



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

05 MAY 2009

2009 MAY -6 AM 8:50

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No.83(COR) "AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION FUND TO THE GUAM COCONUT RHINOCEROS BEETLE ERADICATION PROGRAM" now designated as **Public Law 30-23**.

Sinseru yan Magåhet,

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan para pa'go
Acting Governor of Guam

Attachment: copy of Bill

30-09-0582

Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 5/9/09
Time 4:07 PM
Received by [Signature]

0589

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session


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

This is to certify that Substitute Bill No. 83 (COR), "AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION FUND TO THE GUAM COCONUT RHINOCEROS BEETLE ERADICATION PROGRAM," returned without approval of *I Maga'lahaen Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 1st day of May, 2009, to pass said Bill notwithstanding the veto of *I Maga'lahaen Guåhan* by a vote of Twelve (12) Members.

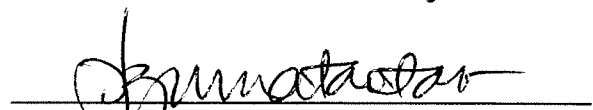


Judith T. Won Pat, Ed. D.
Speaker

Attested:


Rory J. Respicio
Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1 day of May 2009, at
5:15 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

Public Law No. 30-23

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 83 (COR)

As substituted and amended
on the Floor.

Introduced by:

v. c. pangelinan
R. J. Respicio
J. V. Espaldon
T. C. Ada
F. B. Aguon, Jr.
T. R. Muña Barnes
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
Judith Paulette Guthertz, DPA
Adolpho B. Palacios, Sr.
M. J. Rector
Ray Tenorio
Telo Taitague
Judith T. Won Pat, Ed. D.

**AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND
DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION
FUND TO THE GUAM COCONUT RHINOCEROS BEETLE
ERADICATION PROGRAM.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that since the detection of the Coconut Rhinoceros Beetle (CRB) in Tumon on
4 September of 2007, the efforts made to contain the infected area has been met with
5 varying success. The University of Guam Cooperative Extension Service created
6 the Coconut Rhinoceros Beetle Eradication Program (Program) and has been

1 tasked with the eradication of the CRB. Although the Program shows signs of
2 success, the funding provided by *I Liheslatura* has *not* been released for use by the
3 eradication team and has greatly hindered the Program from fully accomplishing
4 its goal. To date, the Program has relied on federal grant program funds which are
5 insufficient to accomplish its mission to totally eradicate the CRB from further
6 destroying our coconut trees.

7 *I Liheslaturan Guåhan* further finds that Public Law 29-104 appropriated
8 Two Hundred Fifty Thousand Dollars (\$250,000) from the Fiscal Year 2008
9 General Fund to the Program to strengthen Guam's eradication efforts against this
10 invasive alien species. It is crucial that the Program be provided the necessary
11 resources to eradicate the CRB and ensure that it *does not* further infiltrate other
12 parts of the island. The expansion of CRBs presence from Tumon to other areas of
13 Guam is bordering on being catastrophic and must be addressed *if* we want to save
14 our coconut trees, which represent our island's culture and is the icon portrayed on
15 our Guam Seal. Any further funding delays to the Program diminishes, *if not*
16 extinguishes, the opportunity to eradicate the CRB throughout our entire island.

17 *I Liheslaturan Guåhan* further finds that it would be devastating for our
18 island and our tourism industry if we allow the CRB to destroy our coconut trees.
19 For over four (4) millennia, we have utilized every part of the coconut tree for
20 various purposes stressing the importance of protecting the coconut tree and our
21 way of life. Today, our people continue to use the coconut tree for the same
22 purposes. The tourists also enjoy the coconut trees so essential to our image of a
23 tropical paradise.

24 *I Liheslaturan Guåhan* intends to fund the CRB Eradication Program
25 through the Guam's Visitors Bureau Tourist Attraction Funds, as it would affect
26 the quality of Guam's tourism industry.

1 **Section 2. Authorization to Expend Five Hundred Thousand Dollars**
2 **(\$500,000) from the Tourist Attraction Fund for Eradication of the Coconut**
3 **Rhinoceros Beetle.** Five Hundred Thousand Dollars (\$500,000) from the Tourist
4 Attraction Fund unexpended cash surplus from Fiscal Year 2007 as previously
5 authorized in Section 18 of Part II, Chapter IV of Public Law 28-150, is hereby
6 appropriated to the University of Guam Cooperative Extension Service for the
7 funding of the Guam Coconut Rhinoceros Beetle Eradication Program. This
8 funding *shall* continue to be available until expended, *shall not* be subject to *I*
9 *Maga'lahi's* transfer authority, and is *exempt* from the Bureau of Budget and
10 Management Research's allotment control.

