



OFFICE OF THE GOVERNOR  
TERRITORY OF GUAM

OFFICE OF THE SPEAKER

Date: 12-30-96  
Time: 4:06pm  
Received By: Armenos  
Print Name: Artene B. Torres

DEC 30 1996

The Honorable Don Parkinson  
Speaker  
Twenty-Third Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910


Dear Mr. Speaker:

Enclosed please find a copy of Substitute Bill No. 560 (LS), "AN ACT TO PRIVATIZE THE OPERATIONS AND MAINTENANCE OF THE GLASS PULVERIZER CURRENTLY UNDER THE CUSTODIAL CARE OF THE DEPARTMENT OF PUBLIC WORKS", which I have signed into law today as **Public Law No. 23-129**.

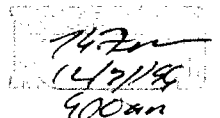
A disposition of the glass pulverizer equipment presently under the care of the Department of Public Works is necessary and will be carried out under the provisions of this legislation.

A copy has also been delivered to the Office of the Legislative Secretary.

Very truly yours,

  
Madeleine Z. Bordallo  
Acting Governor of Guam

Attachment  
231596

  
12/30/96  
9:00am



OFFICE OF THE GOVERNOR  
TERRITORY OF GUAM

DEC 30 1996

The Honorable Sonny L. Orsini  
Acting Legislative Secretary  
Twenty-Third Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910

Dear Mr. Legislative Secretary:

Enclosed please find a copy of Governor's message and copy of Substitute Bill No. 560 (LS), "AN ACT TO PRIVATIZE THE OPERATIONS AND MAINTENANCE OF THE GLASS PULVERIZER CURRENTLY UNDER THE CUSTODIAL CARE OF THE DEPARTMENT OF PUBLIC WORKS", which I have signed into law today as **Public Law No. 23-129**.

Message and copy of the public law have also been delivered to the Office of the Speaker.

Very truly yours,

*Madeleine Z. Bordallo*  
Madeleine Z. Bordallo  
Acting Governor of Guam

Attachments

231601

(for file purposes only)  
Same as Doc. No. 231596

Rec: Rachael G.  
12/30/96  
4:21PM

TWENTY-THIRD GUAM LEGISLATURE  
1996 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 560 (LS), "AN ACT TO PRIVATIZE THE OPERATIONS AND MAINTENANCE OF THE GLASS PULVERIZER CURRENTLY UNDER THE CUSTODIAL CARE OF THE DEPARTMENT OF PUBLIC WORKS," was on the 12th day of December, 1996, duly and regularly passed.



\_\_\_\_\_  
DON PARKINSON  
Speaker

Attested:

  
\_\_\_\_\_  
SONNY LUJAN ORSINI

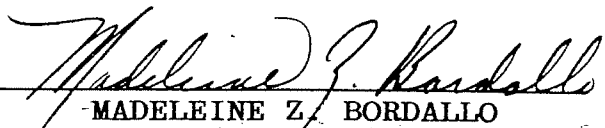
Senator and Acting Legislative Secretary

-----  
This Act was received by the Governor this 19<sup>th</sup> day of December,  
1996, at 11:30 o'clock 9 .M.



\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
MADELEINE Z. BORDALLO

Acting Governor of Guam

Date: 12/30/96

Public Law No. 23-129

TWENTY-THIRD GUAM LEGISLATURE  
1996 (Second) Regular Session

Bill No. 560 (LS)

As amended by the Committee  
on General Governmental Operations  
& Micronesian Affairs

Introduced by:

T. S. Nelson  
A. L. G. Santos  
A. C. Lamorena V  
F. P. Camacho

AN ACT TO PRIVATIZE THE OPERATIONS AND  
MAINTENANCE OF THE GLASS PULVERIZER  
CURRENTLY UNDER THE CUSTODIAL CARE OF  
THE DEPARTMENT OF PUBLIC WORKS.

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

2           **Section 1. Legislative findings and intent.** The Legislature finds that  
3 since the installation of the glass pulverizer, the Department of Public Works  
4 has not been able to maintain the pulverizer at its maximum operating  
5 potential to service the needs of the people of Guam. It is incumbent upon  
6 this government to see that public funds are utilized effectively and  
7 efficiently. The Legislature further finds that since the installation of the  
8 glass pulverizer, the Department of Public Works has remained unable to  
9 secure a contract for the maintenance of the pulverizer. Therefore, it is the  
10 Legislature's intent in order to realize optimal gains from the use of the  
11 pulverizer, including strengthening the recycling program on Guam, that  
12 responsible parties be contracted to perform the operations and maintenance  
13 of the glass pulverizer or, in the alternative, that the glass pulverizer be sold  
14 to a qualified private entity.

