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
123-32 (LS)	Judith T. Won Pat, Ed.D., Dennis G. Rodriguez, Jr., T. R. Muña Barnes , R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.	5/23/13, 11:28am	5/23/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	WAIVER REQUESTED 05/24/13	6/17/13, 12:08pm	**Fiscal Note Requested 5/29/13**
DATE PASSED		**TITLE**	**TRANSMITTED**		**DUE DATE**	**DATE SIGNED BY I MAGA'LAHEN GUAHAN**	**PUBLIC LAW NO.**	**NOTES**
6/24/2013		AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.	6/26/13	3:00pm	7/8/13			As amended on the Floor.

FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

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

This is to certify that **Bill No. 123-32 (LS), "AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM",** was on the 24th day of June, 2013, duly and regularly passed.

Benjamin J.F. Cruz
Acting Speaker

Attested:

Thomas C. Ada
Acting Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 26th day of June, 2013, at 3:00 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
2013 (FIRST) Regular Session

Bill No. 123-32 (LS)
As amended on the Floor.

Introduced by: Judith T. Won Pat, Ed.D.
Dennis G. Rodriguez, Jr.
T. R. Muña Barnes
R. J. Respicio
Chris M. Dueñas
T. C. Ada
V. Anthony Ada
Frank B. Aguon, Jr.
B. J.F. Cruz
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
Vicente (ben) C. Pangelinan
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.

AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Appropriation. Notwithstanding any other provision of law, the sum of Four Hundred Thousand Dollars ($400,000) escheated to the General Fund at the end of Fiscal Year 2012 and available for appropriations in Fiscal Year

2013, pursuant to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, is hereby appropriated to the Department of Revenue and Taxation for the purpose of funding the agency's Transaction Processing System.

Section 2. Unused Appropriation. Funds *not* expended pursuant to the provisions of this Act, within one year following the date of enactment, *shall no longer* be available to the Department of Revenue and Taxation, and *shall* become available for future appropriations by *I Liheslaturan Guåhan.*

Section 3. Reporting Requirement. The Director of the Department of Revenue and Taxation *shall* submit a report to *I Maga'lahen Guåhan* and *I Liheslaturan Guåhan* on a monthly basis as to the obligation and expenditure of the funds and the status of its implementation following the enactment of this Act, detailing all transactions pertaining to funds appropriated herein.

LEGISLATIVE SESSION

I MINA'TRENTAI DOS NA LIHESLATURAN

2013 (FIRST) Regular Session

Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall

A.Bill No: 123-32 (LS)

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ		✓ I			
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN		✓ I			
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL	13	2			
	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent

CERTIFIED TRUE AND CORRECT:

I = Pass

Clerk of the Legislature

June 21, 2013

Office of

the People

I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JUN 17 2013

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 123-32 (LS), As Introduced

The subject matter of Bill 123-32 (LS) was part of Bill No. 95-32 (COR), "An Act to Appropriate the sum of Three Million One Hundred Thousand Dollar ($3,1000,000.00) escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the purpose of supporting unfunded Government of Guam obligations" as introduced, received a public hearing on May 14, 2013 and hereby appended as the committee report for Bill 123-32 (LS).

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 123-32 (LS), as introduced "An Act to appropriate the sum of Four Hundred Thousand Dollars ($400,000.00) escheated to the General Fund pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated to the Department of Revenue and Taxation for the purpose of funding the agency's transaction processing system." sponsored by Speaker Won Pat, which was referred to the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

4 TO PASS
0 NOT TO PASS
1 TO REPORT OUT ONLY
0 TO ABSTAIN
0 TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Member
Committee on Education, Public Libraries and Women's Affairs

Member
Committee on General Government Operations and Cultural Affairs

Member
Committee on Municipal Affairs, Tourism, Housing and Hagåtña Restoration and Development Authority

Member
Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens

Member
Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910
Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net
Website: http://senbenp.com

COMMITTEE REPORT
ON

Bill No. 123-32 (LS), As Introduced

Sponsored by Speaker Judith Won Pat

The subject matter of Bill 123-32 (LS) was part of Bill No. 95-32 (COR), "An Act to Appropriate the sum of Three Million One Hundred Thousand Dollar ($3,1000,000.00) escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the purpose of supporting unfunded Government of Guam obligations" as introduced, received a public hearing on May 14, 2013 and hereby appended as the committee report for Bill 123-32 (LS).

An Act to appropriate the sum of Four Hundred Thousand Dollars ($400,000.00) escheated to the General Fund pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated to the Department of Revenue and Taxation for the purpose of funding the agency's transaction processing system.

Office of

the People

I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

MEMORANDUM JUN 17 2013

To: **All Members**
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 123-32 (LS), As Introduced

The subject matter of Bill 123-32 (LS) was part of Bill No. 95-32 (COR), "An Act to Appropriate the sum of Three Million One Hundred Thousand Dollar ($3,1000,000.00) escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the purpose of supporting unfunded Government of Guam obligations" as introduced, received a public hearing on May 14, 2013 and hereby appended as the committee report for Bill 123-32 (LS).

Transmitted herewith for your consideration is the Committee Report on Bill No. 123-32 (LS), As Introduced, "An Act to appropriate the sum of Four Hundred Thousand Dollars ($400,000.00) escheated to the General Fund pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated to the Department of Revenue and Taxation for the purpose of funding the agency's transaction processing system" sponsored by Speaker Judith Won Pat.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 123-32 (LS), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note
7. Copy of COR referral Bill No.123-32 (LS))
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Member
Committee on Education, Public Libraries and Women's Affairs

Member
Committee on General Government Operations and Cultural Affairs

Member
Committee on Municipal Affairs, Tourism, Housing and Hagåtña Restoration and Development Authority

Member
Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens

Member
Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations

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I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

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Bill No. 123-32 (LS), as introduced, "An Act to appropriate the sum of Four Hundred Thousand Dollars ($400,000.00) escheated to the General Fund pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated to the Department of Revenue and Taxation for the purpose of funding the agency's transaction processing system.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
Senator Vicente (ben) Cabrera Pangelinan **Chairman**	✓				
Vice Speaker BJ Cruz **Vice Chairman**	✓				
Speaker Judith T. Won Pat **Member**	✓				
Senator Tina Rose Muña-Barnes **Member**	✓				
Senator Dennis Rodriguez, Jr. **Member**					
Senator Michael San Nicolas **Member**	✓				
Senator Tommy Morrison **Member**	✓				
Senator Michael Limtiaco **Member**			6/19/13.		

Office of
the People

I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Chairman
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Member
Committee on Education, Public Libraries and Women's Affairs

Member
Committee on General Government Operations and Cultural Affairs

Member
Committee on Municipal Affairs, Tourism, Housing and Hagåtña Restoration and Development Authority

Member
Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens

Member
Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations

Committee Report

The subject matter of Bill 123-32 (LS) was part of Bill No. 95-32 (COR), "An Act to Appropriate the sum of Three Million One Hundred Thousand Dollar ($3,1000,000.00) escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the purpose of supporting unfunded Government of Guam obligations" as introduced, received a public hearing on May 14, 2013 and hereby appended as the committee report for Bill 123-32 (LS).