11 **Section 3. Severability.** *If* any of the provisions of this Act or the
12 application thereof to any person or circumstance is held invalid, such invalidity
13 shall *not* affect any other provision or application of this Act which can be given
14 effect without the invalid provision or application, and to this end the provisions of
15 this Act are severable.

Overridden

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: 5/1/09

VOTING SHEET

Vetoed
Bill No. 83 (COR)

Resolution No.

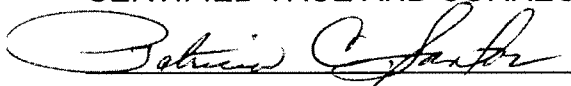
Question: Notwithstanding the objection of the Governor, should the Legislature Guahan override Vetoed Bill 83 (COR)?

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.					EA
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose					EA
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo					EA
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

12 0 0 0 3

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



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Michael W. Cruz, M.D.
Lieutenant Governor

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trenta Na Liheslaturan Guahan
Thirtieth Guam Legislature
155 Hessler Street
Hagåtña, Guam 96910

2009 APR 16 AM 8:54 AM

Dear Speaker Won Pat:

Hafa Adai! Transmitted herewith please find Bill No. 83(COR) "AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION FUND TO THE GUAM COCONUT RHINOCEROS BEETLE ERADICATION PROGRAM" which I have vetoed.

Guam's natural beauty must be preserved. This fact is beyond contestation and I therefore take no pleasure in vetoing Bill No. 83. Like you, I understand the frail nature of our tourism sector and the indispensable role our natural heritage plays in that industry. Yet, our Government faces a myriad of critical fiscal challenges; challenges which force us to limit our financial obligations to those programs which have a viable and available funding source.

Unfortunately, Bill No 83's funding source, the Tourism Attraction Fund, is projected to experience a shortfall of nine hundred seventy five thousand dollars this fiscal year, because signing this Act would appropriate monies that do not exist, I am vetoing this measure and seeking a viable method to fund its intent.

Today, my office sent a letter to Senator Daniel Inoue, Chairman of the Senate Committee on Appropriations, seeking his assistance in funding this program via Congressional appropriation

As you may know, Senator Inoue's assistance was vital in funding our efforts against the brown tree snake, as the presence of harmful invasive species on Guam could invariably affect Hawaiian soil.

30-09-0462

Office of the Speaker

Judith T. Won Pat, Ed. D.

Date 4/15/05

Time 5:33 PM

Received by [Signature]

Though my office will do everything in its power to seek alternate funding, we must address the serious financial problems we face, or many other well-intentioned programs will go unfunded. I ask that you and your colleagues to take seriously the federal receivership this government has been placed under, its recent impact on our cash position, and that each of us begin to work on a comprehensive plan to address both our short and long term financial challenges

Sinseru yan Magåhet,

A handwritten signature in dark ink, appearing to read 'M. Cruz', with a long horizontal stroke extending to the left.

MICHAEL W. CRUZ, M.D.
Acting Governor of Guam

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

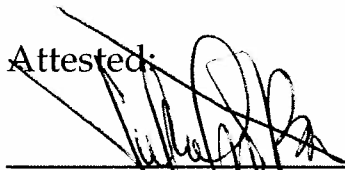
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 83 (COR)**, "AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION FUND TO THE GUAM COCONUT RHINOCEROS BEETLE ERADICATION PROGRAM", was on the 3rd day of April, 2009, duly and regularly passed.



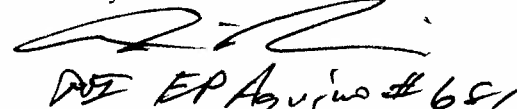
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 3rd day of April, 2009, at
7:00 o'clock 7.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

VETO

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 83 (COR)

As substituted and amended
on the Floor.

Introduced by:

v. c. pangelinan
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2 success, the funding provided by *I Liheslatura* has *not* been released for use by the
3 eradication team and has greatly hindered the Program from fully accomplishing
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9 General Fund to the Program to strengthen Guam's eradication efforts against this
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8 funding *shall* continue to be available until expended, *shall not* be subject to *I*
9 *Maga'lahi's* transfer authority, and is *exempt* from the Bureau of Budget and
10 Management Research's allotment control.

11 **Section 3. Severability.** *If* any of the provisions of this Act or the
12 application thereof to any person or circumstance is held invalid, such invalidity
13 shall *not* affect any other provision or application of this Act which can be given
14 effect without the invalid provision or application, and to this end the provisions of
15 this Act are severable.



