

I Mina Trentai Kuåttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
233-34 (LS)	B. J.F. Cruz	AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b.	1/24/18 4:49 p.m.	2/1/18 3:28 p.m.	Committee on Health, Tourism, Military Affairs and Senior Citizens	3/26/18 10:00 a.m.	4/12/18 8:52 a.m.	Fiscal Note Request 02/05/18 Fiscal Note Waiver 2/16/18	



SENATOR DENNIS G. RODRIGUEZ, JR.

April 5, 2018

Honorable Benjamin J.F. Cruz

Speaker

I Mina'Trentai Kuåttro Na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: The Honorable Regine B. Lee
Chairperson, Committee on Rules

RE: Committee Report – Bill No. 233-34 (LS)

Dear Speaker Cruz:

Transmitted herewith, for your consideration, is the **Committee Report on Bill No. 233-34 (LS) B. J.F. Cruz AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b** As introduced, was publicly heard on March 26, 2018.

Committee votes are as follows:

<u>06</u>	TO PASS
<u>—</u>	NOT TO PASS
<u>—</u>	ABSTAIN
<u>—</u>	TO REPORT OUT ONLY
<u>—</u>	TO PLACE IN INACTIVE FILE

Senseramente,


Senator Dennis G. Rodriguez, Jr.
Chairman

Attachments





SENATOR DENNIS G. RODRIGUEZ, JR.

**COMMITTEE REPORT
ON
Bill No. 233-34 (LS) –
Sponsored by: BENJAMIN CRUZ**

**Bill No. 233-34 (LS) B. J.F. Cruz AN ACT
TO REPEAL § 2104 OF CHAPTER 2,
TITLE 2, GUAM CODE ANNOTATED,
RELATIVE TO ACTING IN
FURTHERANCE OF THE GUAM
SUPREME COURT'S OPINION IN 2017
GUAM 4 BY REMOVING ANY
ADDITIONAL REQUIREMENT FOR
THE PASSAGE OF BILLS BEYOND
THAT WHICH IS REQUIRED BY 48
U.S.C.A. § 1423b.**



SENATOR DENNIS G. RODRIGUEZ, JR.

April 5, 2018

MEMORANDUM

To: ALL MEMBERS
Committee on Health, Tourism, Military Affairs and Senior Citizens

From: Senator Dennis G. Rodriguez, Jr. *DR*
Committee Chairperson

Subject: Committee Report on Bill No. 233-34 (LS)

Transmitted herewith, for your consideration, is the **Committee Report Bill No. 233-34 (LS) B. J.F. Cruz AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b** This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 233-34 (LS)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 233-34 (LS), As introduced
- Copy of COR Fiscal Note Request/Fiscal Note
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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 me.

Si Yu'os Ma'åse'!

Attachments

Senator Thomas C. Ada,
Vice Chairperson

Speaker Benjamin J.F. Cruz,
Member

Vice Speaker Therese M. Terloje,
Member

Senator Frank B. Aguon, Jr.,
Member

Senator Telenia C. Nelson,
Member



Sen. Dennis G. Rodriguez, Jr.
Member

Sen. Joe S. San Agustin,
Member

Senator Michael F.Q. San Nicolas,
Member

Senator James V. Espaldon,
Member

Senator Mary C. Torres,
Member

COMMITTEE ON RULES

SENATOR RÉGINE BISCOE LEE, CHAIR


SIKRITARIAN LIHESLATURAN GUAHAN • I MINA'TRENTAI KUÁTRO
NA LIHESLATURAN GUÁHAN

LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE

January 31 2018

MEMO

To: **Rennae Meno**
Clerk of the Legislature
Attorney Julian Aguon
Legislative Legal Counsel

From: **Senator Régine Biscoe Lee** 
Chairperson, Committee on Rules

Re: **Referral of Bill No. 233-34 (LS)**

Buenas yan Háfa adai.

As per my authority as Chairperson of the Committee on Rules, I am forwarding the referral of **Bill No. 233-34 (LS)**.