Bill No. 123-32 (LS): An Act to appropriate the sum of Four Hundred Thousand Dollars ($400,000.00) escheated to the General Fund pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated to the Department of Revenue and Taxation for the purpose of funding the agency's transaction processing system.

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on May 14, 2013 at 2:00 pm in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on May 7, 2013 (5-Day Notice), and again on May 10, 2013 and May 12, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman
Senator BJ Cruz, Vice Chairman
Speaker Judith Won Pat, Member
Senator Tina Muna Barnes, Member
Senator Dennis Rodriguez, Member
Senator Michael San Nicolas, Member
Senator Tommy Morrison, Member
Senator Michael Limtiaco, Member
Senator Tom Ada
Senator Frank Aguon, Jr.
Senator Tony Ada

Senator Aline Yamashita
Senator Chris Duenas

(b) Appearing before the Committee

Mr. Carl Dominguez, Director of the Department of Public Works
Mr. Arthur Clark, Policy Advisor for Governor Edward Calvo

Mr. Anthony Blaz, Deputy Director for the Department of Administration
Mr. John Camacho, Director of the Department of Revenue & Taxation

(c) Written Testimonies Submitted

Fred E Bordallo, Jr., Chief of Police
Ms. Benita Manglona, Director of the Department of Administration
Mr. Carl Dominguez, Director of the Department of Public Works
Mr. John Camacho, Director of the Department of Revenue & Taxation

II. COMMITTEE PROCEEDINGS

Chairman Vicente Pangelinan. The next bill on the agenda is Bill 95-32, an act introduced by Speaker Won Pat. It's an act to appropriate three million escheated to the General Fund for purposes supporting unfunded government obligations. I have, signed up to testify, Lieutenant Michael Archangel, with written testimony submitted, and he is here for Chief Bordallo. I also have Carl Dominguez, Mr. Arthur Clark from the Governor's Office, Tony Blaz, Paul Suba signed up, supporting the bill, and Mr. Benavente, were you going to testify? We'll go ahead and begin. Speaker Won Pat, please give a short summary, and we'll have the witnesses present their testimony.

(a) Bill Sponsor Summary

Speaker Won Pat. Thank you very much, Mr. Chairman. Bill 95 seeks to capture any unclaimed tax refunds—checks that have already escheated to the government of Guam as of Fiscal Year 2012. The bill will appropriate $1.4 million to the Department of Revenue and Taxation for real property valuation. I know that this is tied to another bill that has to do with—when you pay to have the real property valuation done it brings in more money for TEFF which is the Territorial Education Facilities Fund. Then, of course, at the same time, it increases the debt ceiling—I realize that.

The second is that $500,000 will be appropriated to the Department of Public Works for the acquisition of property for the Tiyan Parkway Project.

Third is $700,000 to the Department of Administration for acquisition of software migration, fiber connection, security of government-wide activity directory, and upgraded infrastructure for government of Guam network-related purposes.

Fourth is $400,000 to the Guam Police Department for the purchase of completely marked police vehicles and a whole other description to it.

Last, but not least, is to get the Better Public Service—the Cash Economy Enforcement Act in 2011—to get us off the ground is that $100,000 is being appropriated to the Better Public Service Fund to be administered by the Department of Revenue and Taxation to support that Cash Economy Enforcement to bring in revenues that are being lost so that we can provide the additional revenues for the government of Guam.

Chairman Vicente Pangelinan. Thank you very much, Madame Speaker. We can go ahead and begin.

Speaker Won Pat. Can I just say that this has been in existence since 1986—by law?

Chairman Vicente Pangelinan. Mr. Dominguez and then Mr. Clark.

Mr. Carl Dominguez. Håfa adai and good afternoon, Mr. Chairman, Madame Speaker, and Members of the Committee. Thank you for the opportunity to testify on Bill 95-32. The DPW is in support of the portion of this bill that appropriates $500,000 for the acquisition of property for the Tiyan Parkway Project.

We need this money to acquire at least one—possibly two—of the six parcels of the Ancestral Lands in what's called the *Phase II* portion of the project in order to make this project work. We're in full support of this bill. Thank you.

Chairman Vicente Pangelinan. Thank you very much, Mr. Dominguez. Mr. Clark?

Mr. Arthur Clark. Thank you, Mr. Chairman; Senators. Actually, I'm here in behalf of the Governor's Office in favor of all of the portions of the bill but in particular, my presence here was requested by DPW because relative to—as Mr. Dominguez indicated here—the $500,000 for acquisition of property for the Tiyan Parkway. I've been involved in discussions and meetings with the various entities—including the airport and also the Federal Aviation Administration. In the event that there were any questions that came up in that regard, I wanted to make myself available for the information of all the members of the legislature. I have met, already with—I think it's been a couple of months ago—with Senator Ada (Tom) and with Senator San Nicolas who chair the committees over the airport and DPW to keep them apprised of the discussions and the developments towards the Tiyan Parkway.

Most recently, I promised Senator (Tom) Ada that this week I was going to try to get a hold of him again to give him an update, and I was going to extend the same courtesy to Senator San Nicolas to keep him updated on the progress.

As you know, there are about 14-15,000 cars that traverse through the Tiyan Parkway in its current configuration. We're trying to avoid the closure of Central Avenue and the inconvenience that it's going to cause and to overburden and stress the highway surrounding the airport and the Tiyan Parkway. We're moving in that direction. We've been in good faith,

earnest discussions with the airport and with Federal Highway and Federal Aviation so I'm here to make myself available in case there are any questions that come up in that regard.

Chairman Vicente Pangelinan. Thank you very much, Mr. Clark. Mr. Blaz?

Mr. Anthony Blaz. Thank you very much, Mr. Chairman, Madame Speaker, and Members of the Committee. We are wholeheartedly in favor of Bill 95-32. This bill will enable our government to enhance revenues by updating our real estate property tax assessments; improve the Tiyan Parkway—put more vehicles on the streets; and improve the government-wide networks and improve our collection enforcement.

This escheat law has been in the books since 1976 for unclaimed checks and in 1986 for dormant accounts. In practice, these funds are transferred to the General Fund until the statute of limitation has been completely exhausted. The Division of Accounts became aware of and started the escheat process in Fiscal Year 2004. The bill would allow the government to dedicate the revenue stream to improve our revenues for infrastructure and services. We'd like you to know that the practice is not to escheat these funds until the end of each fiscal year, after we've exhausted the statute of limitations which is a total of four years.

This allows the taxpayer the opportunity to come to our office and claim these funds. The funds identified will not be available until the subsequent year. The Department of Administration is wholeheartedly in favor of Bill 95-32.

Chairman Vicente Pangelinan. Thank you very much, Mr. Blaz. Mr. Camacho?

Mr. John Camacho. Thank you, Mr. Chairman; Madame Speaker; Members of the Committee for the opportunity to testify on Bill 95-32, specifically on the issue of the revaluation of the real property of the entire island of Guam. The additional funding of the $1.4 million needed to actually complete revaluation of property in need. This will bring in additional revenue as the values will eventually go up. Secondly, DRT has seen the passage of PL 31-135, for the Cash Economy Act of 2011 and jump-start this program, and we are very anxious to go out and look at all the cash transactions, taxpayers that are happening out there. Again, the DRT fully supports this bill.

