

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 |
|--------------------|--------------------------|---|-----------------|---------------|--|---------------------|-----------------------------|--|
| 100-32 (LS) | Judith T. Won Pat, Ed.D. | 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. | 4/26/13, 5:11pm | 4/26/13 | Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land | 5/14/13, 2:00pm | 06/17/13 9:22 a.m. | Fiscal Note Requested 4/30/13 Fiscal Notes WAIVER Received 5/31/13 8:43a.m. |



I Mina'trentai Dos na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

JUN 14 2013

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'trentai Dos Na Liheslaturan Guahan

155 Hesler Place

Hagatña, Guam 96910

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 100-32 (LS), as introduced

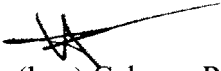
Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 100-32 (LS), as introduced, "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 Reserve Fund", 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
2 TO REPORT OUT ONLY
0 TO ABSTAIN
0 TO PLACE IN INACTIVE FILE

Si Yu'os Ma'ase'


Vicente (ben) Cabrera Pangelinan
Chairman

2013 JUN 17 AM 9:22


324 W. Soledad Ave. Suite 100, Hagatña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

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
Hagatña 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
ON**

Bill No. 100-32 (LS), As Introduced

Sponsored 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 Reserve Fund.**



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JUN 14 2013

MEMORANDUM

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. 100-32 (LS), as introduced


Transmitted herewith for your consideration is the Committee Report on Bill No. 100-32 (LS), as introduced, "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 Reserve Fund", sponsored by Speaker Judith Won Pat.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 100-32 (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. 100-32 (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

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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


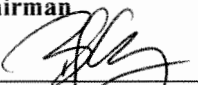

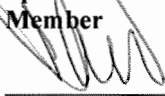
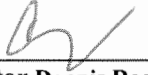

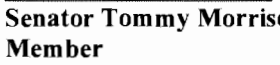
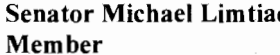
Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

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

Bill No. 100-32 (LS): 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 Reserve Fund

| Committee Members | To Pass | Not To Pass | Report Out Only | Abstain | Inactive File |
|---|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
|  Senator Vicente (ben) Cabrera Pangelinan Chairman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Vice Speaker BJ Cruz Vice Chairperson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Speaker Judith T. Won Pat Member | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Senator Tina Rose Muña-Barnes Member | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Senator Dennis Rodriguez, Jr. Member | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Senator Michael San Nicolas Member | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Senator Tommy Morrison Member | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Senator Michael Limtiaco Member | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

6/14/13

6/17



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 100-32 (LS): 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 Reserve Fund.

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
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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

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on May 14, 2013 at 2:00pm 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 Pangelinan, Chairperson
Vice Speaker Benjamin J.F. Cruz, Vice Chairperson
Speaker Judith T. Won Pat, Member
Senator Tina Rose Muna Barnes, Member
Senator Dennis G. Rodriguez, Jr., Member
Senator Michael F.Q. San Nicolas, Member
Senator Michael Limtiaco, Member
Senator Thomas Morrison, Member
Senator Frank Aguon, Jr
Senator Tom Ada
Senator Aline Yamashita
Senator Tony Ada
Senator Chris Duenas

(b) Appearing before the Committee

Mr. Anthony Blaz, Deputy Director, Department of Administration
Mr. John Camacho, Director, Department of Revenue and
Taxation

(c) Written Testimonies Submitted

Mr. Anthony Blaz, Deputy Director, Department of Administration

II. COMMITTEE PROCEEDINGS

Chairman Vicente Pangelinan: I would like to go ahead and have the author of Bill 100, Speaker Won Pat to make comments about the bill. I have Mr. Anthony Blaz and Mr. John Camacho that are also here to testify on Bill 100. Speaker Won Pat?