Please ensure that the subject bill is referred, in my name, to **Senator Dennis G. Rodriguez, Jr., Chairperson, Committee on Health, Tourism, Military Affairs and Senior Citizens**. I also request that the same be forwarded to the prime sponsor of the subject bill.

Attached, please see the COR pre-referral checklist for your information, which shall be attached as a committee report item to the bill.

If you have any questions or concerns, please feel free to contact Jeanenne Cordero at 472-2461.

Thank you for your attention to this important matter.



Maria Loraine Umbrero <mumbrero.senatordrodriguez@gmail.com>

**FIRST NOTICE OF PUBLIC & CONFIRMATION HEARING on Monday, March 26, 2018,
10am**

1 message

Joe Mesngon <joe@toduguam.com>
To: phnotice <phnotice@guamlegislature.org>
Bcc: mumbrero.senatordrodriguez@gmail.com

Wed, Mar 14, 2018 at 3:27 PM

March 14, 2018

MEMORANDUM**To: All Senators, Stakeholders & Media****From: Sen. Dennis G. Rodriguez, Jr.****Subject: FIRST NOTICE of PUBLIC & CONFIRMATION HEARING on March 26, 2018**

Hafa Adai!

The Committee on Health, Tourism, Military Affairs and Senior Citizens will conduct a **Public & Confirmation Hearing on Monday, March 26, 2018 at 10am in the Guam Congress Building Public Hearing Room** in Hagatna.

The Committee will accept oral and written testimony on the following:

- *The Executive Appointment of Dr. Kia Rahmani to serve as a Member of the Guam Board of Medical Examiners;
- *The Executive Appointment of Ms. Alesia C. Ogo to serve as the Occupational Therapist Representative of the Guam Board of Allied Health Examiners;
- *The Executive Appointment of Dr. Keith M. Horinouchi to serve as the Nutritionist Representative of the Guam Board of Allied Health Examiners;
- *The Executive Appointment of Mr. Gregory J. Cruz to serve as the Respiratory Therapist Representative of the Guam Board of Allied Health Examiners;
- *Bill No. 233-34 (LS) - B. J.F. Cruz

AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. §1423b; and

- * Bill No. 241-34 (COR) - Dennis G. Rodriguez, Jr. / Joe S. San Agustin

AN ACT TO AMEND §18120.1 (a) of Chapter 18, Title 10, GUAM CODE ANNOTATED RELATIVE TO CLARIFYING THE GUEST EDUCATOR PROVISION OF THE BARBERING AND COSMETOLOGY ACT.

Written testimony may be addressed to Sen. Dennis G. Rodriguez, Jr., Chairman and sent via email to senatordrodriguez@gmail.com or hand delivered to his office at 761 S. Marine Corps Drive Suite B1 Tamuning, Guam 96931 or the Guam Congress Building Mailroom at 163 Chalan Santo Papa Hagatna, Guam 96910.

Individuals who may require special accommodations are asked to contact the office of Sen. Rodriguez at 649-8638/0511 no later than 48 hours prior to the scheduled hearing.

For more information, please call our office.

Si Yu'os Ma'ase'!

Joseph A. Q. Mesngon

Deputy Chief of Staff

Office of Senator Dennis G. Rodriguez, Jr.

Committee on Legislative Operations,

Health, Tourism, Military Affairs and Senior Citizens

I Mina' Trentai Kuattro Na Libeslaturan Guahan

34th Guam Legislature

761 S. Marine Corps Drive Suite B1

Tamuning, Guam 96931

Tel: 649-8638/0511

Fax: 649-0520

www.toduguam.com



Maria Loraine Umbrero <mumbrero.senatorrodriguez@gmail.com>

SECOND NOTICE OF PUBLIC & CONFIRMATION HEARING on Monday, March 26, 2018, 10am

1 message

Joe Mesngon <joe@toduguam.com>
To: phnotice <phnotice@guamlegislature.org>
Bcc: mumbrero.senatorrodriguez@gmail.com

Thu, Mar 22, 2018 at 8:41 AM

March 22, 2018

MEMORANDUM**To: All Senators, Stakeholders & Media****From: Sen. Dennis G. Rodriguez, Jr.****Subject: SECOND NOTICE of PUBLIC & CONFIRMATION HEARING on March 26, 2018**

Hafa Adai!

