
Rory J. Respicio
Committee Member

Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member



GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 11, 2013

MEMORANDUM

TO: All Senators

FROM: Chairman, Committee on Guam US Military Relocation Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: SECOND NOTICE of **Public Hearing** on Thursday, June 13, 2013 at 9:00AM

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary has scheduled a public hearing starting at 9:00AM, Thursday, June 13, 2013, at *Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-32 (LS)** - An act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated, relative to clarifying minimum sentences for crimes.
- **Bill No. 107-32 (COR)** - An act to add a new Section to Chapter 80, Title 9, Guam Code Annotated, relative to creating a "Two Strikes" provision for habitual offenders of serious crimes.
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Si Yu'os Ma'ase!

Cc: Clerks | MIS | Sgt-at-Arms

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

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Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

THURSDAY, JUNE 6, 2013 - MARIANAS VARIETY GUAM EDITION



OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam US Military Relocation,
Homeland Security, Veterans Affairs and Judiciary
Mina Trentai Dos Na Lhasaburan Guahan | 32nd Guam Legislature



PUBLIC HEARING THURSDAY, JUNE 13, 2013 | 9:00AM

Bill No. 99-32 (LS) - An act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated, relative to clarifying minimum sentences for crimes.

Bill No. 107-32 (LS) - An act to add a new section to Chapter 80, Title 9, Guam Code Annotated, relative to creating a "Two Strikes" provision for habitual offenders of serious crimes.

Bill No. 116-32 (COR) - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter; relative to the establishment of operational continuity plans for each agency of the government of Guam.

Bill No. 134-32 (COR) - An act relative to recognizing the Office of Veterans Affairs as the official local agency for establishing and maintaining the "Guam Veterans Registry" which shall be utilized for enumerating the population of veterans on Guam, and for the use of such information for increasing or acquiring necessary healthcare and other relevant services to benefit veterans and their families; through adding a new §67110 to Chapter 67, Title 10, Guam Code Annotated.

Bill No. 135-32 (COR) - An act relative to increasing the representation of the number of veterans serving on the Guam Veterans Commission, to initiate efforts toward the eventual establishment of the "Sangsong Beteranun Guahan - Guam Veterans Village", which shall serve as a one-stop veterans services center, and for other purposes; through the repeal and re-enactment §67107 of Chapter 67, Title 10, Guam Code Annotated.

The public hearing will be broadcasted on MCV Channel 13 or GUDTV Channel 21. If you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2) or e-mail committee@frankaguonjr.com. *This ad paid for with government funds*



OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam US Military Relocation,
Homeland Security, Veterans Affairs and Judiciary

Mina Trental Dos Na Lhestituran Guahan | 32nd Guam Legislature



PUBLIC HEARING

THURSDAY, JUNE 13, 2013 | 9:00AM

Bill No. 99-32 (LS) - An act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated, relative to clarifying minimum sentences for crimes.

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Bill No. 116-32 (COR) - An act to amend §§ 65102 and 65103 of Chapter 65, Title 10, Guam Code Annotated and to add a new § 65103.1 to the same Chapter, relative to the establishment of operational continuity plans for each agency of the government of Guam.

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Bill No. 135-32 (COR) - An act relative to increasing the representation of the number of veterans serving on the Guam Veterans Commission, to initiate efforts toward the eventual establishment of the "Sengsong Beteranun Guahan - Guam Veterans Village", which shall serve as a one-stop veterans services center; and for other purposes; through the repeal and re-enactment §67107 of Chapter 67, Title 10, Guam Code Annotated.

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**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
Judith T. Won Pat, Ed.D.**
Committee Member

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V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

June 06, 2013

The Honorable Madeleine Z. Bordallo
Congresswoman of Guam | Guam Delegate
120 Father Duenas Avenue Suite 107
Hagåtña, GU 96910
Sent via email to cecilia.blgs@mail.house.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Congresswoman Bordallo,

Buenas yan Hafa Adai!

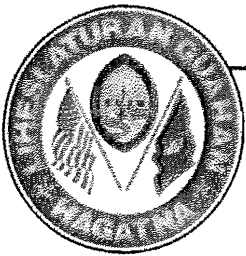
The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing Thursday, June 13, 2013 beginning at 9:00AM. Included on the agenda are the following:

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If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. Also, if you have any concerns in regards to this invitation, please contact me or my office via phone 475-GUM1/2 (4861/2) or email to aguon4guam@gmail.com.