(a) Bill Sponsor Summary

Speaker Won Pat.: Thank you very much. Bill No. 100 basically is requiring that the deposit of any unclaimed or unpaid tax refund checks would go into the Income Tax Refund Reserve Fund, which currently exists. In Section 2116 of 5 GCA, it provides that any and all checks, which shall have been unclaimed or outstanding for more than three years from the date of audit, shall be paid into the Treasurer as revenue of the general fund this particular bill has yet to be escheated into the government. Bill 100 also recognizes that efforts continue to be made by Governor Calvo and his administration to distribute 6,000 unclaimed tax refund checks worth approximately \$19 million dollars. As of May 7th, 2013, only 429 checks worth approximately \$484,000 were claimed.

Bill No. 100 seeks to do three things: (1) to capture unclaimed tax refund checks beginning with those checks that will escheat to the government of Guam beginning at the end of fiscal year 2013; (2) it will also authorize that such tax refund checks be deposited into the Income Tax Reserves Fund to help pay out future tax refunds and (3) to help the government of Guam comply with the District Court's order to pay out tax refunds within six months from the date of the filing. October 15, 2013 is the deadline to pay tax refunds to tax payers who filed on April 15, 2013 and whose paper work are clear of questions. This concept or law is in existence and was passed by the past Legislature in July 20, 1960. In Sections 21116 of 5 GCA Chapter 21, it would add a new (e), which will be the same language as (d) except that it will single out tax refunds. Thank you very much Mr. Chairman.

Chairman Vicente Pangelinan: Thank you very much Madam Speaker. Mr. Blas and Mr. Camacho once again, please identify yourself for the record and provide your testimony.

(b) Testimony

1. Mr. Anthony Blaz, Deputy Director, Department of Administration

Mr. Anthony Blaz: Thank you Mr. Speaker and members of the committee. My name is Tony Blaz and I'm the Deputy Director of the Department of Administration. I'm here to provide testimony on Bill 100-32. Again, Thank you for the opportunity to comment on this Bill, 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.

[read testimony verbatim; see attached]

Chairman Vicente Pangelinan: Thank you very much Mr. Blaz. Mr. Camacho.

2. Mr. John Camacho, Director, Department of Revenue and Taxation

Mr. John Camacho: Again, thank you Senators for allowing me this opportunity to do an oral testimony on Bill 100, which requires the unclaimed refund checks after a period of 4 years to be recorded under the Income Tax Reserve Fund to help alleviate the refunds for the year. This will alleviate the refunds for the appropriate year. I see that as a plus for this Government and the Department of Revenue and Taxation fully supports this bill.

Chairman Vicente Pangelinan: Thank you very much Mr. Camacho. Speaker Won Pat did you have any more questions?

Speaker Won Pat: Just one question, I know that I gave the figure from May 7th and the dollar amount is different so you have distributed \$646...

Mr. Anthony Blaz: \$646, Madam Speaker - 601 checks and as of today we have \$626,491.02 is what we have now.

Speaker Won Pat: And the date was as of yesterday?

Mr. Anthony Blaz: As of yesterday, I'm sorry. Today, we're just doing the processing so at the end of the day, we'll have more specifics.

Speaker Won Pat: And what is the balance now?

Mr. Anthony Blaz: I think the balance is ... One of my staff might have the number real quick - \$12,872,748.05.

Speaker Won Pat: These have yet to be escheated to the government and I know you said a 4-year period. Prior to this, what has happened to these monies? Prior to now with what Bill 100 intends to do. So let's take it back 4 years...

Mr. Anthony Blaz: In fiscal year 2009, any escheatment for the current one, we only escheat up until the end of the fiscal year. So whatever the amount that's stale-dated, you have one year first and then you have three years to claim. At the end of the fiscal year that amount will be escheated into the Treasurer.

Speaker Won Pat: Has there been any cases where after it has been escheated to the government that claimants will come to the government?

Mr. Anthony Blaz: There have been a few instances when people will come back, but it's very rare. The unclaimed ones in the list came out, before that it's very rare. For example, when you

file a tax refund, people want to get their tax refund, so there's an incentive to go and get it for up to four years.

Speaker Won Pat: This law has been existence since 1960's.

Mr. Anthony Blaz: 1976.