The Committee on Health, Tourism, Military Affairs and Senior Citizens will conduct a **Public & Confirmation Hearing on Monday, March 26, 2018 at 10am in the Guam Congress Building Public Hearing Room** in Hagatna.

The Committee will accept oral and written testimony on the following:

- *The Executive Appointment of Dr. Kia Rahmani to serve as a Member of the Guam Board of Medical Examiners;
- *The Executive Appointment of Ms. Alesia C. Ogo to serve as the Occupational Therapist Representative of the Guam Board of Allied Health Examiners;
- *The Executive Appointment of Dr. Keith M. Horinouchi to serve as the Nutritionist Representative of the Guam Board of Allied Health Examiners;
- *The Executive Appointment of Mr. Gregory J. Cruz to serve as the Respiratory Therapist Representative of the Guam Board of Allied Health Examiners;
- *Bill No. 233-34 (LS) - B. J.F. Cruz

AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. §1423b; and

- * Bill No. 241-34 (COR) - Dennis G. Rodriguez, Jr. / Joe S. San Agustin

AN ACT TO AMEND §18120.1 (a) of Chapter 18, Title 10, GUAM CODE ANNOTATED RELATIVE TO CLARIFYING THE GUEST EDUCATOR PROVISION OF THE BARBERING AND COSMETOLOGY ACT.

Written testimony may be addressed to Sen. Dennis G. Rodriguez, Jr., Chairman and sent via email to senatorrodriguez@gmail.com or hand delivered to his office at 761 S. Marine Corps Drive Suite B1 Tamuning, Guam 96931 or the Guam Congress Building Mailroom at 163 Chalan Santo Papa Hagatna, Guam 96910.

Individuals who may require special accommodations are asked to contact the office of Sen. Rodriguez at 649-8638/0511 no later than 48 hours prior to the scheduled hearing.

For more information, please call our office.

Si Yu'os Ma'ase'!

Gmail - SECOND NOTICE OF PUBLIC & CONFIRMATION HEARING on Monday, March 26, 2018, 10am

www.toduguan.com



SENATOR DENNIS G. RODRIGUEZ, JR.

I Mina' TrentaiKuåttironaLiheslaturanGuåhan
Chairman, Committee on Health, Tourism, Military Affairs & Senior Citizens

PUBLIC HEARING AGENDA

Monday, March 26, 2018 at 10:00AM Public Hearing Room, *I Liheslatura*

I. Call to order

II. Items for public consideration:

- **The Executive Appointment of Dr. Kia Rahmani Member, Guam Board of Medical Examiners.**
- **The Executive Appointment of Dr. Keith M. Horinouchi Nutritionist Representative, Guam Board of Allied Health Examiners**
- **The Executive Appointment of Ms. Alesia C. Ogo Occupation Therapist Representative, Guam Board of Allied Health Examiners.**
- **The Executive Appointment of Mr. Gregory J. Cruz to serve as the Respiratory Therapist Representative of the Guam Board of Allied Health Examiners.**

- **Bill No. 241-34 (COR) - AN ACT TO AMEND §18120.1 (a) of Chapter 18, Title 10, GUAM CODE ANNOTATED RELATIVE TO CLARIFYING THE GUEST EDUCATOR PROVISION OF THE BARBERING AND COSMETOLOGY ACT.**

- **Bill No. 233-34 (LS) - AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b**

III. Adjournment

Thank you for your participation in today's hearing.



SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman
COMMITTEE ON HEALTH, TOURISM, MILITARY AFFAIRS & SENIOR CITIZENS
Mina'trentai Kuåtiro Na Liheslaturan Guåhan • 34rd Guam Legislature

PUBLIC HEARING

Friday, March 26, 2018

1:00 PM

Guam Congress Building Public Hearing Room

- Bill No. 233-34 (LS) - AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b

PRINT NAME	SIGN INITIALS	AGENCY or ORGANIZATION	✓ORAL TESTIMONY	✓WRITTEN TESTIMONY	✓NO TESTIMONY	✓IN FAVOR	✓OPPOSE	CONTACT NUMBERS	EMAIL ADDRESS
None	Fontenot								

As introduced by: B. J.F. Cruz

Page 1 of 1.



