

*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
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			<b>Fiscal Note Request 3/10/14</b>



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto: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

March 10, 2014

VIA E-MAIL

[john.rios@bbmr.guam.gov](mailto: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

<b>Bill Nos.</b>	<b>Sponsors</b>	<b>Title</b>
<b>285-32 (COR)</b>	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.
<b>286-32 (COR)</b>	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.
<b>287-32 (COR)</b>	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.
<b>288-32 (COR)</b>	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.
<b>289-32 (COR)</b>	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.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto: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

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 GUÅHAN*  
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

2014 MAR -7 PM 4:18 

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.

6