Speaker Judith Won Pat: So that means that every year - 4 years after - those unclaimed checks have been escheated to the government of Guam. My next question is that for this particular fiscal year, has any of these monies been factored in as part of revenues to be used by the government of Guam for appropriation?

Mr. Anthony Blaz: Currently, we have \$3,167,000 right now in one of the accounts escheated for unclaimed funds and I believe the amount is \$3.167 and that amount is escheated for the fiscal 2013 appropriation. The opportunity is available. I know one of our staff is reviewing one of their accounts and is working with the OFB to provide information on the specifics that especially with budgetary issues, we have to make sure that those items are given to your office as well.

Chairman Vicente Pangelinan: Thank you very much Madam Speaker. Senator Muna Barnes.

Senator Muna Barnes: Thank you Mr. Chair, as a follow up question; the commitment of the Administration is to publish the unclaimed tax returns. Since that publication - I know you have three lists up to date and you have one more coming...

-

Mr. Anthony Blaz: No, we sent the three listings from A-Z.

Senator Muna Barnes: With those publications, have there been any constituents coming back to claim.

Mr. Anthony Blaz: Yes, as of yesterday we had 600 people that came out for a total of 626 for one month. At the beginning when they first made the announcement, a bunch of people were at DOA; about 154 were there on the first day. After that it started to taper down to 90 and 91 and yesterday we only had 32. So we're trying to encourage people, it's on the DOA website, the Governor's website, and DRT website, it's in gas stations and other public places for people to have the opportunity to take care of the refunds.

Chairman Vicente Pangelinan: Senator Tom Ada, Senator Limtiaco, Senator Rodriguez, and Senator Chris Duenas. Thank you very much and Si Yu'os Ma'ase for your testimony this afternoon.

This concludes the testimony on Bill No. 100-32. 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.



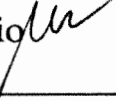
III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriation, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 100-32 (COR), as introduced with the recommendation To Pass.

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

Bill No. 100-32(15)

Introduced by:

Judith T. Won Pat, Ed.D. 
Tina R. Muna-Barnes 
R.J. Respicio 

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.

2013 APR 26 PM 5:11


1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*
3 finds that *I Maga'låhen Guåhan* recently ordered the publication of a list of
4 individuals that have not claimed their tax refund checks in an effort to
5 distribute over 6,000 checks that remain unclaimed. A number of these
6 checks date back to 2009. Although policies of the Internal Revenue
7 Service do not require the publication of unclaimed tax refund checks, *I*
8 *Liheslatura* finds that it is *I Maga'låhen Guåhan's* desire that such checks be
9 returned to their rightful owners. *I Liheslaturan Guåhan* finds, however,
10 that despite efforts to return unclaimed tax refund checks, there might be

1 instances where some of these checks continue to remain unclaimed.
2 Under such circumstances, Guam law requires that unclaimed or unpaid
3 tax refund checks, which remain unclaimed or outstanding for more than
4 three years from the date of audit, shall be paid into the Treasury as
5 revenue of the General Fund.

6 It is the intent of *I Liheslaturan Guåhan*, however, that unclaimed or
7 unpaid tax refund checks do not become a part of the General Fund. *I*
8 *Liheslatura* further intends that such checks remain available as a funding
9 source for future tax refund payments.

10 **Section 2. Unclaimed or Unpaid Tax Refund Checks.** A new item
11 (e) is hereby added to §21116 of Chapter 21, Division 2, Title 5, Guam Code
12 Annotated, to read:

13 **"§ 21116. Unclaimed or Unpaid Checks.**

14 (a) Upon audit caused by the Director of Administration, the
15 amounts of all government of Guam checks or drafts which shall have been
16 unclaimed or outstanding for more than one year from the respective dates
17 thereof, shall be accounted for separately and a record made of each such
18 check or draft.

19 (b) All such unclaimed checks or drafts shall be cancelled as of the
20 date of the audit. Upon demand by the lawful claimant thereof within three
21 years after such cancellation, the Director of Administration shall issue a
22 new check or draft in lieu thereof.