Respectfully

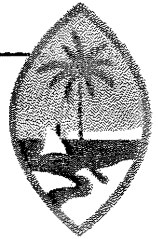
SENATOR FRANK B. AGUON, JR.
Committee Chairman of Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
Mina Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 06, 2013

**The Honorable Eddie J.B. Calvo
Governor of Guam**

513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagåtña, Guam 96910

Sent via email to governor@guam.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Governor Calvo,

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing Thursday, June 13, 2013 beginning at 9:00AM. Included on the agenda are the following:

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Respectfully,

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature

CC: Lieutenant Governor Raymond S. Tenorio
Joy Unpingco
Elaine Gogue
Rose Ramsey

**Senator
FRANK B. AGUON, JR.**
Committee Chairperson

**Senator
Tina Muna-Barnes**
Committee Vice Chairperson

**Speaker
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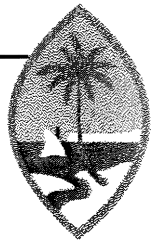
**Senator
Thomas Morrison**
Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 06, 2013

Mark Calvo
Special Assistant to the Governor on Military Buildup & Infrastructure
513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagåtña, Guam 96910
Sent via email to mark.calvo@guam.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Mr. Calvo,

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing Thursday, June 13, 2013 beginning at 9:00AM. Included on the agenda are the following:

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- **Bill No. 134-32 (COR)** - An act relative to recognizing the Office of Veterans Affairs as the official local agency for establishing and maintaining the "Guam Veterans Registry" which shall be utilized for enumerating the population of veterans on Guam, and for the use of such information for increasing or acquiring necessary healthcare and other relevant services to benefit veterans and their families; through adding a new §67110 to Chapter 67, Title 10, Guam Code Annotated.
- **Bill No. 135-32 (COR)** - An act relative to increasing the representation of the number of veterans serving on the Guam Veterans Commission, to initiate efforts toward the eventual establishment of the "Sengsong Beteranun Guahan - Guam Veterans Village", which shall serve as a one-stop veterans services center; and for other purposes; through the repeal and re-enactment §67107 of Chapter 67, Title 10, Guam Code Annotated.

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Respectfully,

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
Mina Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature

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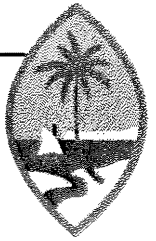
**Senator
Thomas Morrison**
Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



June 06, 2013

The Honorable John Unpingco, Esq.
Administrator, Office of Veterans Affairs

172 S. Marine Corp Drive, Asan

P.O. Box 5178

Hagåtña, GU 96932

Sent via email to john.unpingco@gvaa.guam.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Judge Unpingco,

Buenas yan Hafa Adail

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing Thursday, June 13, 2013 beginning at 9:00AM. Included on the agenda are the following:

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Respectfully,

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature

Senator
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**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



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V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

June 06, 2013

The Honorable F. Philip Carbullido
Chief Justice, Judiciary of Guam
Suite 300, Guam Judicial Center
120 West O' Brien Drive
Hagåtña, GU 96910
Sent via email to fpcarbullido@guamsupremecourt.com

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Chief Justice Carbullido,

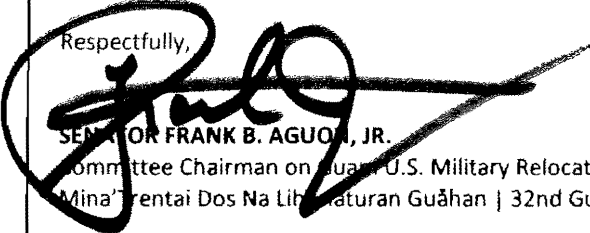
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Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature

CC: Joshua Tenorio



**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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Thomas Morrison**
Committee Member

June 06, 2013

The Honorable Leonardo G. Rapadas
Attorney General of Guam
287 W. O'Brien Drive
Hagåtña, Guam 96910
Sent via email to law@quamaq.org

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Attorney General Rapadas,

Buenas yan Hafa Adai!

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing Thursday, June 13, 2013 beginning at 9:00AM. Included on the agenda are the following:

- **Bill No. 99-32 (LS)** - An act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated, relative to clarifying minimum sentences for crimes.
- **Bill No. 107-32 (COR)** - An act to add a new Section to Chapter 80, Title 9, Guam Code Annotated, relative to creating a "Two Strikes" provision for habitual offenders of serious crimes.
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Respectfully,

SENATOR FRANK B. AGUON, JR.