1           **Section 2. Operations and Maintenance of Glass Pulverizer.** (a)  
2 Option to Lease. The Governor of Guam is hereby authorized to enter into  
3 contract(s) with reasonable and responsible parties to operate and maintain  
4 the glass pulverizer. Bids for this contract shall be in compliance with all  
5 applicable laws of the Territory, including but not limited to, the Procurement  
6 Law. (b) Option to Sell. The Governor of Guam is hereby authorized to sell  
7 the glass pulverizer to reasonable and responsible parties. (c) All bids shall be  
8 in compliance with all applicable laws of the Territory, including but not  
9 limited to, the Procurement Law. Lease or sale of the glass pulverizer shall be  
10 final and not subject to legislative review.

11           **Section 3. Report to the Legislature.** The Governor, upon successful  
12 lease or sale of the glass pulverizer, shall make available to the Legislature a  
13 final report of such transaction.

VOTING SHEET

Bill No. 560  
 Resolution No. \_\_\_\_\_  
 Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.				✓
PANGELINAN, Vicente C	✓			
PARKINSON, Don				✓
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL 19 0 0 2

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
 Recording Secretary



*Ofisinan i Setbienten i Taotao Guahan*  
**Office of the Vice-Speaker**  
 Twenty-Third Guam Legislature

June 3, 1996

**TED S. NELSON**  
 Vice-Speaker

The Honorable Don Parkinson  
 Speaker  
 Twenty-Third Guam Legislature  
 155 Hesler Street  
 Agana, Guam 96910

**Chairman,**  
 Committee on General  
 Governmental  
 Operations &  
 Micronesian Affairs

**Member,**  
 Committee on  
 Community, Housing  
 and Cultural Affairs

**Member,**  
 Committee on Education

**Member,**  
 Committee on Health,  
 Welfare & Senior  
 Citizens

**Member,**  
 Committee on Judiciary,  
 Criminal Justice &  
 Environmental Affairs

**Member,**  
 Committee on Rules

**Member,**  
 Committee on Water  
 Utilities & Electronic  
 Communications

**Member,**  
 Committee on Youth,  
 Labor, and Parks &  
 Recreation

**Director & Vice-President**  
*(Ranking Member),*  
 Association of Pacific  
 Island Legislatures (APIL)

Dear Mr. Speaker:

The Committee on General Governmental Operations and Micronesian Affairs, to which was referred Bill No. 560, "An Act to Privatize the Operations and Maintenance of the Glass Pulverizer Currently Under the Custodial Care of the Department of Public Works", has had the same under consideration and now wishes to report back the same with the recommendation To Do Pass as amended.

The Committee votes are as follows:

To Do Pass:	<u>12</u>
Not To Pass:	<u>-0-</u>
Abstained:	<u>-0-</u>
Inactive File:	<u>-0-</u>

A copy of the Committee Report and all other pertinent documents are enclosed for your information and review.

Sincerely,

TED SGAMBELLURI NELSON

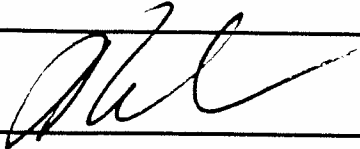

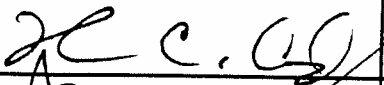
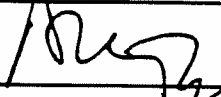
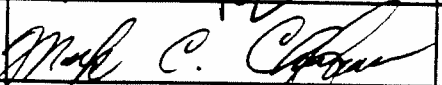

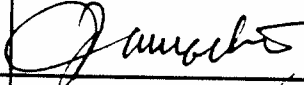
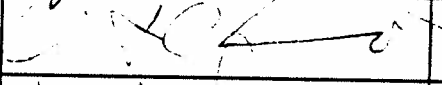
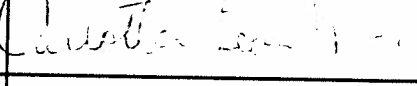
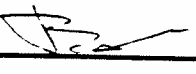
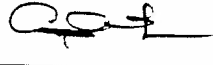