1 (c) Upon presentation of any such outstanding check or draft within
2 three years of the date of audit thereof to the Director of Administration by
3 the lawful holder thereof, the Director shall cancel the check or draft so
4 presented and issue a new check or draft in lieu thereof.

5 (d) The amounts of all checks or drafts which shall have been
6 unclaimed or outstanding for more than three years from the date of audit
7 shall be paid into the Treasury as revenue of the General Fund.

8 (e) Any and all tax refund checks, which shall have been unclaimed
9 or outstanding for more than three years from the date of audit shall be
10 deposited into the *Income Tax Refund Reserve Fund* established pursuant to
11 Chapter 50 of 11GCA, and shall be expended in accordance with §50105 of
12 11GCA."

13 **Section 3. Effective Date.** This Act shall be effective upon
14 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. 100

SIGN UP SHEET

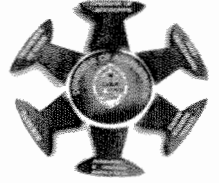
| NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | SUPPORT | |
|--------------|---------|-------|-------|---------|------|---------|----|
| | | | | | | Yes | No |
| Anthony BLAZ | DOA | | | ✓ | | Yes | |
| John Camacho | DRT | | | | ✓ | Yes | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |



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 100-32

Buenas yan Håfa Adai Senator Pangelinan,

I would first like to thank *I Liheslaturan Guåhan* for the opportunity to comment on Bill 100-32.

AN ACT TO ADD A NEW ITEM (e) TO 521116 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.

I understand the intent of Bill 100-32. The Department of Administration is in favor of the bill. The Department and this Administration has always prioritized the payment of tax refunds. We appreciate *I Liheslaturan Guåhan* foresight to enable the Administration to use the escheated money to pay for tax refunds.

The Department, through the Proa Newsletter, has released a listing of all unclaimed tax refunds. As of yesterday, we have processed \$646,491.02 reissued unclaimed tax refunds and we continue to process. The total eligible for escheatment will be reduced as taxpayers continue to come make a claim at the Department.

But this Administration has worked hard to exhaust all opportunities to get these funds back to the rightful owners. Governor Calvo is committed to paying tax refunds by ordering that the Department issue a listing of all unclaimed tax refunds. The Governor is committed to doing this on a yearly basis. We want our people to know is that there is no law in Guam's books that require the Department of Administration to publish the listing of unclaimed tax refunds. The Government could have just escheated the funds after the four (4) year period. **But we didn't.** We decided to give that money back to their rightful owners by informing the public through various media outlets.

The Department of Administration is strongly in favor of passing Bill 100-32. This will allow us to dedicate more funding to getting out the tax refunds. This has been the Administration's goal since the beginning and we will support any measure that will allow us to pay tax refunds.

Senseramente,


BENITA A. MANGLONA



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR


RAY TENORIO
LIEUTENANT GOVERNOR

MAY 29 2013

The Bureau requests that Bill No. 100-32 (LS) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The proposed legislation would require unclaimed or unpaid tax refund checks to be deposited into the Income Tax Refund Reserve Fund. Unclaimed tax refund checks remain as liability. Any unclaimed checks deposited into the Tax Refund Reserve Fund will not be new revenues.

The intent of the Bill is administrative in nature, as submitted for Legislative consideration.


JOHN A. RIOS
Director





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

April 26, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 100-32(LS)**

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 100-32(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 Guahan
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES |
|--------------------|--------------------------|---|------------------------|----------------------|--|----------------------------|------------------------------------|---------------------|
| 100-32 (LS) | Judith T. Won Pat, Ed.D. | 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. | 4/26/13, 5:11pm | 4/26/13 | Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land | | | |



Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Tue, May 7, 2013 at 3:47 PM

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 cursor 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)

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

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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

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

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:

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(Confirmation Hearing)

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(Bills)

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Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

Memo to Senators
May 14, 2013
Page 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 - 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 Ngirairiki <odngirairiki@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Lisa Dames

Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
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 **Agenda_051413-2.pdf**
161K



Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, May 10, 2013 at 2:12 PM

Hafa Adai,

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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.****Bill No. 89-32 (COR) – Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.****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.****Bill No. 97-32 (LS) – Introduced by Senator Dennis Rodriguez: An Act to Appropriate Available Funds from the**


Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

Bill No. 79-32 (COR) – Introduced by Speaker Judith Won Pat: An Act to Amend §106119(K) of Chapter 106, Title 11, Guam Code Annotated, Relative to Authorizing the Transfer of Dormant and Unclaimed Bank Account Funds from the Treasurer of Guam to the Guam Housing Corporation's Housing Trust Fund.

Yanggen un nisisita espesiåt na setbision, 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 Kwatton 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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Lisa Dames
Chief of Staff
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
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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

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Hafa Adai,

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(Confirmation Hearing)

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

Priniponi Siha:

(Bills)

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Lisa Dames
Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan

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

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I Mien'brean Daa ni Liberdadnan Gudhan
32nd GUAM LEGISLATURE
Senate Vice President (Sen.) Gabriela Pangestuan
Committee on Appropriations, Public Debt, Legal Affairs,
Recreation, Public Parks, Recreation, Economic
Promotion, and Land

MEKUNDA PUBLIHO
(PUBLIC HEARING)

gi Mirman, gi dha 14 gi Mien, 2013
Tuesday, May 14, 2013

Kulhan Indangan Pughaha gi Liberdadnan Gudhan
(Guam Legislature Public Hearing Room)

ala dha gi dha 14 gi Mien
(2:00 PM)

TWIGA
(2:00 PM)

Pan Kamban
(Confirmation Hearing)

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

Panpan 2013
(2:00 PM)

SB No. 10-27 (2013) - Introduced by Senator Tina Ware Barnes. An Act to Amend Lot No. 3, Tract 1462, in the Municipality of Arrigoite from Single-Family Dwelling (S-1) to Multiple Family Dwelling (M-2).

SB No. 10-28 (2013) - Introduced by Senator Michael Carlucci. An Act to Add a New Sub-Item (S) to 21 GCR 100121(a), Relative to Defining a Bed and Breakfast, to Amend 21 GCR 100121, 21 GCR 100122, and 21 GCR 100127, Relative to Adding a Bed and Breakfast to the List of Uses Permitted and Conditions that Apply to an S-1, S-2 and Commercial Zone.

SB No. 10-29 (2013) - Introduced by Senator Vicente Pangestuan. An Act Relative to Transfer of the Title of Ownership of Lot No. 1024-C, Block No. 2, Tract 1427 located in the Municipality of Arrigoite and Include from the Guam International Airport Authority to the District Land Trust Commission.

SB No. 10-30 (2013) - Introduced by Senator Vicente Pangestuan. An Act Relative to Transfer of the Title of Ownership of Lot No. 7, Block No. 1, Tract 1427 Located in the Municipality of Arrigoite, from from the Guam International Airport Authority to the District Land Trust Commission.

SB No. 10-31 (2013) - Introduced by Speaker Michael San Nicolas. An Act to Add a New Article 17 to Chapter 21, Title 2, Guam Code Annotated, Relative to the Responsible Reserve Fund.

SB No. 10-32 (2013) - Introduced by Speaker Judith Weir Pal. An Act to Add a New Item (j) to 21GCR 100121 of Chapter 21, Division 2, Title 2, Guam Code Annotated, Relative to Requiring the Deposit of Declared or Impact Fee Refund Checks into the Income Tax Refund Reserve Fund.

SB No. 10-33 (2013) - Introduced by Speaker Judith Weir Pal. An Act to Appropriately the sum of Five Million One Hundred Thousand Dollars (\$5,000,000.00) allocated to the General Fund, pursuant to 21GCR 100121 of Chapter 21, Division 2, Title 2, Guam Code Annotated, for the Purpose of Supporting Funded Government of Guam obligations.

