

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
289-32 (COR)	B.J.F. Cruz	AN ACT TO AMEND SUBSECTION 5121(E) OF PART C, ARTICLE 2, CHAPTER 5, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO PERMITTING ALTERNATIVE DISPUTE RESOLUTION IN CONTRACTS APPROVED BY THE GOVERNMENT OF GUAM RETIREMENT FUND	03/07/14 4:18 p.m.	03/07/14	Committee on General Governmental Operations and Cultural Affairs	3/18/14 9:00a.m.		Fiscal Note Request 3/10/14 Fiscal Note Received 3/19/14



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

March 19, 2014

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Memorandum

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

Senator
Vicente (Ben) C. Pangelinan
Member

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

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

Subject: **Waivers**

Senator
Dennis G. Rodriguez, Jr.
Member

Hafa Adai!

Vice-Speaker
Benjamin J.F. Cruz
Member

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.

Legislative Secretary
Tina Rose Muña Barnes
Member

WAIVERS:

- Bill No. 272-32(COR)
- Bill No. 273-32(COR)
- Bill No. 289-32(COR)

Senator
Frank Blas Aguon, Jr.
Member

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

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Si Yu'os ma'åse'!

Senator
Aline Yamashita
Member

2014 MAR 19 PM 9:22

**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

MAR 18 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note Waiver on the following Bill Nos.: 272-32(COR), 273-32(COR), and 289-32(COR).

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

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOHN A. RIOS
DIRECTOR

JOSE S. CALVO
DEPUTY DIRECTOR

MAR 18 2014

The Bureau requests that Bill No(s). 289-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 289-32 is an Act to amend Subsection 5121(e) of Part C, Article 2, Chapter 5, Title 5 of the Guam Code Annotated, relative to permitting alternative dispute resolution in contracts approved by the Government of Guam Retirement Fund. The intent of the aforementioned bill is administrative in nature in that the proposed amendment authorizes the Board of Trustees of the Government of Guam Retirement Fund to determine if it is in the best interests of the Retirement Fund to solicit and enter into contracts for professional services under which controversies may be resolved by mediation, arbitration, or other alternative dispute resolution.


JOHN A. RIOS
Director



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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

March 10, 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. 285-32 (COR) through 289-32(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.	Sponsors	Title
285-32 (COR)	T. R. MUÑA BARNES	AN ACT MAKING AN APPROPRIATION FROM THE GENERAL FUND TO THE DEPARTMENT OF ADMINISTRATION (DOA) FOR WESTCARE PACIFIC ISLANDS FOR THE SPECIFIC PURPOSES OF CONDUCTING INTENSE OUTREACH ACTIVITIES, PROVIDING INFORMATIONAL AND REFERRAL SERVICES TO ALL VETERANS ON GUAM.
286-32 (COR)	Tommy Morrison V. Anthony Ada Chris M. Duenas FRANK B. AGUON, JR. Brant T. McCreadie	AN ACT TO AMEND §1001 OF 1GCA RELATIVE TO ESTABLISHING GIJAM HISTORY AND CHAMORRO HERITAGE DAY AS A LEGAL HOLIDAY OF THE GOVERNMENT OF GUAM.
287-32 (COR)	T. R. MUÑA BARNES	AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO EXCHANGE GOVERNMENT- OWNED PROPERTY IN ASINAN ORDOT-CHALAN PAGO RESERVED FOR THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES FOR GOVERNMENT- OWNED PROPERTY IN DEDEDO OWNED BY THE CHAMORRO LAND TRUST.
288-32 (COR)	Michael F.Q. San Nicolas B.J.F. Cruz	AN ACT TO SUSPEND ALL TAX CREDITS, EXCEPT AS AUTHORIZED PROSPECTIVE TO THIS ACT, AS CONTRACTUALLY OBLIGATED, OR AS AUTHORIZED UNDER THE INTERNAL REVENUE CODE.
289-32 (COR)	B.J.F. Cruz	AN ACT TO AMEND SUBSECTION 5121(E) OF PART C, ARTICLE 2, CHAPTER 5, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO PERMITTING ALTERNATIVE DISPUTE RESOLUTION IN CONTRACTS APPROVED BY THE GOVERNMENT OF GUAM RETIREMENT FUND.



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V. Anthony Ada
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MINORITY LEADER

Senator
Aline Yamashita
Member

March 7, 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 No. 289-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 289-32(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
2014 (SECOND) Regular Session

Bill No. 289-32 (COR)

Introduced by:

B.J.F. Cruz 

AN ACT TO AMEND SUBSECTION 5121(E) OF PART C, ARTICLE 2, CHAPTER 5, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO PERMITTING ALTERNATIVE DISPUTE RESOLUTION IN CONTRACTS APPROVED BY THE GOVERNMENT OF GUAM RETIREMENT FUND

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings. *I Liheslaturan Guahan* finds

that Public Law No. 28-188 added a new Subsection 5121(e) to Guam's Procurement Statute to permit the Board of Trustees of the Retirement Fund to retain a certain level of autonomy with respect to procurement matters involving its retention of professional service providers. *I Liheslaturan Guahan* further finds that it also is in the best interests of the Retirement Fund to ensure an orderly and efficient process for the prompt resolution of disputes and controversies that may occur between the Retirement Fund and its personal service providers. *I Liheslaturan Guahan* further finds that alternative dispute resolution provides opportunities (a) for the parties to resolve controversies before experienced fact-finders knowledgeable in the subject matter of the dispute; (b) to reduce some of the litigation costs

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1 typically arising from protracted administrative and judicial proceedings; (c)
2 to reduce duplicative review, decision, and appeal; and (d) to provide the
3 parties with greater certainty as to jurisdiction, venue, finality, and
4 procedural timeframes; all of which are more likely to enhance competition
5 and potentially reduce fees and costs in connection with the solicitation and
6 retention of professional services.

7 **Section 2. Legislative Intent.** *I Liheslaturan Guahan* intends to
8 authorize the Board of Trustees of the Government of Guam Retirement
9 Fund to determine if it is in the best interests of the Retirement Fund to
10 solicit and enter into contracts for professional services under which
11 controversies may be resolved by mediation, arbitration, or other alternative
12 dispute resolution.

13 **Section 3.** Subsection 5121(e) of Part C, Article 2, Chapter 5, Title 5
14 of the Guam Code Annotated, added by Public Law No. 28-188, is hereby
15 further *amended* to read:

16 **(e) Approval of Contracts by Government of Guam**
17 **Retirement Fund.** Notwithstanding any other provision
18 of law, the Board of Trustees of the Government of
19 Guam Retirement Fund shall have exclusive authority to
20 approve and execute all contracts for the procurement of
21 professional services associated with the operation of the
22 Fund. The Board may enter into contracts providing for
23 alternative dispute resolution (including mediation and
24 arbitration) of controversies arising between the
25 Retirement Fund and its professional service contractors,

1 if, in the Board's discretion, alternative dispute resolution
2 is determined to be in the best interests of the Retirement
3 Fund.

4 **Section 4. Effective Date.** This Act shall be effective upon
5 enactment.

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