Enclosures

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS  
AND MICRONESIAN AFFAIRS  
Twenty-Third Guam Legislature**

**VOTE SHEET ON  
Bill No. 560**

"An Act to Privatize the Operations and Maintenance of the Glass Pulverizer currently under the Custodial Care of the Department of Public Works"

**RECOMMENDATION TO DO PASS AS AMENDED**

Committee Members	Signature	To do Pass	Not to Pass	Place in Inactive File	Abstain
Vice-Speaker Ted S. Nelson Chairman		✓			
Speaker Don Parkinson		✓			
Sen. Thomas C. Ada		✓			
Sen. Anthony C. Blaz		✓			
Sen. Mark C. Charfauros		✓			
Sen. Hope A. Cristobal		✓			
Sen. Felix P. Camacho		✓			
Sen. Alberto C. Lamorena V		✓			
Sen. Carlotta Leon Guerrero		✓			
Sen. Lou Leon Guerrero					
Sen. Sonny L. Orsini					
Sen. Ben C. Pangelinan		✓			
Sen. Angel L.G. Santos		✓			
Sen. Judith WonPat-Borja		✓			
<b>TOTAL VOTES:</b>		<b>12</b>			

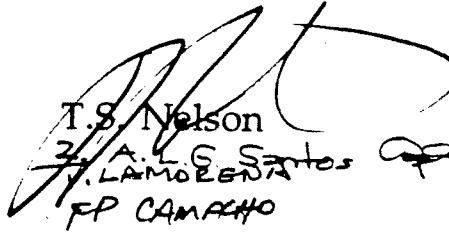


6 12/12/96

TWENTY-THIRD GUAM LEGISLATURE  
1996 (Second) Regular Session

Bill No. 560  
as amended by the Committee  
on General Governmental Operations  
& Micronesian Affairs

Introduced by:

  
T.S. Nelson  
A.L.G. Santos  
Y. LAMORENA  
FP CAMACHO

AN ACT TO PRIVATIZE THE OPERATIONS AND  
MAINTENANCE OF THE GLASS PULVERIZER  
CURRENTLY UNDER THE CUSTODIAL CARE OF THE  
DEPARTMENT OF PUBLIC WORKS.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF  
2 GUAM:

3 Section 1. Legislative Findings and Intent. The Legislature finds  
4 that since the installation of the glass pulverizer, the Department of Public  
5 Works has not been able to keep the pulverizer operating at its maximum  
6 potential to service the needs of the people of Guam. At a cost of  
7 thousands of dollars to the taxpayers of Guam, it is incumbent upon this  
8 government to see that public funds are utilized effectively and efficiently.  
9 The Legislature further finds that since the installation of the glass

1 pulverizer, the Department of Public Works has not been able to secure a  
2 maintenance contract for the upkeep of the pulverizer. It is therefore the  
3 intent of the Legislature that, in order to gain maximum use of the  
4 pulverizer, as well as, strengthen the recycling program on Guam, the  
5 operations and maintenance of the glass pulverizer be either contracted  
6 out to responsible parties, or that the glass pulverizer be sold out right.

7 **Section 2. Operations and Maintenance of Glass Pulverizer. (a)**

8 **Option to Lease.** The Governor of Guam is hereby authorized to contract  
9 out to reasonable and responsible parties, the operations and maintenance  
10 of the glass pulverizer. Bids for this operation shall be in compliance with  
11 the Rules and Regulation of the Procurement Law. **(b) Option to Sale.** The  
12 Governor of Guam is hereby authorized to sell to reasonable and  
13 responsible parties, the glass pulverizer. All bids shall be in compliance  
14 with the Rules and Regulation of the Procurement Law. Lease or Sale of  
15 the Glass Pulverizer shall be final and not be subject to Legislative Review.

16 **Section 3. Report to the Legislature.** The Governor upon successful

17 Lease or Sale of the glass pulverizer, shall make available to the  
18 Legislature a final report of such transaction.