SB No. 10-34 (2013) - Introduced by Senator Dennis Hontela. An Act to Appropriately Allocate Funds from the State/territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment needed by the Department of Public Works for Road Mitigation and Fund the Department of Revenue and Taxation's Revenue Processing System.

SB No. 10-35 (2013) - Introduced by Speaker Judith Weir Pal. An Act to Amend 21GCR 100121, of Chapter 21, Title 2, Guam Code Annotated, Relative to Authorizing the Transfer of Revenue and Inclusion into Annual Funds from the Department of Guam to the Guam Housing Corporation's Housing Trust Fund.

Respectfully, we invite you to attend the public hearing. Hearing material can be obtained at the Department of Public Works, 1000 G. D. R. Road, Agaña, Guam. For more information, please call the Department of Public Works at 671-4777. For copies of any of the bills listed on this agenda, call 671-4777 or go to the Guam Legislature's website at www.guamlegis.gov. Information may be obtained from 7-888 office at 671-4777. For more information, please call the Office of the Clerk of the Guam Legislature at 671-4777. It is the goal of the Legislature to be accessible to all.

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1 Muna'trentar 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 Mäyu, 2013
Tuesday, May 14, 2013**

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

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

**TAREHA
(AGENDA)**

**Para Komfitmasion:
(Confirmation Hearing)**

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

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(Bills)**

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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 Hagätña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at office@senbenp.com



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

**INEKUNGOK PUPBLÉKO
(PUBLIC HEARING)**

**gi Máttes, gi diha 14 gi Máyu, 2013
Tuesday, May 14, 2013**

**Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)**

**alas dos gi despues di talo'áni
(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 561103(q), Relative to Defining a Bed and Breakfast; to Amend 21 GCA 561305, 21 GCA 561306, and 21 GCA 561307, 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.

Bill No. 89-32 (COR) – Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (LS) – Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to 521116 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 521116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

Bill No. 97-32 (LS) – Introduced by Senator Dennis Rodriguez: An Act to Appropriate Available Funds from the Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation's Transaction Processing System.

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This ad paid with government funds.



I Manu'uretan Dos na Liberdadnan Guahan
12th GUAM LEGISLATURE
Senator Vicente (Dick) Cabrera Fungelinan
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Housing,
Preservation, and Land

NOTICE OF PUBLIC HEARING

of SENATOR VICTENTE (DICK) CABRERA FUNGELINAN
Tuesday, May 14, 2013

Public Hearing Pursuant to 4 Guam Administrative Code
(Guam Legislature Public Hearing Rules)

and the 4th Chapter of Title 26
(26 CFR)

10:00 AM
(GMT+10)

Any Contributor
(Contributor Hearing)

Dr. John C. Brown, Member, Guam Land Use Commission

Subject: 26C

(26C)

Bill No. 11-01 (2013) - Introduced by Senator Tom Mingo Garcia. An Act to Amend Title 26, Chapter 26C, of the Municipality of San Roque from Single Family Dwelling (26C) to Multiple Family Dwelling (26C).

Bill No. 10-02 (2013) - Introduced by Senator Wilfredo Lujan. An Act to Add a New Section (26C) to 26 CMC (26C012), Relative to Defining a Sub and Subsection to Amend 26 CMC (26C015), 26 CMC (26C016), and 26 CMC (26C017), Relative to Adding a Sub and Subsection to the List of Uses Permitted and Conditional Uses Allowed in an R1, R2 and Conditional Zone.

Bill No. 10-03 (2013) - Introduced by Senator Vicente Fungelinan. An Act Relative to Transfer of the Title of Ownership of Lot No. 100000000, Block No. 2, Tract 1027 located in the Municipality of San Roque and Located from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 10-04 (2013) - Introduced by Senator Vicente Fungelinan. An Act Relative to Transfer of the Title of Ownership of Lot No. 7, Block No. 1, Tract 1027 located in the Municipality of San Roque, from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 10-05 (2013) - Introduced by Senator Wilfredo Lujan. An Act to Add a New Article 17 to Chapter 26, Title 2, Guam Code Annotated, Relative to the Municipality of San Roque.