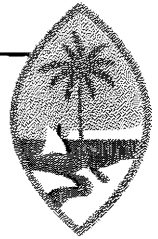
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
Mina'Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 06, 2013

Eric D. Miller
Executive Director, Public Defender Service Corporation
MVP Sinajana Commercial Bldg., Unit B
779 Route 4, Sinajana, Guam 96910
Sent via email to emiller@quampdsc.net

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Mr. Miller,

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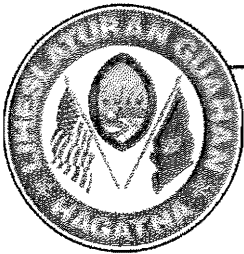
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Thomas C. Ada**
Committee Member

**Senator
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**Senator
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**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE

June 06, 2013

Pedro Leon Guerrero
Director, Guam Customs & Quarantine Agency
770 East Sunset Boulevard Airport Road
AB Won Pat, Guam 96913
Sent via email to pedro.leonquerrero@cqa.guam.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Mr. Leon Guerrero,

Buenas yan Hafa Adai!

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**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

June 06, 2013

James T. McDonald
Administrator, Office of Civil Defense
221B Chalan Palasyo
Agana Heights, Guam 96910
Sent via email to jim.mcdonald@qhs.guam.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Mr. McDonald,

Buenas yan Hafa Adai!

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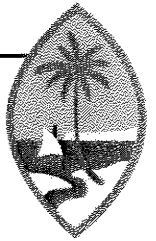
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



June 06, 2013

Ambrosio Constantino
Advisor, Guam Homeland Security
221B Chalan Palasyo
Agana Heights, Guam 96910
Sent via email to ambrosio.constantino@ghs.guam.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Dear Mr. Constantino,

Buenas yan Hafa Adai!

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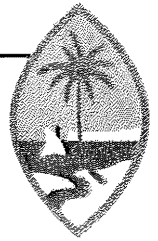
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**GUAM U.S. MILITARY RELOCATION
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I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE

June 07, 2013

Nancy Kuper
Commander for Chapter 43
Women Veterans of America
Sent via email to nancy.t.kuper.ctr@mail.com

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

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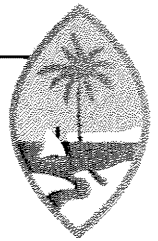
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Sarah Thomas-Nededog
Vice-President, WestCare Pacific Islands
545 Chalan San Antonio Suite 301
Tamuning, GU 96923
Sent via email to sarah.thomasnededog@westcare.com

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CC: Carmelita Calvo
Anthony Nangauta

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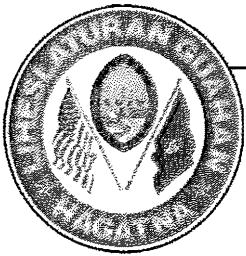
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I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Tom Devlin
Military Order of the Purple Heart Chapter 1315
Sent via email to mophtd@ite.net

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

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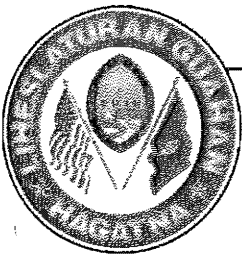
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June 07, 2013

Ray Baza
Guam Vietnamese American Association
Sent via email to jbazanaputi@gmail.com

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I Mina'trentai Dos Na Liheslaturan Guáhan | 32nd Guam Legislature

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I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Joyce Martratt
Fleet Reserve Association 73 Auxiliary
Sent via email to joyimar13@yahoo.com

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Buenas yan Hafa Adai!

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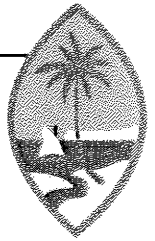
**Senator
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Joseph San Nicolas
Dededo Veterans Organization
Sent via email to joe_kamudo@yahoo.com

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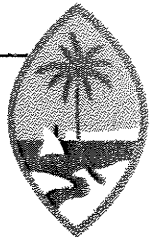
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**GUAM U.S. MILITARY RELOCATION
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE



June 07, 2013

John Taitano
Military Order of the Purple Heart Chapter 787
Sent via email to jnbatulai@guam.net