Chairman Vicente Pangelinan. Speaker Won Pat, do you have any questions? Senator Muna Barnes?

Senator Muna Barnes. Thank you, Mr. Speaker. A question to the funding for the valuation—the property revaluation—the support for the $1.4 million... my question to you, John, after the revaluations are done, what about the maintenance of those? Where are we going to get it?

Mr. John Camacho. We currently have maintenance for the Real Property system that we have. Every year, we bid it out so the person who will be maintaining our system will be a vendor that would carry out the Real Property system.

Senator Muna Barnes. Would there be sufficient funding for the maintenance after the revaluation?

Mr. John Camacho. We normally get a portion of the appropriation from our budget for the maintenance.

Senator Muna Barnes. I guess my concern is this valuation would be for the vendor to go out and do the appraising, am I right?

Mr. John Camacho. That is correct.

Senator Muna Barnes. So after the appraising, you're going to have to record it, put it in the system… am I right?

Mr. John Camacho. Yes.

Senator Muna Barnes. So wouldn't you need something to update, maintain, and keep, or will this funding suffice, after?

Mr. John Camacho. We're required to do the revaluation every five years. If you're looking at another valuation, that would be something that we have to look forward. We're doing the revaluation for Tax Year 2013. The next revaluation is due in five years. That is something we would have to address later.

Senator Muna Barnes. Do we have to go back to the drawing board, or is there something to augment what would already be after valuation coming up if this were to go through?

Mr. John Camacho. If this were to go through, it would establish the rates for all the properties on Guam, and thereafter, the rates will be applicable—applied every year until another revaluation occurs which is in another five years.

Senator Muna Barnes. Thank you, Mr. Chair.

Chairman Vicente Pangelinan. Thank you very much. Senator Ada?

Senator Tom Ada. I just have a question on this half-a million dollars for the Tiyan Parkway. Do we know, with some certainty, if when that money is made available and GovGuam purchases a couple of the tracts, would that be the last piece that is necessary to get this Tiyan Parkway in motion?

Mr. Arthur Clark. Yes. That's what we've been advised by the airport and by FAA.

Senator Tom Ada. With this money being made available, are there those two tracts of land—one or two—that have already been identified—just give me the money and—

Mr. Arthur Clark. Yes, Land Management has reached out—I take it back—Land Management, initially, then Guam Housing together with GEDA, have reached out to the owners of these six tracts and have indicated the government's willingness to enter into negotiations for the purchase of these properties. There has been some interest expressed by most—I don't think all of them—but most of them have expressed an interest in negotiating. We are waiting for final appraisals which, we anticipate, will be happening shortly so that we can lock down the numbers so that when we start negotiating, it's not speculative, it's not based on old appraisals, it's not based on current draft appraisals, but these are current numbers that will allow the parties to move forward with good faith negotiations. But interest has been expressed in some of these parcels.

Senator Tom Ada. Just one question for DPW, what stage of completion is the design for the first phase of Tiyan Parkway?

Mr. Carl Dominguez. As of this week, we're just slightly ahead of 60%.

Senator Tom Ada. Thank you.

Chairman Vicente Pangelinan. Senator Duenas?

Senator Chris Duenas. Can I be number three co-sponsor? Thank you, Mr. Chair.

Chairman Vicente Pangelinan. Thank you. Senator Ada?

Senator V. Anthony Ada. Thank you, Mr. Chair? Do we know exactly what tracts these are already identified for purchase?

Mr. Arthur Clark. Yes, we do.

Senator V. Anthony Ada. That way we can have them placed in the bill. I don't want, arbitrarily, to say that we're going to—acquisition of property and we don't have it listed it—what properties are going to be…

Mr. Arthur Clark. I don't think that's a problem. We can identify the specific tracts that we're trying to acquire.

Senator V. Anthony Ada. The size and description…

Mr. Carl Dominguez. We have that information.

Senator V. Anthony Ada. Thank you. Thank you, Mr. Chair.

Chairman Vicente Pangelinan. On the acquisition of this property… typically, property that is funded by partly by federal grants and federal highway funds, acquisition of properties included in the construction… is there any reason why we're not able to access the federal grants or federal highway funds for the construction of this?

Mr. Arthur Clark. Well, there are two phases to this project: Phase I and Phase II. Phase II is the property that we're trying to reacquire—GovGuam—and that's ancestral properties and returned to the original owners. Phase I is the area that's closer to where you come out by Cars Plus and that particular area. The Federal government and federal highway is making money available. I think some of the estimates are between 4-5 million dollars in that neighborhood to acquire that property from airport.

Chairman Vicente Pangelinan. So we're paying the airport for their property with federal highway funds?

Mr. Arthur Clark. Yes.

Chairman Vicente Pangelinan. And we're doing this because of the convenience and the needs of the airport to comply with?

Mr. Arthur Clark. We're doing this because they own the property.

Chairman Vicente Pangelinan. No, but the moving of the road is to comply with some airport requirements for safety zones and things like that?

Mr. Arthur Clark. It's because they've expanded the runway to allow the long liners to come in so it's for the benefit of the island and the entire population of people, right?

Chairman Pangelinan And yet the airport still wants us to pay them, but they won't contribute anything back to us?

Arthur Clark Maybe we can revisit the $260,000 after we give them the five million dollars.

Chairman Vicente Pangelinan. That's right. That's what I mean... the airport says they can't do—they're under restrictions, but... I think that's what drives Senator Cruz and me, sometimes.

Mr. Arthur Clark. I'm happy to have a discussion with both you and Senator Cruz on some of these issues. Maybe there might be an alignment of efforts there, but as to the Phase II portion, the reason that the federal government will not give us money to reacquire that property is because they gave the property to GovGuam. They've essentially said, we gave the property back to you, and we're not going to give you money to purchase property we already gave back to you is what the response has been.

Chairman Vicente Pangelinan. John, the legislature authorized the Department of Revenue and Taxation to use monies from the Additional Child Tax Credit reimbursement to meet the needs of the agency inclusive of the appraisal. How much money, since we've started floating bonds and paying out the refunds, in Additional Child Tax Credit reimbursements, has the department received?

Mr. John Camacho. Overall—I don't know that number right now, but for example, the last spell that we paid out the $21 million, I think we got back about 5 million dollars so 10% of that would be about $500,000 for our purposes.

Chairman Vicente Pangelinan. And of the $260 million that we paid out?

Mr. John Camacho. I'd have to go back and check on that, Senator. I don't know the numbers.

Chairman Vicente Pangelinan. Can you just guess, John?

Mr. John Camacho. It's probably around three to four million dollars, maybe.

Chairman Vicente Pangelinan. So the department has received that amount?

Mr. John Camacho. Yes.

Chairman Vicente Pangelinan. And it has chosen not to use it for the re-appraisal?

Mr. John Camacho. I think we did use part of it for the Phase I, updating our records. That was the Phase I that we did—I'm not too sure… the exact amount, but the Phase II is what we're actually doing right now—trying to bring in the certified appraiser to appraise the entire island. That's the second phase.