**SENATOR DENNIS G. RODRIGUEZ, JR.
COMMITTEE VOTING SHEET**

Bill No. 233-34 (LS) B. J.F. Cruz AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 4/9/18				
JOE S. SAN AGUSTIN Vice Chairman						
FERNANDO B. ESTEVES Vice Chairman on Health	F.B.E.	✓				
BENJAMIN J.F. CRUZ		✓				
THERESE M. TERLAJE						
FRANK B. AGUON, JR.						
THOMAS A. MORRISON		✓				
WILLIAM M. CASTRO	4/9/18	✓				
LOUISE BORJA MUNA	4/9/18	✓				



SENATOR DENNIS G. RODRIGUEZ, JR.
COMMITTEE REPORT DIGEST

Bill No. 233-34 (LS)

- I. OVERVIEW: The Committee on Health, Tourism, Military Affairs and Senior Citizens conducted a Public Hearing on March 26, 2018.** The hearing convened at 10:00am in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **Bill No. 233-34 (LS) Benjamin J.F. Cruz AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b**

II. Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on **March 14, 2018, and March 22, 2018.**

Senators Present

Senator Dennis G. Rodriguez, Jr. Chairman
Senator) Benjamin Cruz
Senator Therese Terlaje

III. SUMMARY OF TESTIMONY & DISCUSSION

Hearing for Bill 233-34 (LS)- Friday, March 26, 2018

Senator Rodriguez: Hafa Adai and Good morning. The committee on Health, Tourism, Military Affairs, and Senior Citizens now convenes this public hearing. Public hearing notices were sent out and provided to the media. First notice was on Wednesday, March 14th, 2018. Second notice on Thursday, March 22nd, 2018. For the record today is Monday, March 26th, 2018 and time now is 10:04am. The committee will hear and accept testimonies both oral and written on the following: the executive appointment of Dr. Kia Rahmani; member of the Guam Board of Medical Examiners, the executive appointment of Dr. Keith Horinouchi; Nutritionist representative for Guam Board of Allied Health Examiners, the executive appointment of Alesia Ogo; Occupation Therapist representative for Guam Board Allied Health Examiners, the executive appointment of Gregory Cruz; to serve as the Respiratory Therapist representative for the Guam Board of Allied Health Examiners We also have two bills on the agenda, Bill 241-34 and Bill 233-34. I would like to acknowledge Speaker Cruz and Vice-Speaker Terlaje. Thank you both for being here. We're going to adjust the agenda a little this morning. If you don't mind if we will do that. First on the agenda, Bill 241-34. This is an act to amend sections 18.120.1A of Chapter 18 Title 10 Guam Code Annotated relative to clarifying the guest educator provision of the Barbering and Cosmetology Act. This is a bill that Sen. Joe San Agustin and I had introduced and authored. And this is really a one word amendment to the law. It was an oversight that was caught after the law was enacted and it was



SENATOR DENNIS G. RODRIGUEZ, JR.

to an 'and' to an 'or' which really makes a big difference when you take a look at the provision of the law.

Senator Rodriguez: We'll now move on to the next item on the agenda, introduced by Speaker Cruz. It is Bill No. 233-34. Speaker Cruz?

Speaker Cruz: I don't know if I should make a statement. Bill 233 was introduced to comply with court opinion. It makes a requirement this section can and should be repealed in compliance with the court order.

Senator Rodriguez: Thank you so much Speaker Cruz. Vice-Speaker, do you have anything you would like to add to the record?

Vice-Speaker Terlaje: I guess I would just like to ask the committee if there is a review by counsel available and if we could get a copy of that. I'm just curious if there is any appeal period that still exists or whether that's expired and is part of the record. Thank you, that's all.