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS  
AND MICRONESIAN AFFAIRS  
TWENTY-THIRD GUAM LEGISLATURE  
155 Hesler Street, Agana, Guam 96910**

**COMMITTEE REPORT**

**ON**

**BILL NO. 560**

**"An Act to Privatize the Operations and Maintenance of the Glass  
Pulverizer Currently Under the Custodial Care of the Department of  
Public Works"**

**COMMITTEE MEMBERS**

Chairman: Ted S. Nelson

Ex-Officio Member: Speaker Don Parkinson

Thomas C. Ada  
Anthony C. Blaz  
Felix P. Camacho  
Mark C. Charfauros  
Hope A. Cristobal  
Alberto C. Lamorena V

Carlotta A. Leon Guerrero  
Lourdes A. Leon Guerrero  
Sonny L. Orsini  
Vicente C. Pangelinan  
Angel L.G. Santos  
Judith Won Pat-Borja

## COMMITTEE REPORT

Bill No. 560

**"An Act to Privatize the Operations and Maintenance of the Glass Pulverizer Currently Under the Custodial Care of the Department of Public Works"**

The Committee on General Governmental Operations and Micronesian Affairs conducted a Public Hearing 10:00 a.m. Tuesday, May 28, 1996 in the Legislative Session Hall.

**Committee Members Present:** Sen. T.S. Nelson, Chairman

### SUMMARY OF TESTIMONY

Mr. Gil Shinohara, Director, Department of Public Works provided the committee with oral testimony in support of Bill No. 560. In his testimony, Mr. Shinohara stated that at the present time, the Department of Public Works has neither the budget, nor the personnel to operate and maintain the glass pulverizer. Mr. Shinohara also stated that since the pulverizer was assembled, it was only operational for one day. The one day operation was for the purpose of conducting a test on the capability of the pulverizer. Shortly after the test, the island was hit by Super Typhoon Omar which caused some damage to the pulverizer. Since that time, the Department of Public Works has not been able to get the pulverizer operational. The department has made several attempts to get assistance from the company where the pulverizer was purchased, however, those attempts were unsuccessful. Therefore, the decision to lease or sale the pulverizer to a private company would not be objected by the Department of Public Works.

Mr. Tony Perez, Deputy Director, Department of Public Works provided the committee with oral testimony in support of the Director's comments in support of Bill No. 560. There being no further witnesses appearing before the committee on Bill No. 560, the Chairman declared Bill No. 560 duly publicly heard.

## FINDINGS

The committee finds that since the installation of the glass pulverizer, the Department of Public Works has not been able to keep the pulverizer operating at its maximum potential. At a cost of Three Hundred Ninety Thousand Dollars (\$390,000) to the taxpayers of Guam, the Legislature is of the opinion that in order to provide such service, it would be in the best interest to allow a private company the opportunity to operate and maintain the glass pulverizer.

## RECOMMENDATIONS

The Committee on General Governmental Operations and Micronesian Affairs hereby reports out Bill No. 560 to the Twenty-Third Guam Legislature with the recommendation **TO DO PASS** as amended.

VICE SPEAKER TED S. NELSON

Chairman

Committee on General Governmental Operations & Micronesian Affairs  
Twenty Third Guam Legislature

Oversight Hearing

10:30 a.m. Tuesday, May 28, 1996

Session Hall, Guam Legislature Temporary Bldg., Agana

## AGENDA

BILL NO. 560: "AN ACT TO PRIVATIZE THE OPERATIONS AND MAINTENANCE OF THE GLASS PULVERIZER CURRENTLY UNDER THE CUSTODIAL CARE OF THE DEPARTMENT OF PUBLIC WORKS"

OVERSIGHT HEARING WITH THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO DPW'S FY'96 OPERATIONAL BUDGET AND FY'97 BUDGET REQUEST

TWENTY-THIRD GUAM LEGISLATURE  
1996 (Second) Regular Session

Bill No. 560

Introduced by:

  
T.S. Nelson

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AN ACT TO PRIVATIZE THE OPERATIONS AND  
MAINTENANCE OF THE GLASS PULVERIZER  
CURRENTLY UNDER THE CUSTODIAL CARE OF THE  
DEPARTMENT OF PUBLIC WORKS.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF

2 GUAM:

3 Section 1. Legislative Findings and Intent. The Legislature finds  
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5 Works has not been able to keep the pulverizer operating at its maximum  
6 potential to service the needs of the people of Guam. At a cost of  
7 thousands of dollars to the taxpayers of Guam, it is incumbent upon this  
8 government to see that public funds are utilized effectively and efficiently.  
9 The Legislature further finds that since the installation of the glass  
10 pulverizer, the Department of Public Works has not been able to secure a

1 maintenance contract for the upkeep of the pulverizer. It is therefore the  
2 intent of the Legislature that, in order to gain maximum use of the  
3 pulverizer, as well as, strengthen the recycling program on Guam, the  
4 operations and maintenance of the glass pulverizer be contracted out to  
5 responsible parties.