Chairman Vicente Pangelinan. But the department has received money that could have covered this?

Mr. John Camacho. Yes.

Chairman Vicente Pangelinan. Mr. Blaz, how does the Department of Administration recognize the escheated revenues? Where is it in your financial statements?

Mr. Anthony Blaz. It's in the Use of Money and Property.

Chairman Vicente Pangelinan. And when you put that in your revenue budget which is a revenue line item, are we re-appropriating this money then?

Mr. Anthony Blaz. I guess the current budget, as of fiscal 2011, I believe—I don't have it in front of me—I believe $400-some thousand was in the escheated amount. And then, I guess during the whole process at the end of the fiscal year, we found—for fiscal year 2012, when we did our own accounting, closed the books, the escheated amount was about $3.167 million, and that's the escheated amount that's there. That's available for fiscal year 2013 appropriation.

Chairman Vicente Pangelinan. And you said it wasn't appropriated?

Mr. Anthony Blaz. It wasn't appropriated. I know, Senator, in fact, I can work with your staff tomorrow—there's some updated ones as well so to provide for your information.

Chairman Vicente Pangelinan. Yes, because in our earlier conversation, you had indicated that the escheated amount is not in the Use of Money, and it actually is in that revenue account.

Mr. Anthony Blaz. Yes... it's in the revenue account. But I know that this is unappropriated for this $3.167 million for the escheated funds.

Chairman Vicente Pangelinan. Thank you very much. There being no further discussion on this bill, Bill 95-32 has received its public hearing.

This concludes the testimony on Bill No. 95-32. There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at office@senbenp.com or through our website at senbenp.com.

This hearing is adjourned.

FINDINGS & RECOMMENDATIONS.

1. The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land (Committee) finds that Bill 95-32 contains multiple unrelated appropriations and is out of order according to Section 6.01(a) from Rule VI of the *I Mina'Trentai Dos Na Liheslaturan Guåhan* Standing Rules, which states:

> **(a) One Subject Matter.** No bill introduced, considered or passed by *I Liheslaturan Guåhan* (the Guam Legislature), or any of its Members, *shall* contain more than one (1) subject matter, and *shall not* contain unrelated subjects or pertain to multiple projects, except for one (1) annual budget bill and one (1) supplement to the annual budget bill per fiscal year; except that, the succeeding Guam Legislature may, on the year it commences, introduce, consider and pass, one (1) supplement to the annual budget bill for that fiscal year, whose subject and contents may be exempted from this Section (See also 2 G.C.A. §2108(a)).
>
> The Chairperson of the Committee on Rules *shall* not accept and *shall* return to the prime sponsor any bill, which on introduction or on reporting out by Committee, violates this Section, as determined by the Chairperson of the Committee on Rules.
>
> No bill, amended bill, or substitute bill *shall* be entertained on the Floor with non-germane items, except as allowed in this Section. The Speaker *shall* rule on the germaneness of any item of any bill challenged by a Member, and if the Speaker rules that an item is non-germane to the bill's primary subject matter, unless the Speaker is overruled by the body as described elsewhere in these Rules, the item *shall* be removed prior to the final vote upon the bill.

Bill 95-32 contains multiple appropriations for multiple unrelated projects; therefore, the Committee recommends only one appropriation be allowed in the bill to be reported out of Committee.

2. Section 1(b) of Bill 95-32 contains authorization for the condemnation of ancestral land and therefore requires separate consideration by *I Liheslatura* together with appraisals that have not yet been provided pursuant to § 2107(a) and (b), Title 2 of the Guam Code Annotated as follows:

> (a) Every bill authorizing the sale, gift, disposal, transfer, or trade of government of Guam land (hereinafter called transfer of land or land transfer), and every bill authorizing the leasing of any government land for more than two (2) years shall contain only matters reasonably related to one (1) such transaction, and may not be considered with any other transaction or any unrelated matters, unless the particular transaction is a transfer or trade which involves the taking by the government of Guam of more than one privately-owned lot at essentially the same time for the same public purpose and project, in which case the bill may contain all matters related to that transfer or trade. No authorization for such land lease or land transfer may be considered as a "rider" or amendment to another bill, and neither may any unrelated amendment or "rider" be considered by the Legislature on any bill which authorizes the lease or transfer of land.
>
> (b) No such bill authorizing the transfer of land or leasing of land may be considered by the Legislature on third reading unless accompanied by two (2) appraisals on all land concerned, appraised for highest and best use regardless of zoning, from two separate licensed real estate appraisers, one (1) of which appraisals is not more than twelve (12) months old, and which appraisals are paid for by the transferee. If the transferee is the government of Guam by virtue of exercising its eminent domain power or similar action for specific and identified public benefit, the appraisals, surveys, maps, and recordation shall be paid by the government of Guam. The private land owner shall sign a statement that the person agrees that his paying for the appraisals does not in any way obligate the Legislature nor the government of Guam to approve the transfer. One (1) of the appraisers shall be selected by the Department of Land Management and the other by the private landowner. The average of the two (2) appraisals may be used by the Legislature as the value for the transfer or trade.

3. The Committee finds that the funds escheated to the General Fund, pursuant to § 21116, Chapter 21, Division 2, Title 5 of the Guam Code Annotated are recorded as a revenue to the government of Guam under the category of "Use of Money and Property." The Use of Money and Property is identified as a revenue source under the General Fund in Public Law 31-233.Section 2(I)(C), Chapter 1 of Public Law 31-233 estimated $808,896 to be collected for the Use of Money and Property. As such, the funds identified in Bill 95-32 purport to identify an excess revenue of $5,343,066 of escheated funds, excluding dormant accounts that are also recorded as Use of Money and Property.

4. Article 16, Chapter 22, Title 5 of the Guam Code Annotated creates the Supplemental Appropriations Revenue (SAR) Fund which states that "[t]he revenue sources identified in any... Acts that identify new revenue sources that have *not* been identified in the General Appropriations Act during each fiscal year *shall* be deposited or transferred into the SAR Fund and *shall* be expended exclusively for the purposes set forth by *I Liheslaturan Guåhan* in any... Acts that identify new revenue sources during each fiscal year."

The excess revenues to the Use of Money and Property General Fund category as a result of additional escheated funds that have been identified in Bill 95-32 are required under the SAR Fund enabling legislation, to be deposited or transferred into the SAR Fund and are subject to legislative appropriation.

5. The Committee further finds that § 21116(a), Chapter 21, Division 2, Title 5 of the Guam Code Annotated requires the Director of Administration to cause an audit of the amounts of all government of Guam checks or drafts which *shall* have been unclaimed or outstanding for more than one year from the respective dates thereof. Subsequent to the audit caused by the Director of Administration, said checks are to be cancelled and upon demand by the lawful claimant of said check, a new check is to be issued. The period for which the claimant can claim said check is three years; therefore, a period after four years subsequent to the issuance of an unclaimed check, can such funds be escheated to the government of Guam.

6. A record made of each check or draft was also to be made by the Director of Administration. To date, there has been no detailed record or check register of the unclaimed or unpaid checks that will escheat to the government of Guam, provided to the Committee.