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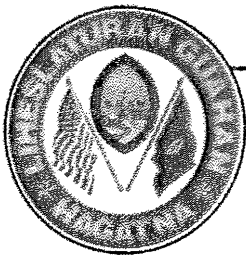
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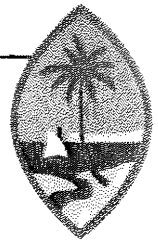
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I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Harold Kirk
Fleet Reserve Association BR 73
Sent via email to harold.kirk@med.navy.mil

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

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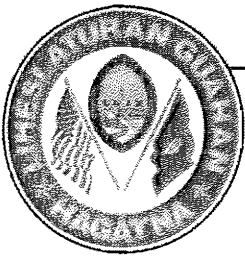
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**GUAM U.S. MILITARY RELOCATION
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I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Gregorio Borja

U S Department of Veterans Affairs
VA Benefits Administration
Guam Benefits Office

Sent via email to gregorio.a.borja@va.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

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Francisco Mendiola
Military Order of the Purple Heart Chapter 2007
Sent via email to Military Order of the Purple Heart Chapter 2007

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Victor Ryan
American Legion
Sent via email to alegionguam@yahoo.com

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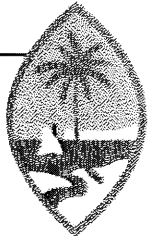
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June 07, 2013

Robert Hayes
Brotherhood of Veterans
Sent via email to alegionguam@yahoo.com

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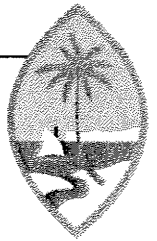
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Dan Perez
Barrigada Veterans Organization
Sent via email to jgrivera1949@ymail.com

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Buenas yan Hafa Adail

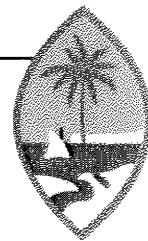
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Respectfully,

SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
Mina'trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE

June 07, 2013

Dan Mendiola
Vietnam Veterans of America #668
Sent via email to dmendiola@teleguam.net

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June 07, 2013

Connie Flores
Ladies Auxiliary - VFW Post 1509
Sent via email to ritalynn_flores@yahoo.com

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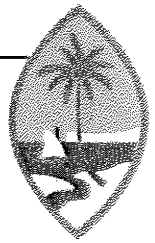
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Celine Sanchez-Guzman
Army Retirees Association
Sent via email to celine.sanchez@us.army.mil

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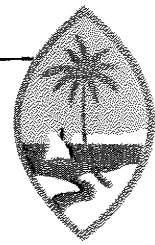
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I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Brian Merenda
Veterans of Foreign Wars Post 1509
Sent via email to bjmerenda@yahoo.com

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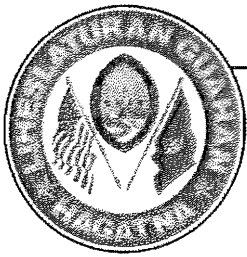
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June 07, 2013

Bobbie Taitano
Ladies Auxiliary - Military Order of the Purple Heart
Sent via email to jnbatulai@guam.net

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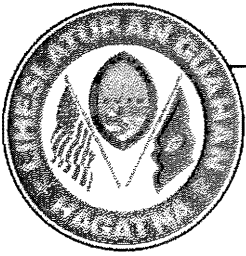
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June 07, 2013

Bill Cundiff
Guam Veterans Commission
Guam U.S. Air Force Association
Sent via email to afcmsgt24@yahoo.com

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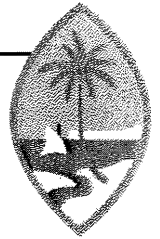
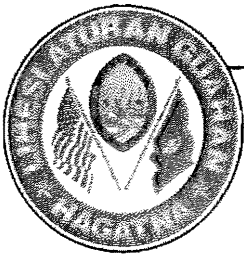
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Bill Bradford
Veterans of Foreign Wars Post 2917
Sent via email to wwbradford@live.com

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Bernadette Santos
Guam Community-Based Outpatient Clinic
498 Chalan Palayso
Agana Heights, GU 96910
Sent via email to bernadette.santos@va.gov

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Respectfully,


SENATOR FRANK B. AGUON, JR.

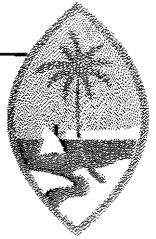
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
/ MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32nd Guam Legislature



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



June 07, 2013

Bernard Gines
Philippine Scouts & World War II Association
Sent via email to edaycab@yahoo.com

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

Buenas yan Hafa Adai!