Senator Rodriguez: Alright, thank you very much. The committee will take that and pursue that, Vice-Speaker. So the public hearing on Bill 241-34 and Bill 233-34 have been called and completed. The executive appointments of Dr. Keith Horinouchi, Alesia Ogo, and Gregory Cruz to serve as members of the Guam Board of Allied Health Examiners have also been called and completed. We don't have Dr. Kia Rahmani here so his confirmation and appointment hearing will be re-scheduled. The time now is 10:21am. And this concludes the public hearing for this morning. Thank you very much.

IV. Fiscal Note: Attached


III. FINDINGS AND RECOMMENDATIONS

The Committee on Health, Tourism, Military Affairs and Senior Citizens, hereby **reports out Bill No. 233-34 (LS)** with the recommendation to PASS.

I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. 233-34 (LS)

Introduced by:

B. J.F. Cruz 

AN ACT TO *REPEAL* § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b.

2018 JAN 24 PM 4:49



BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 2104 of Chapter 2, Title 2, Guam Code Annotated, is hereby
repealed as follows:

~~“§ 2104. Number of Votes Required.~~

~~No bill shall be passed by I Liheslaturan Guahan with less than eight (8)
affirmative votes of its members.”~~

Senator Thomas C. Ada
Vice Chairperson

Speaker Benjamin J.F. Cruz,
Member

Vice Speaker Therese M. Terlaje,
Member

Senator Frank B. Aguon, Jr.,
Member

Senator Telena C. Nelson,
Member



Senator Dennis C. Rodriguez, Jr.,
Member

Senator Joe S. San Agustín,
Member

Senator Michael F.Q. San Nicolas,
Member

Senator James V. Espaldon,
Member

Senator Mary C. Torres,
Member

COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
SIKRITARIAN LIHESLATURAN GUAHAN
I MINA'TRENTAI KUÁTRO NA LIHESLATURAN GUÅHAN
LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE

PRE-REFERRAL CHECKLIST

Bill No. 233-34 (LS) AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b. – sponsor: B.J.F. Cruz		
(A) Legal Bureau	<p>(1) One subject matter? [SR § 6.01(a), 2 GCA § 2108(a)] <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor)</p> <p>(2) Conform to Standing Rules as to form and style? [SR §§ 6.02(b) and (d), 6.03(d)] <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor)</p>	<p>Notice to Legal Bureau: <u>Thurs. 1-25-18 @ 10:14 a.m.</u></p> <p>Completed by Legal Bureau: <u>Fri. 1-30-18 @ 2:15 p.m.</u></p>
(B) Office of Finance & Budget (OFB)	<p>(1) Does the Bill contain appropriations or authorizations for appropriations from any fund sources? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>(2) Does the Bill contain an authorization to expend government funds? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A</p> <p>(3) Does the Bill contain provisions that have <u>potential</u> fiscal impacts on the government of Guam budget? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A</p>	<p>Notice to OFB: <u>Thurs. 1-25-18 @ 10:15 a.m.</u></p> <p>Completed by OFB: <u>Thurs. 1-25-18 @ 11:29 a.m.</u></p>
COR Action	<p>Is the fiscal impact revenue negative to the government of Guam budget? <input type="checkbox"/> YES (Refer to Committee on Appropriations) <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A</p>	<p>Completed by: <u>[Signature] 1-31-18 @ 8:55 a.m.</u></p>