The Committee finds that in Fiscal Year 2009, $112,000,000 was paid for 2006 and prior year income tax refunds pursuant to the requirements of Public Law 30-24 which authorized the issuance of a bond. It is the understanding of the Committee, based on information provided by Mr. John Camacho (Director – DRT); Kathy Kakigi (Financial Manager – DOA); and Mr. Tony Blaz (Deputy Director - DOA) that the period in which the unclaimed income tax refund checks from that bond issuance will escheat to the government of Guam, and the largest percentage of such funds identified in Bill 95-32 are for income tax refunds.

In accordance with Chapters 50 and 51, Title 11 of the Guam Code Annotated and as discussed in depth in the Office of Public Accountability's OPA Report No. 11-10, the process in which income tax refunds are to be paid is via a transfer from the Income Tax Refund Efficient Payment Trust Fund upon a written request from the Tax Commissioner, to the Income Tax Refund Reserve Fund (Reserve Fund). The Reserve Fund is the fund from which income tax refunds are to be paid. *I Maga'låhen Guåhan* has no transfer authority from this fund, and the only expenditures authorized from the Reserve Fund are for income tax refunds.

The Committee recommends that escheated funds identified in Bill 95-32 resulting from income tax refund checks should be reverted back into the Reserve Fund for future payments of income tax refunds.

7. The Committee also recognizes that each Fiscal Year in the General Appropriations Act, *I Liheslaturan Guåhan* appropriates money for the annual Cost of Living Allowance and Supplemental Annuity payment to eligible retirees and their survivors. Checks written against these appropriations unpaid and unclaimed after four (4) years are returned to the General Fund by the Government of Guam Retirement Fund (GGRF).

The Committee finds that for the last several Fiscal Years, the appropriation for the Medicare Reimbursements for retirees are short due to additional retirees becoming eligible for reimbursement during the fiscal year. *I Liheslatura* subsequently appropriates money back to the Retirement funds to pay for additional reimbursement to retirees and therefore recommends that the GGRF retain unpaid and unclaimed checks after four (4) years for the purpose of funding Medicare Reimbursement payments; annual Cost of Living Allowance payments; and Supplemental Annuity payments.

8. Furthermore, Public Law 31-233 provides the Governor of Guam with lump sum appropriations for the departments and agencies that are proposed to be provided additional appropriation authority in Bill 95-32. These departments and agencies include the Department of Revenue and Taxation, the Department of Public Works, the Department of Administration, and the Guam Police Department. BBMR Circular No. 13-01 places a 15% reserve on all these agencies as directed by *I Maga'låhen Guåhan.*

The Committee believes that providing the Governor of Guam lump sum appropriations for each line agency allows exercise of a very flexible authority to manage his budget in a way that he can cover for those appropriations identified in Bill 95-32. In addition, with a 15% reserve in place, it is not feasible for *I Liheslaturan Guåhan* to be providing additional spending authority to the Governor when the spending authority already granted him is being self-reserved. Unless the 15% reserve is lifted and the Governor believes that he needs additional spending authority to cover such projects, the Committee believes it is at that point when further discussion can take place, if funding permits.

(a) In reference to the appropriation of $500,000 to the Department of Public Works for the Tiyan Parkway project, the DPW reported to the Committee that the design of the project is about 60% completed. If the design is not completed on time, the funds appropriated may not be encumbered or expended in time thus causing a lapse.

Further, the appraisals for the property have not yet been provided to the Committee, as promised during the public hearing nor have negotiations with the landowners been resolved. Appraisals and separate consideration of land condemnation measures are required under § 2107, Title 2 of the Guam Code Annotated. The Committee has been informed that the government intends to condemn the property from the ancestral landowners and in turn sell it back to the airport, who can then sell it to the federal government at a higher price. There remain outstanding concerns with the Committee that the ancestral owners are at a disadvantage in these proceedings and that the airport will profit from the government of Guam's condemnation of this ancestral land. The government of Guam will repeat the injustice perpetuated on ancestral landowners by the government, yet the government of Guam has not been assured of any

land transfer or source of funds from the airport to replenish this property or to further compensate the ancestral landowners for their loss.

(b) With regards to the $700,000 appropriation to the Department of Administration, this represents over 9% of an increase in its General Fund appropriations for FY 2013. Public Law 31-233 appropriated $7,756,778 from the General Fund to the Department of Administration. The Committee believes this is as a result of a unilateral decision by the Executive Branch to move the Department of Administration's offices from a rent-free facility to one that costs tens of thousands of dollars per year.

I Liheslaturan Guåhan has not appropriated any funds to object category 233 (Office Space Rental) over the past several fiscal years, and such a move by the Executive Branch to unilaterally increase its expenditure base is an unbudgeted decision made by the Executive Branch that should be funded by the Executive Branch.

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 123-32 (LS), with the recommendation to pass.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 123-32(LS)

Introduced by: Judith T. Won Pat, Ed.D.
D.G. Rodriguez, Jr.
Tina R. Muna-Barnes
R.J. Respicio
C.M. Duenas

2013 MAY 23 AM 11: 28

AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Appropriation. Notwithstanding any other provision of law, the sum of Four Hundred Thousand Dollars ($400,000.00) escheated to the General Fund at the end of Fiscal Year 2012 and is available for appropriations in Fiscal Year 2013, pursuant to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, is hereby appropriated to the

Department of Revenue and Taxation for the purpose of funding the agency's Transaction Processing System.

Section 2. Unused Appropriation. Funds not expended pursuant to the provisions of this Act, within one (1) year following the date of enactment, shall no longer be available to the Department of Revenue and Taxation. Such funds shall become available for future appropriations by *I Liheslaturan Guåhan.*

Section 3. Reporting Requirement. The Director of the Department of Revenue and Taxation shall submit a report to *I Maga'låhen Guåhan* and *I Liheslaturan Guåhan,* no later than One Hundred Eighty (180) days following enactment of this Act, detailing all transactions pertaining to funds appropriated herein.

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

Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Tuesday May 14, 2013
Bill No. 95
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
MICHAEL ARCANGEL	c/o GPD	475-8540	michael.arcangel@gpd.guam.gov	✓		YES
CARL DOMINGUEZ	DPW	646-3131	carl.dominguez@dpw.guam.gov	✓	✓	YES
Arthur Clark	OOG	475-9370			✓	Yes
Tony BLAZ	DOA	4751232		✓		Yes
Paul SUBA	GPD	797-1480				YES
LT. ARCANGEL II FOR CHIEF BORDALLO				✓		YES

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net

Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Tuesday May 14, 2013
Bill No. 95
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
John Camacho	DRT			✓	✓	yes
MARTIN MENAVENTE	GMC				✓	YES

324 W. Soledad Ave. Hagatna, Guam 96910
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GUAM POLICE DEPARTMENT

DIPÅTTAMENTON POLISIAN GUAHAN

Government of Guam

Bldg. 13-16A Mariner Avenue, Tiyan
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P.O. Box 23909 Barrigada, Guam 96921
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Fax: (671) 472-4036

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

FRED E. BORDALLO, JR.
Chief of Police

MAURICE J.Q. SAYAMA, Colonel
Police Commander

WRITTEN TESTIMONY
OF
FRED E. BORDALLO, JR.
Chief of Police, Guam Police Department
Re: BILL 95-32(COR)

"An Act to Appropriate the Sum of Three Million One Hundred Thousand Dollars ($3,100,000.00) Escheated to the General Fund, Pursuant to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam Obligations."