April 3, 2009

MEMORANDUM

TO: The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trenta Na Liheslaturan Guåhan

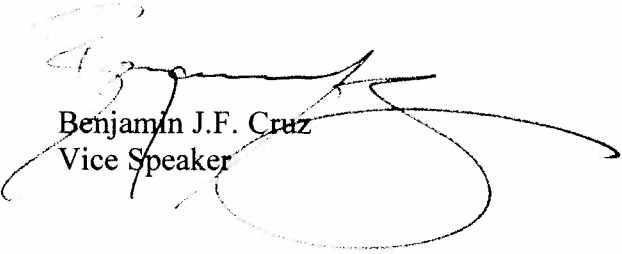
FROM: Chairman
Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting

SUBJECT: Request for Emergency Declaration for Bill No 83 (COR)

I am requesting that Bill No. 83 (COR), AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION FUND TO THE GUAM COCONUT RHINOCEROS BEETLE ERADICATION PROGRAM, be declared an emergency for the purpose of waiving public hearing requirements.

Bill No. 83 (COR) seeks to address the funding problem with the University of Guam's program to eradicate the Coconut Rhinoceros Beetle. Two Hundred Fifty Thousand Dollars (\$250,000) appropriated from the Tourist Attraction Fund in P.L. 29-104 has not been released by the Administration, and the corresponding lack of funding for the eradication program could be devastating for our island and our visitor industry.

Thank you for your kind consideration of this important request, and I look forward to the bill's discussion and swift passage.


Benjamin J.F. Cruz
Vice Speaker



OFFICE OF THE SPEAKER
I MINA'TRENTA NA LIHESLATURAN GUAHAN | 30th GUAM LEGISLATURE
JUDITH T. WON PAT, Ed.D.

April 3, 2009

To: The Honorable Benjamin J.F. Cruz
Vice Speaker
I Mina'Bente Trenta Na Liheslaturan Guahan

RE: **Emergency Certification of Bill 83 (COR)**

After careful evaluation for a request to waive the requirements for a public hearing on bill 83;

Bill No. 83 (COR) - v.c. pangelinan - An act to appropriate Five Hundred Thousand dollars (\$500,000) from the Tourist Attraction Fund to the Guam Coconut Rhinoceros Beetle eradication program.

I certify, pursuant to 2 GCA §2103, that an emergency condition exists and that the requirements for a public hearing on bill 83 is accordingly waived.

Senseramente,

Judith T. Won Pat, Ed.D.
Speaker

cc: Senator Vicente "ben" Pangelinan
Clerk of the Legislature

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: 4/3/09

VOTING SHEET

Bill No. 83(COR)

Resolution No. _____

Question: _____

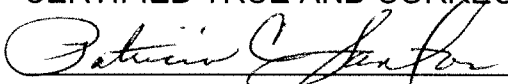
<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.					✓ <i>ex abs.</i>
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

14

1 EA

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence

I MINA TRENTA NA LIHESLATURAN GUÅHAN
2009 (First) Regular Session

Bill No. 83 (COR)

Introduced by:

v.c. pangelinan

AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION FUND TO THE GUAM COCONUT RHINOCEROS BEETLE ERADICATION PROGRAM.

2009 MAR 24 AM 10:30 - W W W

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds that
2 since the detection of the Coconut Rhinoceros Beetle (“CRB”) on Tumon Bay in
3 September of 2007, efforts made to contain the infected area has been met with varying
4 success. The University of Guam Cooperative Extension Service created the Coconut
5 Rhinoceros Beetle Eradication Program (“Program”) and has been tasked with the
6 eradication of the CRB. Although, the Program shows signs of success, the funding
7 provided by the Legislature has not been released for use by the eradication team and has
8 greatly hindered the Program from fully accomplishing its goal. To date, the Program has
9 relied on federal grant program funds which are insufficient to accomplish its mission to
10 totally eradicate the CRB from further destroying our coconut trees.

11 *I Liheslaturan Guahan* further finds that Public Law 29-104 appropriated Two
12 Hundred Fifty Thousand Dollars (\$250,000) from Fiscal Year 2008 General Fund to the
13 Program to strengthen Guam’s eradication efforts against this invasive alien species. It is
14 crucial that the Program be provided the necessary resources to eradicate the CRB and

1 ensure that it does not further infiltrate other parts of the island. The expansion of CRBs
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14 industry.

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16 **(\$500,000) from the Tourist Attraction Funds for Eradication of the Coconut**
17 **Rhinoceros Beetle.** Five Hundred Thousand Dollars (\$500,000) from the Tourist
18 Attraction Fund's unexpended cash surplus from Fiscal Year 2007 is hereby appropriated
19 to the University of Guam Cooperative Extension Service for the funding of the Guam
20 Coconut Rhinoceros Beetle Eradication Program. This funding *shall* continue to be
21 available until expended, shall *not* be subject to *I Maga'lahi's* transfer authority, and is
22 *exempt* from the Bureau of Budget and Management Research's allotment control.

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3 other provision or application of this Act which can be given effect without the invalid
4 provision or application, and to this end the provisions of this Act are severable.