

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
250-32 (COR) 1 (6-S), P.L. 32-105	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND DIVISION 4 OF 10 GUAM CODE ANNOTATED §80109(s)(9) RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY.	1/3/2014 2:33 p.m.	01/06/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	Fiscal Note Requested 01/03/14 1/13/14 -Called to Special Session. Bill No. 250-32 (COR) to be know as Bill No. 1 (6-S) As amended on the floor. Fiscal Note Waiver 01/22/14		
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LAHEN GUAHAN	PUBLIC LAW NO.	NOTES
	1/13/2014	AN ACT TO AMEND §80109(s)(9) OF CHAPTER 80, DIVISION 4 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY.	1/13/14	7:00 p.m.	1/24/2014	1/14/2014	32-105	Passed



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
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Member

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

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Legislative Secretary
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Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 22, 2014

Memorandum

To: Rennae Meno
Clerk of the Legislature

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

Subject: Waivers

Hafa Adai!

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

- WAIVERS:**
Bill No. 246-32(COR)
Bill No. 250-32(COR)

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

Si Yu'os ma'åse'!

2014 JAN 22 AM 10:51

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

JAN 22 2014

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 Waiver on the following Bill Nos.: 246-32(COR) and 250-32(COR).

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**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOHN A. RIOS
DIRECTOR

JOSE S. CALVO
DEPUTY DIRECTOR

JAN 22 2014

The Bureau requests that Bill No(s). 250-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 250-32 is an Act to amend Division 4 of 10 Guam Code Annotated §80109(s)(9) relative to the waiver of sovereign immunity on a loan previously authorized for the Guam Memorial Hospital Authority. The intent of the aforementioned bill is administrative in nature in that the proposed amendment additionally waives immunity as to the award of attorney fees and related costs in connection with any suit brought to enforce any right or obligation incurred under the loan authorized hereby or in connection with the enforcement of any agreement, note or pledge that arises directly from the indebtedness authorized hereby.


JOHN A. RIOS
Director



FILE COPY

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

January 13, 2014

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

Dear *Maga'lahi* Calvo:

Transmitted herewith is Bill No. 1(6-S) which was passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on January 13, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Rose Muña Barnes".

TINA ROSE MUÑA BARNES
Legislative Secretary

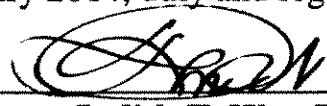
Enclosure (1)

7:00 PM 1/13/14 JSC

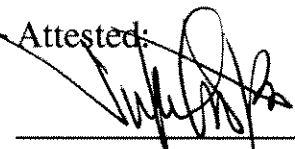
I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SIXTH) Special Session

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

This is to certify that **Bill No. 1 (6-S), "AN ACT TO AMEND §80109(s)(9) OF CHAPTER 80, DIVISION 4 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY"**, was on the 13th day of January 2014, duly and regularly passed.

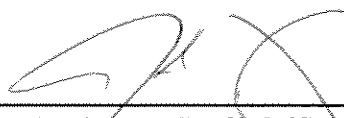


Judith T. Won Pat, Ed.D.
Speaker

Attested: 

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 13 day of Jan,
2014, at
7:00 o'clock P.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
2014 (SIXTH) Special Session

Bill No. 1 (6-S)

As amended on the Floor.

Introduced by:

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

AN ACT TO AMEND §80109(s)(9) OF CHAPTER 80, DIVISION 4 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY.

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

2 **Section 1.** §80109(s)(9) of Chapter 80, Division 4 of Title 10, Guam Code
3 Annotated, as *amended* by Public Law 30-235 and Public Law 32-43, is hereby
4 *amended* to read as follows:

5 “(9) Notwithstanding the provisions of Chapter 6 of Title 5 of the
6 Guam Code Annotated, the government of Guam hereby waives immunity

1 from any suit or action in contract upon the loan and guaranty but *does not*
2 waive sovereign immunity as to the personal liability of elected or appointed
3 officials and employees of the government Guam. For the purposes of this
4 provision only, immunity is also waived as to the award of attorney fees and
5 related costs of the lender in connection with any suit brought by the lender
6 to enforce any right or obligation incurred under the loan authorized hereby
7 or in connection with the enforcement of any agreement, note or pledge that
8 arises directly from the indebtedness authorized hereby.”