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Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
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**Senator
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**Senator
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**GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE

June 07, 2013

Art Mesa
American Legion
Sent via email to varoguam1@yahoo.com

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Committee Member

Alwin Rafael
Guam Vet Center
Reflection Center Suite 102
222 Chalan Santo Papa
Hagåtña, Guam 96910
Sent via email to alwin.rafael@va.gov

RE: Public Hearing Scheduled for Thursday, June 13, 2013 at 9:00AM

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June 07, 2013

Albert Parke
Veterans of Guam Motorcycle Club
Sent via email to ttsguam@hotmail.com

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**Senator
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June 07, 2013

Alan Van Aken
Third Marine Division Association
Sent via email to AGunner77@teleguam.net

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**Senator
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Committee Member

**Senator
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Committee Member

June 07, 2013

Adolf Sgambelluri
National Association for Uniformed Services
Sent via email to olyman@gmail.com

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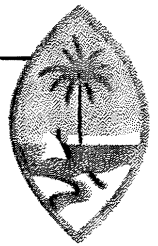
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Committee Member

PUBLIC HEARING

June 13, 2013, Thursday at 9:00AM

I Liheslaturan Guahan's Public Hearing Room, Hagatna

AGENDA

- I. Call to Order**
- II. Opening remarks/Announcements**
- III. Items for discussion:**
 - **Bill No. 99-32 (COR)** - An Act to amend §80.60 of Article 4, Chapter 80, Title 9, Guam Code Annotated relative to clarifying minimum sentences for crimes.
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- IV. Closing Remarks**
- V. Adjournment**

GovGuam operational continuity bill

TUESDAY, 28 MAY 2013 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 126



SHARE

SEN. Michael F.Q. San Nicolas has introduced Bill 116-32 (COR), which would require all government of Guam agencies and departments to establish an operational continuity plan.

"With this bill, we should have the necessary plans in place so that the loss of personnel, the failure of equipment, the malfunction of computer systems, or natural disasters do not halt the operations of this government," San Nicolas said in a statement.

According to the senator, recent audit findings released by the Office of Public Accountability showed that system failures at the Department of Revenue and Taxation have resulted in a two-year backlog on the reconciliation of gross receipts taxes.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

May 13, 2013

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

VIA E-MAIL
john.rios@bbmr.guam.gov

Senator
Vicente (Ben) C. Pangelinan
Member

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

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

RE: Request for Fiscal Note-- Bill Nos. 111- 116-32 (COR)

Senator
Dennis G. Rodriguez, Jr.
Member

Hafa Adai Mr. Rios:

Vice-Speaker
Benjamin J.F. Cruz
Member

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Legislative Secretary
Tina Rose Muña Barnes
Member

Si Yu'os ma'åse' for your attention to this matter.

Senator
Frank Blas Aguon, Jr.
Member

Very Truly Yours,

Senator
Michael F.Q. San Nicolas
Member

Senator Rory J. Respicio
Chairperson, Committee on Rules

Senator
V. Anthony Ada
Member
MINORITY LEADER

Attachments (1)