Bill No. 10-06 (2013) - Introduced by Senator Justin T. Moya. An Act to Add a New Section 26C012 to Chapter 26, Division 2, Title 2, Guam Code Annotated, Relative to Establishing the Department of Municipal and Natural Climate and the Income Tax Related Revenue Fund.

Bill No. 10-07 (2013) - Introduced by Senator Justin T. Moya. An Act to Appropriately Allocate the sum of Three Million Two Hundred Thousand Dollars (\$3,200,000.00) Contained in the Special Fund, pursuant to Section 4 of Chapter 26, Division 2, Title 2, Guam Code Annotated for the Purpose of Supporting Continued Development of Guam's Agriculture.

Bill No. 10-08 (2013) - Introduced by Senator Vicente Fungelinan. An Act to Appropriately Allocate Funds from the Guam National Highway Fund to Construct and Preserve Certain Capital Improvement Projects, Purchase Heavy Equipment Owned by the Department of Public Works for Road Mitigation and Fund the Department of Justice and Secretary's Signature Financing System.

Bill No. 10-09 (2013) - Introduced by Senator Justin Moya. An Act to Amend Section 26C012, of Chapter 26, Title 2, Guam Code Annotated, Relative to Authorizing the Transfer of Certain and Unclaimed State Account Funds from the Treasurer of Guam to the Guam Housing Corporation's Housing Trust Fund.

Notwithstanding to whom it may be referred, any bill or resolution introduced in the Legislature shall be referred to the appropriate committee for its consideration. The committee may report thereon to the Legislature with or without amendments, and may also report thereon with or without recommendations. The committee may also report thereon with or without recommendations. The committee may also report thereon with or without recommendations. The committee may also report thereon with or without recommendations.

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The Act Passed with Government Funds



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

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(Guam Legislature Public Hearing Room)

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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

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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

Memorandum

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

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the waiver for the bill numbers listed below.
Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTE:
Bill No. 101-32(LS)

WAIVER:
Bill No. 100-32(LS)

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

Si Yu'os ma'åse'!

2013 MAY 31 AM 8:43

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR


RAY TENORIO
LIEUTENANT GOVERNOR

MAY 29 2013

The Bureau requests that Bill No. 100-32 (LS) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The proposed legislation would require unclaimed or unpaid tax refund checks to be deposited into the Income Tax Refund Reserve Fund. Unclaimed tax refund checks remain as liability. Any unclaimed checks deposited into the Tax Refund Reserve Fund will not be new revenues.

The intent of the Bill is administrative in nature, as submitted for Legislative consideration.


JOHN A. RIOS
Director



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

2013 APR 30 PM 3:41

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

April 30, 2013

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

VIA EMAIL
john.rios@bbmr.guam.gov

Senator
Vicente (Ben) C. Pangelinan
Member

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

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

**RE: Request for Fiscal Note – Bill Nos. 97-32(LS), 98-32(LS),
99-32(LS), and 100-32(LS)**

Senator
Dennis G. Rodriguez, Jr.
Member

Håfa Adai Mr. Rios:

Vice-Speaker
Benjamin J.F. Cruz
Member

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.

Legislative Secretary
Tina Rose Muña Barnes
Member

Si Yu'os ma'åse' for your attention to this matter.