For: The Honorable Vicente C. Pangelinan, Chairperson; and Members,
Committee on Appropriations, Public Debt, Legal Affairs, Public Parks,
Recreation, Historic Preservation & Land

Buenas Yan Hafa Adai! On behalf of the men and women of the Guam Police Department (GPD), I wish to express my full support for Bill 95-32(COR).

Section 1(d) of the Bill proposes to appropriate Four Hundred Thousand Dollars ($400,000.00) to the Guam Police Department (GPD) for the purchase of completely marked police vehicles. This appropriation would certainly address our current need for vehicles and will be an addition to the limited number of vehicles in service now. For too long now, the Guam Police Department has had to endure the strain of providing enough working police vehicles to patrol our neighborhoods and respond to calls for service, often falling short of the number required. Too often, patrol officers have been doubling up in a vehicle due to the lack of working vehicles, which can often affect our response time to calls. The availability of an adequate number of vehicles will surely provide better coverage of our villages and streets, which translates to a greater deterrence to criminal activity and improved response. This is the much-needed "shot in the arm" that the department needs to recover from the loss of vehicles experienced due to crashes and survey. Our current fleet is comprised of vehicles purchased as far back as 2004, and our most recent purchase came in 2010. Patrol vehicles should be cycled out at least every 3 years, due to wear and tear from being driven practically 24 hours a day, 7 days a week, all year long.

On behalf of the hardworking staff and employees of the Guam Police Department, we thank you for your continued effort to support the needs of GPD and the opportunity to testify in favor of this Bill. *Dangkulo Na Si Yu'os Ma'ase!*

FRED E. BORDALLO, JR.
Chief of Police

cc: Speaker, 32nd Guam Legislature
Vice Speaker, 32nd Guam Legislature
FEB:scr

Department of Administration
(DIPATTAMENTON ATEMENSTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)
Post Office Box 884 Hagatña, Guam 96932
Tel: (671) 475-1101/1250 - Fax: (671) 477-6788

Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

Benita A. Manglona
Director
Anthony C. Blaz
Deputy Director

May 14, 2013

The Honorable Vicente C. Pangelinan
Chairman, Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic Preservation and Land
I Mina' Trentai Dos Na Liheslaturan Guåhan
324 W. Soledad Ave.
Hagatña, Guam 96910

RE: Bill 95-32

Buenas yan Håfa Adai Senator Pangelinan,

I would first like to thank *I Liheslaturan Guåhan* for the opportunity to comment on Bill 95-32.

> AN ACT TO APPROPRIATE THE SUM OF THREE MILLION ONE HUNDRED THOUSAND DOLLARS ($3,100,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, FOR THE PURPOSE OF SUPPORTING UNFUNDED GOVERNMENT OF GUAM OBLIGATIONS.

I understand the intent of Bill 95-32. The Department of Administration is in favor of the bill. This bill sets aside funds that will enable our government to: (a) enhance revenues by updating our real property tax assessments, (b) improve the Tiyan Parkway, (c) put more police vehicles on the streets of Guam, (d) improves the government-wide networks, and (e) improves our collection enforcement. In addition, *I Liheslaturan Guåhan* has the foresight to include a sunset provision.

The escheat laws have been on the books since 1976 for unclaimed checks and 1986 for dormant accounts. In practice, the funds are transferred to the general fund after the statute of limitation has been exhausted. The Division of Accounts became aware of and started the escheat process in fiscal year 2004. This bill would allow the government to dedicate that revenue stream to improve our revenues, infrastructure, and services.

We would like to remind *I Liheslaturan Guåhan* that it is our practice not to escheat these funds until the end of the fiscal year and after we have exhausted the statute of limitations which is a total of four years. This allows taxpayers to opportunity to come to our office and claim these funds. As such, the funds identified will not be available until the subsequent year.

The Department of Administration is strongly in favor of passing Bill 95-32.

Senseramente,

BENITA A. MANGLONA

The Honorable
Eddie Baza Calvo
Governor

The Honorable
Ray Tenorio
Lieutenant Governor

public works
DIPATTAMENTON CHE'CHO' PUPBLEKO
Carl V. Dominguez
Director
Jon "Jay" Rojas
Deputy Director

May 14, 2013

The Honorable Vicente "Ben" Pangelinan, Chairperson
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic Preservation and Land
I Mina'Trenta Dos Na Liheslaturan Guahan
Suite 101 Quan Building
324 W. Soledad Ave.
Hagåtña, Guam 96910

Buenas yan Hafa Adai, Mr. Chairman and Members of the Committee:

Thank you for giving the Department of Public Works the opportunity to review Bill 95-32, "An act to appropriate the sum of three million one hundred thousand dollars ($3,100,000) escheated to the general fund, pursuant to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, for the purpose of supporting unfunded Government of Guam obligations."

The DPW supports the bill to offer the amount of $500,000 for the acquisition of property for the Tiyan Parkway project. These funds are direly needed to begin the process of not only acquiring the required land, but also spawn the progress of gaining the appropriate GARVEE funding for this project, Hamburger Road, and Ypao Road.

The Department commends I Mina'Trenta Dos Na Liheslaturan Guahan and appreciates its support in building better roads.

On behalf of the DPW, I would like to thank you for the opportunity to provide our input on this proposed legislation. If you have any questions or require any additional information, please do not hesitate to contact me.

Si Yu'os Ma'ase,

Carl V. Dominguez
Director

Dipåttamenton Kontribusion yan Adu'ånå
DEPARTMENT OF
REVENUE AND TAXATION
GOVERNMENT OF GUAM Gubetnamenton Guåhan

EDDIE BAZA CALVO, Governor Maga'låhl
RAY TENORIO, Lt. Governor Tiñente Gubetnadot

JOHN P. CAMACHO, Acting Director
Actot Direktot
MARIE M. BENITO, Deputy Director
Segundo Direktot

The Honorable Senator Vicente (ben) Cabrera Pangelinan
Chairman
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

RE: BILL NO. 95-32(COR): AN ACT TO APPROPRIATE THE SUM OF THREE MILLION ONE HUNDRED THOUSAND DOLLARS ($3,1000,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO § 21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, FOR THE PURPOSE OF SUPPORTING UNFUNDED GOVERNMENT OF GUAM OBLIGATIONS.

Buenas Yan Saludas:

The Department of Revenue & Taxation (DRT) hereby submits written testimony regarding the aforementioned proposed legislation. DRT would like to thank the sponsors of this legislation for the following reasons:

1) DRT is currently conducting the Real Property Revaluations as required by law for the year 2013 and requires additional funding to complete said project. The $1,400,000 will be used to refine and insure arms-length data is collected so as to revalue properties to existing market models and conditions. The result should reap additional tax revenue without adjusting tax rates.

2) DRT has seen the passage of P.L. 31-135 known as the "*Cash Economy Act of 2011*" and can jump start the program with the designated $100,000 in this bill.