6       **Section 2. Operations and Maintenance of Glass Pulverizer.** The  
7 Governor of Guam is hereby authorized to contract out to reasonable and  
8 responsible parties, the operations and maintenance of the glass  
9 pulverizer currently under the custodial care of the Department of Public  
10 Works. Upon the successful selection of a private contractor, said  
11 contractor shall be authorized to lease the glass pulverizer up to five (5)  
12 years, at a cost of one dollar (\$1.00) per year. Bids for this operation shall  
13 be in compliance with the Rules and Regulation of teh Procurement Law.





# COMMITTEE ON RULES

Twenty-Third Guam Legislature  
155 Hesler St., Agana, Guam 96910

March 14, 1996

## MEMORANDUM

**TO:** Chairman, Committee on General Governmental  
Operations and Micronesian Affairs

**FROM:** Chairman, Committee on Rules

**SUBJECT:** Referral - Bill No. 560

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.

  
**SONNY LUJAN ORSINI**

Attachment:

*Rec'd 3/15/96  
1:20 pm JPO*

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS & MICRONESIAN AFFAIRS**  
**Oversight Hearing with Department of Public Works**  
**relative to FY'96 Operational Budget and FY'97 Budget**  
**and Bill 560**

10:30 a.m., May 28, 1996, Session Hall, Guam Legislature Temporary Bldg., Agana

**ATTENDANCE of GOVERNMENT OF GUAM OFFICIALS**

Name <i>(please print)</i>	Position Title	Division/Section	Office Phone Number(s)
Robert J. DUEÑAS	Acting SBO Supt.	BUS OPERATIONS	646-3208/3156
GIL SHINOBUARA	DIRECTOR		

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS  
AND MICRONESIAN AFFAIRS  
Twenty-Third Guam Legislature**

**Oversight Hearing  
with the Department of Public Works realtive to  
FY '96 Operational Budget, FY '97 Budget & Bill 560**

10:30 a.m., Tuesday, May 28, 1996  
Session Hall, Guam Legislature Temporary Building, Agana

**ATTENDANCE SHEET**

<b>Committee Members</b>	<b>Present</b>	<b>Absent</b>	<b>Signature</b>
Sen. Ted S. Nelson Chairman	✓		
Speaker W. Don Parkinson Ex-Officio Member			
Sen. Thomas C. Ada			
Sen. Anthony C. Blaz			
Sen. Felix P. Camacho			
Sen. Mark C. Charfauros			
Sen. Hope A. Cristobal			
Sen. Alberto Tony Lamorena			
Sen. Carlotta Leon Guerrero			
Sen. Lou Leon Guerrero			
Sen. Sonny L. Orsini			
Sen. Vicente C. Pangelinan			
Sen. Angel L.G. Santos			
Sen. Judith Won Pat-Borja			
<b>Other Senators</b>	<b>Present</b>	<b>Signature</b>	
Sen. John P. Aguon			
Sen. Elizabeth Barrett-Anderson			
Sen. Joanne S. Brown			
Sen. Mark Forbes			
Sen. Joe T. San Agustin			
Sen. Francis E. Santos			
Sen. Tony R. Unpingco			

<b>GGOMA Staff Assigned</b>	<b>Assisted by</b>
<i>J.F. Blaz</i>	
<i>C.T.C. Cruz</i>	

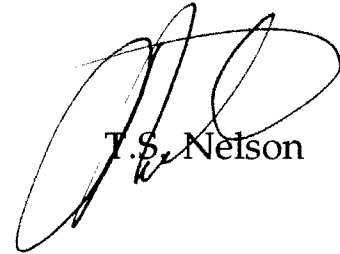
**Introduced**

APR 15 1996

TWENTY-THIRD GUAM LEGISLATURE  
1996 (Second) Regular Session

Bill No. 560(LS)

Introduced by:

  
T.S. Nelson

AN ACT TO PRIVATIZE THE OPERATIONS AND  
MAINTENANCE OF THE GLASS PULVERIZER  
CURRENTLY UNDER THE CUSTODIAL CARE OF THE  
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