Senator
Frank Blas Aguon, Jr.
Member

Very Truly Yours,

Senator
Michael F.Q. San Nicolas
Member

Senator Rory J. Respicio
Chairperson, Committee on Rules

Senator
V. Anthony Ada
Member
MINORITY LEADER

Attachments

Senator
Aline Yamashita
Member

Cc: Clerk of the Legislature

| Bill Nos. | Sponsor | Title |
|-------------------|---------------------------|--|
| 97-32 (LS) | D.G. Rodriguez,Jr. | AN ACT TO APPROPRIATE AVAILABLE FUNDS FROM THE GUAM/TERRITORIAL HIGHWAY FUND TO DESIGNATE AND PRIORITIZE CERTAIN CAPITAL IMPROVEMENT PROJECTS, PURCHASE HEAVY EQUIPMENT NEEDED BY THE DEPARTMENT OF PUBLIC WORKS FOR FLOOD MITIGATION AND FUND THE DEPARTMENT OF REVENUE AND TAXATION'S TRANSACTION PROCESSING SYSTEM. |
| 98-32(LS) | D.G. Rodriguez,Jr. | AN ACT TO MANDATE THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS, BY ADDING A NEW §3210.1 AND AMENDING §3218, ALL OF ARTICLE 2 OF CHAPTER 3,10GCA. |
| 99-32(LS) | Brant T. McCreadie | AN ACT TO AMEND §80.60 OF ARTICLE 4, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING MINIMUM SENTENCES FOR CRIMES. |
| 100-32(LS) | Judith T. Won Pat,Ed.D | 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 |



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April 26, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 100-32(LS)**

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 100-32(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.



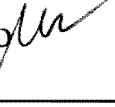
Si Yu'os Ma'åse!

Attachment

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

Bill No. 100-32(15)

Introduced by:

Judith T. Won Pat, Ed.D. 
Tina R. Muna-Barnes 
R.J. Respicio 

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.

2013 APR 26 PM 5:11


1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*
3 finds that *I Maga'låhen Guåhan* recently ordered the publication of a list of
4 individuals that have not claimed their tax refund checks in an effort to
5 distribute over 6,000 checks that remain unclaimed. A number of these
6 checks date back to 2009. Although policies of the Internal Revenue
7 Service do not require the publication of unclaimed tax refund checks, *I*
8 *Liheslatura* finds that it is *I Maga'låhen Guåhan's* desire that such checks be
9 returned to their rightful owners. *I Liheslaturan Guåhan* finds, however,
10 that despite efforts to return unclaimed tax refund checks, there might be

1 instances where some of these checks continue to remain unclaimed.
2 Under such circumstances, Guam law requires that unclaimed or unpaid
3 tax refund checks, which remain unclaimed or outstanding for more than
4 three years from the date of audit, shall be paid into the Treasury as
5 revenue of the General Fund.

6 It is the intent of *I Liheslaturan Guåhan*, however, that unclaimed or
7 unpaid tax refund checks do not become a part of the General Fund. *I*
8 *Liheslatura* further intends that such checks remain available as a funding
9 source for future tax refund payments.

10 **Section 2. Unclaimed or Unpaid Tax Refund Checks.** A new item
11 (e) is hereby added to §21116 of Chapter 21, Division 2, Title 5, Guam Code
12 Annotated, to read:

13 **“§ 21116. Unclaimed or Unpaid Checks.**

14 (a) Upon audit caused by the Director of Administration, the
15 amounts of all government of Guam checks or drafts which shall have been
16 unclaimed or outstanding for more than one year from the respective dates
17 thereof, shall be accounted for separately and a record made of each such
18 check or draft.

19 (b) All such unclaimed checks or drafts shall be cancelled as of the
20 date of the audit. Upon demand by the lawful claimant thereof within three
21 years after such cancellation, the Director of Administration shall issue a
22 new check or draft in lieu thereof.

1 (c) Upon presentation of any such outstanding check or draft within
2 three years of the date of audit thereof to the Director of Administration by
3 the lawful holder thereof, the Director shall cancel the check or draft so
4 presented and issue a new check or draft in lieu thereof.

5 (d) The amounts of all checks or drafts which shall have been
6 unclaimed or outstanding for more than three years from the date of audit
7 shall be paid into the Treasury as revenue of the General Fund.

8 (e) Any and all tax refund checks, which shall have been unclaimed
9 or outstanding for more than three years from the date of audit shall be
10 deposited into the *Income Tax Refund Reserve Fund* established pursuant to
11 Chapter 50 of 11GCA, and shall be expended in accordance with §50105 of
12 11GCA."

13 **Section 3. Effective Date.** This Act shall be effective upon
14 enactment.