Should you have any concerns on this matter, feel free to contact me at 635-1815.

Senseramente,

JOHN P. CAMACHO
Director

COMMITTEE ON RULES

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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

Certification of

Waiver of

Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 123-32 (LS) - "AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM."** on June 17, 2013. COR hereby certifies that BBMR confirmed receipt of this request on May 29, 2013, 10:40 a.m.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill No. 123-32 (LS) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Rory J. Respicio

Senator Rory J. Respicio
Chairperson, Committee on Rules

June 17, 2013
Date

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

May 29, 2013

2013 MAY 29 AM 11:25

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. 120 – 127 (LS)

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,

Rory J. Respicio

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
120-32 (LS)	Frank B. Aguon, Jr., R.J. Respicio, T. C. Ada, Aline A. Yamashita, Ph.D., V. Anthony Ada, DennisG. Rodriguez,Jr., B. J.F. Cruz, T. R. Muña Barnes, Judith T. Won Pat, Ed.D.	AN ACT RELATIVE TO HONORING GUAM'S MEN AND WOMEN WHO HAVE COURAGEOUSLY AND SELFLESSLY SERVED OUR ISLAND PEOPLE AND OUR NATION IN THE WAR ON TERROR AND WHO HAVE MADE THE ULTIMATE SACRIFICE, THROUGH THE ESTABLISHMENT OF A FALLEN HEROES MONUMENT; THROUGH ADDING A NEW SUBSECTION §79601.2 TO CHAPTER 79, ARTICLE 6, TITLE 21, GUAM CODE ANNOTATED.
121-32 (LS)	Judith T. Won Pat, Ed.D., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF SEVEN HUNDRED THOUSAND DOLLARS ($700,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURPOSE OF FUNDING THE ACQUISITION OF SOFTWARE, MIGRATION, FIBER CONNECTION SECURITY, AND OTHER UPGRADES NECESSARY TO SUPPORT AND PROTECT THE GOVERNMENT OF GUAM'S COMPUTER SYSTEM AND NETWORK INFRASTRUCTURE.
122-32 (LS)	Judith T. Won Pat, Ed.D., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE GUAM POLICE DEPARTMENT FOR THE PURCHASE OF NEW POLICE VEHICLES.
123-32 (LS)	Judith T. Won Pat, Ed.D.,DennisG. Rodriguez,Jr., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.

COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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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

May 23, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill Nos. 121-32 through 126-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 121-32 through 126-32(LS)**.

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 Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
123-32 (LS)	Judith T. Won Pat, Ed.D., Dennis G. Rodriguez, Jr., T. R. Muña Barnes , R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.	5/23/13, 11:28am	5/23/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			

Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org> Tue, May 7, 2013 at 3:47 PM
To: PHrg Notice <phnotice@guamlegislature.org>

See corrected date.

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May **14,** 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bills, on the attached agenda please move your curser over the bill number. The following is on the agenda.

Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – Introduced by Senator Michael Limtiaco: An Act to Add a New Sub-Item (1) to 21 GCA §61103(q), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

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Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

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Yanggen un nisisita espesiåt na setbisio put fabot ågang i Ifisinan Senadot ben pangelinan gi 473- Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapåsi nu i fendon gubetnamento.

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[Quoted text hidden]

Office of
the People

I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

May 7, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – FIRST NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:00m** on **Tuesday, May 14, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Para Komfitmasion:
(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:
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Chairman
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Member
Committee on Education, Public Libraries and Women's Affairs

Member
Committee on General Government Operations and Cultural Affairs

Member
Committee on Municipal Affairs, Tourism, Housing and Hagåtña Restoration and Development Authority

Member
Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens

Member
Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations

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Website: http://senbenp.com

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As of April 23, 2013

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As of April 23, 2013

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org> Tue, May 7, 2013 at 3:22 PM
To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, Jon Anderson <editor@mvguam.com>, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,

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Lisa Dames

Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
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Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org> Fri, May 10, 2013 at 2:12 PM
To: PHrg Notice <phnotice@guamlegislature.org>

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May 7, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bill number, please move your curser over the bill number. The following is on the agenda.

Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

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As of April 23, 2013

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As of April 23, 2013

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Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org> Fri, May 10, 2013 at 2:10 PM
To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Mr. John Z. Arroyo, Member, Guam Land Use Commission

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Måttes, gi diha 14 gi Mayu, 2013)
Tuesday, May 14, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas dos gi despues di talo'åni
(2:00 PM)

TAREHA
(AGENDA)

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(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)
gi Måttes, gi diha 14 gi Måyu, 2013)
Tuesday, May 14, 2013
Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)
alas dos gi despues di talo'åni
(2:00 PM)
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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Mättes, gi diha 14 gi Mäyu, 2013
Tuesday, May 14, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas dos gi despues di talo'åni
(2:00 PM)

TAREHA
(AGENDA)

Para Komfitmasion:
(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:
(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – Introduced by Senator Michael Limtiaco: An Act to Add a New Sub-Item (1) to 21 GCA §61103(q), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 1NEW-1, Block No. 2, Tract 1427 located in the Municipalities of Barrigada and Dededo from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No 7, NEW, Block No. 1, Tract 1427 Located in the Municipalities of Tamuning, Tiyan From the Guam International Airport Authority to the Chamorro Land Trust Commission.

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Bill No. 100-32 (LS) – Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) – Introduced by Speaker Judith T. Won Pat: An Act to Appropriate the sum of Three Million One Hundred Thousand Dollars ($3,1000,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

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Yanggen un nisisita espesiåt na setbisio put fabot ågang i Ifisinan Senadot ben pangelinan gi 473-Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at office @senbenp.com

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

NOTISIAN PUPBLIKO
(PUBLIC HEARING)
gi Måttes, gi diha 14 gi Mayu, 2013
Tuesday, May 14, 2013
Kuattos Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)
sina dos gi dieputes di tatte'åm
(2:00 PM)

AREHA
(AGENDA)

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(Confirmation Hearing)

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(Bills)

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Kanggen un mensåhi espesiåt na settimento put tåtbot Atgang Dinirihan Senadot Ben Pangelinan gi 473-3207 pat Atgang Dinirihan Senadot Vicente (Ben) Cabrera Pangelinan gi 472-4236/7. Yanggen un nesesita kopian i palapalan ni mafa'nenggan guini, hafa na tinilaika, hafatan gi i uebsait i Liheslaturan Guåhan gi http://www.guamlegislature.com/. Yanggen un tåi ha' fan na'hongge i guihu, siempre para i fasinan-ma'åse gi 324 West Soledad Avenue gi iya Hagåtña, pat guaha gi i Kuattos Kattan gi I Liheslaturan, pat fanlak gi 472-4238, pat para i imel ni mailto:office@senbenp.com. Este na notisia, mafa'si nu i fendon gubetnamento.