Senator
Aline Yamashita
Member

Cc: Clerk of the Legislature

2013 MAY 14 PM 12: 06

Bill Nos.	Sponsor	Title
111-32 (COR)	D.G. Rodriguez, Jr., Michael T. Lintiaco	AN ACT TO AUTHORIZE GOVERNMENT EMPLOYEES TO UTILIZE ANNUAL LEAVE TO PAY DEBTS TO GUAM MEMORIAL HOSPITAL AUTHORITY, BY ADDING A NEW §4109.6 TO CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED.
112-32 (COR)	T. C. Ada, R.J. Respicio	AN ACT TO ADD NEW §§ 12015.5 (I) AND (J) OF CHAPTER 12, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF AN AFFORDABLE HOUSING SYSTEM DEVELOPMENT CHARGE (AHSDC).
113-32 (COR)	T.R. Muña Barnes, F.B. Aguon, Jr., B.J.F. Cruz, J.T. Won Pat, Ed.D., R.J. Respicio	AN ACT TO ADD A NEW SECTION 16 TO CHAPTER X OF PUBLIC LAW 31-233 (GENERAL APPROPRIATIONS ACT OF 2013) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO DUK DUK GOOSE, INC. TO COVER PRODUCTION COSTS FOR A CULTURAL CHILDREN'S TELEVISION PROGRAM.
114-32 (COR)	T.R. Muña Barnes, B.J.F. Cruz, J.T. Won Pat, Ed.D., F.B. Aguon, Jr., R.J. Respicio	AN ACT TO ADD A NEW SECTION 16 TO CHAPTER X OF PUBLIC LAW 31-233 (GENERAL APPROPRIATIONS ACT OF 2013) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO HURAO ACADEMY, INC. TO CONTINUE THEIR MISSION IN PROMOTING AND PERPETUATING THE CHAMORU LANGUAGE AND CULTURE.
115-32 (COR)	T.R. Muña Barnes, B.J.F. Cruz, J.T. Won Pat, Ed.D., F.B. Aguon, Jr., R.J. Respicio	AN ACT TO ADD A NEW SECTION 16 TO CHAPTER X OF PUBLIC LAW 31-233 (GENERAL APPROPRIATIONS ACT OF 2013) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO INETNON GEFPÁ'GO CULTURAL ARTS PROGRAM, INC. FOR THE PURPOSES OF DEVELOPING A SOUTHERN VISITOR ATTRACTION VENUE AT THE INARAJAN GARDENHOUSE (IGH).
116-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO AMEND §§ 65102 AND 65103 OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW § 65103.1 TO THE SAME CHAPTER; RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM.



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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

May 13, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: Referral of Bill Nos. 113-32 through 116-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 113-32 through 116-32(COR)**.

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

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

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

2013 MAY 13 PM 2:01

Bill No. 116-32 (2012)

Introduced by:

Michael F.Q. San Nicolas

AN ACT TO AMEND §§ 65102 AND 65103 OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW § 65103.1 TO THE SAME CHAPTER; RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Short Title. This Act *shall* be cited as the “Responsible
3 Operational Continuity Plans Act.”

4 Section 2. Legislative Findings and Intent. *I Liheslaturan Guåhan*
5 finds that the Office of Civil Defense is given authority to prepare for and
6 direct and control government emergency functions in the event of
7 emergency conditions. The main function of Civil Defense is related to the
8 continuation of government emergency functions for public health, safety,
9 transportation and utilities.

10 *I Liheslatura* further finds that the continuity of operations for the
11 government of Guam in the event of any emergency resulting from a
12 natural or other disaster or hostile action is necessary for the security of

1 individuals and property in Guam. Additionally, some circumstances may
2 adversely impact operational continuity for agencies which do not arise
3 from emergency conditions, such as loss of personnel by attrition,
4 breakdown of equipment or the loss of records due to a systems failure.

5 It is therefore the intent of *I Liheslaturan Guåhan* that each agency of
6 the government of Guam should establish and maintain an up-to-date
7 operational continuity plan to achieve maximum operational continuity in
8 the events which would disrupt the ability of the agency to operate,
9 including emergencies resulting from a natural or other disaster or hostile
10 action.

11 **Section 3. Definition and Scope of Activity.** § 65102, Chapter 65,
12 Title 10, Guam Code Annotated, is hereby *amended*, to read:

13 **“§ 65102. Definition and Scope of Activity.**

14 As used in this Chapter the term ‘Civil Defense’ *shall* mean the
15 preparation for the carrying out of all emergency functions, other than
16 functions for which United States military forces or other Federal agencies
17 are primarily responsible, to prevent, minimize and repair injury and
18 damage resulting from disaster caused by enemy attack, sabotage or other
19 hostile action or by fire, flood, typhoon or other causes. These functions
20 include, without limitation, fire fighting services, police services, medical
21 and health services, rescue, engineering, air raid warning services,
22 communications, radiological, chemical and other special weapons of
23 defense, evacuation of persons from stricken areas, emergency welfare

1 services (civilian war aid), emergency transportation, plant protection, the
2 approval and maintenance of a separate record of operational continuity
3 plans for agencies of the government of Guam, temporary restoration of
4 public utility services and other functions related to civilian protection,
5 together with all other activities necessary or incidental to the preparation
6 for the carrying out of the foregoing functions.”