9 **Section 2. Severability.** *If* any provision of this Act or its application to
10 any person or circumstance is found to be invalid or contrary to law, such
11 invalidity *shall not* affect other provisions or applications of this Act which can be
12 given effect without the invalid provisions or application, and to this end the
13 provisions of this Act are severable.



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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 6, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: Referral of Bill Nos. 250-32(COR) through 252-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 250-32(COR) through 252-32(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



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 3, 2014

VIA E-MAIL

john.rios@bbmr.guam.gov

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

RE: Request for Fiscal Notes– Bill Nos. 246-32 (COR) through 252-32(COR)

Hafa Adai Mr. Rios:

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.

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

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
246-32 (COR)	T C. Ada, R. J. Respicio	AN ACT TO AMEND SECTIONS OF ARTICLE 3 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO SOURCE SELECTION AND CONTRACT FORMATION IN GUAM PROCUREMENT LAW.
247-32 (COR)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO EXPANDING THE GUAM SLAYER'S STATUTE THAT WOULD PROHIBIT INHERITANCE BY A PERSON WHO MURDERS SOMEONE FROM WHOM HE OR SHE STANDS TO INHERIT; THROUGH THE REPEAL AND REENACTMENT OF §819 OF CHAPTER 8, TITLE 15, GUAM CODE ANNOTATED.
248-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO APPROPRIATE TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FROM THE GENERAL FUND TO ALLOW THE GOVERNMENT OF GUAM TO PAY FOR AN INVERSE CONDEMNATION SETTLEMENT PURSUANT TO SUPERIOR COURT OF GUAM CIVIL CASE NO. CV1158-12.
249-32 (COR)	V. Anthony Ada Chris M. Dueñas Aline A. Yamashita, Ph.D. R. J. Respicio T. R. Muña Barnes Tommy. Morrison FRANK B. AGUON, JR. Michael T. Limtiaco	AN ACT TO REPROGRAM THE SUM OF THREE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$375,000.00) TO THE DEPARTMENT OF PUBLIC WORKS FOR THE PAVING OF VILLAGE STREETS AND THE REPAIR OF DAMAGES TO VILLAGE STREETS AS A RESULT OF TRAFFIC DIVERSION RELATED TO ONGOING ROAD CONSTRUCTION PROJECTS.
250-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND DIVISION 4 OF 10 GUAM CODE ANNOTATED §80109(s)(9) RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY.
251-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND PUBLIC LAW 32-67 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM LEGISLATURE.
252-32 (COR)	Dennis G. Rodriguez, Jr. Rory J. Respicio Christopher M. Duenas	AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12 GUAM CODE ANNOTATED §10238 RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM.

**I MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN
2014 (SECOND) Regular Session**

Bill No. 250-32 (COR)

Introduced by:

Dennis G. Rodriguez, Jr. ✓
Rory J. Respicio ✓
Christopher M. Duenas ✓

AN ACT TO AMEND DIVISION 4 OF 10 GUAM CODE ANNOTATED §80109(s)(9) RELATIVE TO THE WAIVER OF SOVEREIGN IMMUNITY ON A LOAN PREVIOUSLY AUTHORIZED FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY.

2014 JAN - 3 PM 2:33 PM

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

2 **Section 1.** Division 4 of 10 Guam Code Annotated §80109(s)(9), as
3 amended by P.L. 30-235 and P.L. 32-43 is hereby amended to read as follows:

4 “(9) Notwithstanding the provisions of Chapter 6 of Title 5 of the
5 Guam Code Annotated, the government of Guam hereby waives immunity from
6 any suit or action in contract upon the loan and guaranty but *does not* waive
7 sovereign immunity as to the personal liability of elected or appointed officials and
8 employees of the government Guam. For the purposes of this provision only,
9 immunity is also waived as to the award of attorney fees and related costs in
10 connection with any suit brought to enforce any right or obligation incurred under
11 the loan authorized hereby or in connection with the enforcement of any
12 agreement, note or pledge that arises directly from the indebtedness authorized
13 hereby.”

14 **Section 2. Severability.** If any provision of this Act or its application to any
15 person or circumstance is found to be invalid or contrary to law, such invalidity

1 shall not affect other provisions or applications of this Act which can be given
2 effect without the invalid provisions or application, and to this end the provisions
3 of this Act are severable.

4