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO
(*PUBLIC* HEARING)

***gi Måttes, gi diha 14 gi Måyu*, 2013**
Tuesday, May 14, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas dos gi despues di talo'åni
(2:00 PM)

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I Mina'trentai Dos na Liheslaturan Guåhan
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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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www.senbenp.com

COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • *www.guamlegislature.com*
E-mail: *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

May 29, 2013

2013 MAY 29 AM 11:25

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. 120 – 127 (LS)

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,

Rory J. Respicio

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
120-32 (LS)	Frank B. Aguon, Jr., R.J. Respicio, T. C. Ada, Aline A. Yamashita, Ph.D., V. Anthony Ada, DennisG. Rodriguez,Jr., B. J.F. Cruz, T. R. Muña Barnes, Judith T. Won Pat, Ed.D.	AN ACT RELATIVE TO HONORING GUAM'S MEN AND WOMEN WHO HAVE COURAGEOUSLY AND SELFLESSLY SERVED OUR ISLAND PEOPLE AND OUR NATION IN THE WAR ON TERROR AND WHO HAVE MADE THE ULTIMATE SACRIFICE, THROUGH THE ESTABLISHMENT OF A FALLEN HEROES MONUMENT; THROUGH ADDING A NEW SUBSECTION §79601.2 TO CHAPTER 79, ARTICLE 6, TITLE 21, GUAM CODE ANNOTATED.
121-32 (LS)	Judith T. Won Pat, Ed.D., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF SEVEN HUNDRED THOUSAND DOLLARS ($700,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURPOSE OF FUNDING THE ACQUISITION OF SOFTWARE, MIGRATION, FIBER CONNECTION SECURITY, AND OTHER UPGRADES NECESSARY TO SUPPORT AND PROTECT THE GOVERNMENT OF GUAM'S COMPUTER SYSTEM AND NETWORK INFRASTRUCTURE.
122-32 (LS)	Judith T. Won Pat, Ed.D., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE GUAM POLICE DEPARTMENT FOR THE PURCHASE OF NEW POLICE VEHICLES.
123-32 (LS)	Judith T. Won Pat, Ed.D.,DennisG. Rodriguez,Jr., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.

124-32 (LS)	Judith T. Won Pat, Ed.D., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF ONE MILLION FOUR HUNDRED THOUSAND DOLLARS ($1,400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING REAL PROPERTY REVALUATION
125-32 (LS)	Judith T. Won Pat, Ed.D., T. C. Ada, T. R. Muña Barnes, R.J. Respicio, Chris M.Dueñas	AN ACT TO APPROPRIATE THE SUM OF FIVE HUNDRED THOUSAND DOLLARS ($500,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSE OF FUNDING THE ACQUISITION OF PROPERTY FOR THE TIYAN PARKWAY PROJECT.
126-32 (LS)	Judith T. Won Pat, Ed.D., T. C. Ada, T. R. Muña Barnes, R.J. Respicio, Chris M.Dueñas	AN ACT TO APPROPRIATE UNEXPENDED FUNDS ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, FOR THE PURPOSE OF FUNDING PRINCIPAL AND INTEREST OBLIGATIONS PURSUANT TO THE GUAM FEDERATION OF TEACHERS V. GOVERNMENT OF GUAM, ET. AL., SUPERIOR COURT CASENO. SP 0009-07.
127-32 (LS)	Judith T. Won Pat, Ed.D., T. R. Muña Barnes, R.J. Respicio, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED THOUSAND DOLLARS ($100,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF SUPPORTING THE OBJECTIVES OF P.L. 31- 135, ALSO KNOWN AS THE "CASH ECONOMY ENFORCEMENT ACTOF 2011"

OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR
COMMITTEE ON TOURISM, MUNICIPAL AFFAIRS, HOUSING AND RECREATION

COMMITTEE ON TAXATION, APPROPRIATIONS, PUBLIC DEBT, BANKING, INSURANCE, RETIREMENT AND LAND

COMMISSIONER
GUAM COMMISSION ON DECOLONIZATION

GUAM FIRST COMMISSION

VICE PRESIDENT
ASSOCIATION OF PACIFIC ISLAND LEGISLATURES (APIL)

BOARD MEMBER
PACIFIC RESOURCES FOR EDUCATION AND LEARNING (PREL)

LEGISLATIVE REPRESENTATIVE
PACIFIC ISLAND DEVELOPMENT BANK (PIDB)

FESTIVAL OF THE PACIFIC ARTS (FESTPAC)

May 24, 2013

MEMORANDUM

2013 MAY 24 PM 9:07

To: Honorable Tina Rose Muna –Barnes
Legislative Secretary, 32nd Guam Legislature

From: Speaker Judith T. Won Pat, Ed.D.

Subject: Waiver of Public Hearing

I respectfully request that the public hearing requirement for the following bills be waived pursuant to Section 2103(a) of 2GCA:

1. Bill no. 121-32 (LS)
2. Bill no. 122-32 (LS)
3. Bill no. 123-32 (LS)
4. Bill no. 124-32 (LS)
5. Bill no. 125-32 (LS)
6. Bill no. 127-32 (LS)

The subject matter contained in Bill nos. 121-32 (LS), 122-32 (LS), 124-32 (LS), 125-32 (LS) and 127-32 (LS) were publicly heard as items contained in Bill no. 95-32 (COR) during a hearing conducted on May 14, 2013 by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land (Committee).

A record of the public hearing proceedings for Bill no. 95-32 (COR) is available in the Committee Report submitted by the Committee to the Committee on Rules and the Clerk of the Legislature on May 23, 2013.

The subject matter contained in Bill no. 123-32 (LS) was publicly heard as an item contained in Bill no. 97-32 (LS) during a public hearing conducted on May 14, 2013 by the same committee referenced above.

Your favorable response to this request is appreciated. Please do not hesitate to contact me at 472-3586/7.

Senseramente,

Judith T. Won Pat, Ed.D.
Speaker

cc: Clerk of the Legislature

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
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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

May 23, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill Nos. 121-32 through 126-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 121-32 through 126-32(LS)**.

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
2013 (FIRST) Regular Session

Bill No. 123-32(LS)

Introduced by: Judith T. Won Pat, Ed.D.
D.G. Rodriguez, Jr.
Tina R. Muna-Barnes
R.J. Respicio
C.M. Duenas

2013 MAY 23 AM 11:28

AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS ($400,000.00) ESCHEATED TO THE GENERAL FUND, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PURPOSE OF FUNDING THE AGENCY'S TRANSACTION PROCESSING SYSTEM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Appropriation. Notwithstanding any other provision of law, the sum of Four Hundred Thousand Dollars ($400,000.00) escheated to the General Fund at the end of Fiscal Year 2012 and is available for appropriations in Fiscal Year 2013, pursuant to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, is hereby appropriated to the

Department of Revenue and Taxation for the purpose of funding the agency's Transaction Processing System.

Section 2. Unused Appropriation. Funds not expended pursuant to the provisions of this Act, within one (1) year following the date of enactment, shall no longer be available to the Department of Revenue and Taxation. Such funds shall become available for future appropriations by *I Liheslaturan Guåhan.*

Section 3. Reporting Requirement. The Director of the Department of Revenue and Taxation shall submit a report to *I Maga'låhen Guåhan* and *I Liheslaturan Guåhan,* no later than One Hundred Eighty (180) days following enactment of this Act, detailing all transactions pertaining to funds appropriated herein.

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