7 **Section 4. Office of Civil Defense: Creation; Administrator;**
8 **Personnel.** § 65103, Chapter 65, Title 10, Guam Code Annotated, is hereby
9 *amended*, to read:

10 **“§ 65103. Office of Civil Defense: Creation; Administrator; Personnel.**

11 (a) There is hereby created, within the Office of *I Maga’lahen Guåhan*,
12 an Office of Civil Defense with an Administrator of Civil Defense,
13 hereinafter called the ‘Administrator,’ who *shall* be a member of the
14 classified service and *is* the administrative head of the Office of Civil
15 Defense, subject to the direction and control of *I Maga’lahen Guåhan*.

16 (b) The Administrator, with the approval of *I Maga’lahen Guåhan*, *may*
17 employ such technical, clerical, stenographic and other personnel and may
18 make such expenditures within the appropriation therefore, or from other
19 funds made available to him for purposes of civil defense, as *may* be
20 necessary to carry out the purposes of this Chapter.

21 (c) The Administrator and other personnel of the Office of Civil
22 Defense *shall* be provided by *I Maga’lahen Guåhan* with appropriate office
23 space, furniture, equipment, motor vehicles, supplies, stationery and

1 printing in the same manner as are provided for personnel of other
2 government of Guam agencies.

3 (d) The Administrator, subject to the direction and control of *I*
4 *Maga'lahaen Guåhan*, shall be the administrative head of the Office of Civil
5 Defense and shall be responsible to *I Maga'lahaen Guåhan* for carrying out the
6 program for the civil defense of Guam. He shall coordinate the activities of
7 all organizations for civil defense within Guam, and shall maintain liaison
8 with and cooperate with civil defense agencies and organizations and the
9 Armed Forces of the Federal government, and shall have such additional
10 authority, duties and responsibilities as are authorized by this Chapter, or
11 as may be prescribed by *I Maga'lahaen Guåhan*.

12 (e) The Administrator shall have approval authority, pursuant to the
13 criteria set forth in §65103.1 of this Chapter, for operational continuity
14 plans for agencies of the government of Guam submitted to the Office of
15 Civil Defense by the Director or equivalent officer of each agency. Such
16 plans shall be approved on or before October 1st of each year. The
17 Administrator shall, further, maintain a separate record for each such
18 approved operational continuity plan."

19 **Section 5. Agency Operational Continuity Plans.** A new § 65103.1 is
20 hereby added to Chapter 65, Title 10, Guam Code Annotated, to read:

21 **"§65103.1. Agency Operational Continuity Plans.**

22 The Director or equivalent officer of each agency of the government
23 of Guam shall establish an operational continuity plan, which shall be

1 submitted annually on or before July 1st with amendments, as necessary, to
2 the Administrator of the Office of Civil Defense for approval. Copies of the
3 plan, as approved by the Administrator of the Office of Civil Defense, *shall*
4 be furnished to the Guam Legislature, the Governor and any Board or
5 Commission with jurisdiction over the agency not later than thirty (30)
6 days following the approval of the plan. Such plan *shall* include provisions
7 for:

8 (a) events which would disrupt the ability of the agency to operate,
9 such as:

10 (1) loss of personnel by retirement, whether known or
11 unknown in advance, national guard deployment, military reserve
12 deployment, sickness, death or other contingencies,

13 (2) loss, malfunction or breakdown of equipment necessary for
14 the efficient provision of services,

15 (3) loss of physical or electronic records necessary for the
16 efficient provision of services,

17 (4) unavailability of a facility which is necessary for the efficient
18 provision of services, or

19 (5) any combination of the above through reasonably
20 foreseeable instances, as natural or other disaster or act or omission
21 of the agency or other entities, including hostile acts;

1 (b) maintenance of maximum operational continuity in the event of
2 any situation which would disrupt the ability of the agency to operate
3 pursuant to subsection (a) of this section; and

4 (c) a statement of actions to be taken to prevent or mitigate any
5 vulnerabilities, pursuant to subsection (a) of this section, which pose a
6 significant risk to the continuity of operations of the agency.”

7 **Section 6. Initial Operational Continuity Plans.** Notwithstanding
8 the provisions of §5 of this Act, relative to the time to submit an operational
9 continuity plan, the Director or equivalent officer of each agency *shall*
10 submit the initial operational continuity plan to the Administrator of the
11 Office of Civil Defense within ninety (90) days of the enactment of this Act,
12 who *shall* approve the plans, pursuant to the criteria established in §5 of
13 this Act, within one hundred eighty (180) days of the enactment of this Act.
14 Thereafter, the time for the annual submittal of operational contingency
15 plans *shall* be as provided in §5 of this Act.