PRE-REFERRAL CHECKLIST

Bill No. 233-34 (LS) AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b. – sponsor: B.J.F. Cruz		
(C) DEBT		
(1) SR § 6.01 (b)(1)(A) Land, Infrastructure, Building Projects, Capital Improvement Projects	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor)	Received by: (Signature, Date & Time) <i>[Signature]</i> 1-31-18 @ 8:55 a.m. Completed by: (Signature, Date & Time) <i>[Signature]</i> 1-31-18 @ 8:55 a.m.
(2) SR § 6.01 (b)(1)(B) Refinancing of existing debt (not less than 2%)	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor)	
(3) SR § 6.01 (b)(2) Authorize public debt to fund operations of agency, instrumentality, public corporation	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES (Return to Prime Sponsor) <input type="checkbox"/> NO <input type="checkbox"/> Waived (per official state of emergency, as attached)	
COR Action	<input type="checkbox"/> Return to Prime Sponsor <input checked="" type="checkbox"/> Refer to: <i>Comte. on Health, Tourism, Military Affairs & Senior Citizens - Sen. Rodriguez, Jr.</i>	Date & Time: <u>1-31-18 @ 8:55 a.m.</u>
For COR Office Use Only	Pursuant to COR decision (COR Meeting, April 3, 2017): Completed within five (5) working days? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Initial: <u>PBL</u> If NO: Provide letter of explanation (see attached).

Senator Thomas C. Ada,
Vice Chairperson

Speaker Benjamin J.F. Cruz,
Member

Vice Speaker Therese M. Terlaje,
Member

Senator Frank B. Aguon, Jr.,
Member

Senator Telena C. Nelson,
Member



Senator Dennis G. Rodriguez, Jr.,
Member

Senator Joe S. San Agustin,
Member

Senator Michael F.Q. San Nicolas,
Member

Senator James V. Espaldon,
Member

Senator Mary Camacho Torres,
Member

COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
SIKRITARIAN LIHESLATURAN GUAHAN
I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÁHAN
LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE

February 16, 2018

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chairperson, Committee on Rules

Re: Fiscal Note Waiver

Buenas yan Háfa adai.

Attached, please find the fiscal note waiver for the following bill:

Bill No. 233-34 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Jean Cordero, Committee on Rules Director, at 472-3455.

Thank you for your attention to this important matter.

Respectfully,

Senator Régine Biscoe Lee
Chairperson, Committee on Rules





BUREAU OF BUDGET & MANAGEMENT RESEARCH

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

EDDIE BAZA CALVO
GOVERNOR

LESTER L. CARLSON, JR.
ACTING DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR
FEB 15 2018

Senator Régine Biscoe-Lee
Legislative Secretary and Chairperson, Committee on Rules
I Mina'Trentai Kuåttro na Liheslaturan Guåhan
34th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa adai! Senator Biscoe-Lee:

The Bureau requests that Bill No. 233-34 (LS) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 233-34 is seeking to repeal § 2104 of Chapter 2, Title 2 of the Guam Code Annotated. The repeal of this section eliminates the voting requirement of *I Liheslaturan Guahan* to pass a bill with no less than eight (8) affirmative votes of its members. The intent of this legislation is to act in furtherance of the Guam Supreme Court's opinion in 2017 by removing any additional requirement for the passage of bills beyond that which is required by Title 48 U.S. Code § 1423b, which specifies that no bill shall become a law unless it shall have been passed by the affirmative vote of the majority of the members present and voting.

The proposed amendment is administrative in nature and would not fiscally impact the appropriations for FY 2018.

Si Yu'os Ma'ana


LESTER L. CARLSON, JR.

Senator Thomas C. Ada,
Vice Chairperson

Speaker Benjamin J.F. Cruz,
Member

Vice Speaker Therese M. Terlaje,
Member

Senator Frank B. Aguon, Jr.,
Member

Senator Telena C. Nelson,
Member



Senator Dennis G. Rodriguez, Jr.,
Member

Senator Joe S. San Agustin,
Member

Senator Michael F.Q. San Nicolas,
Member

Senator James V. Espaldon,
Member

Senator Mary Camacho Torres,
Member

COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR

SIKRITARIAN LIHESLATURAN GUÅHAN
I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE

COMMITTEE REPORT CHECKLIST

Part 1 / 1

BILL NO. 233-34 (LS)

AN ACT TO REPEAL § 2104 OF CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ACTING IN FURTHERANCE OF THE GUAM SUPREME COURT'S OPINION IN 2017 GUAM 4 BY REMOVING ANY ADDITIONAL REQUIREMENT FOR THE PASSAGE OF BILLS BEYOND THAT WHICH IS REQUIRED BY 48 U.S.C.A. § 1423b.

Introduced by: **B. J.F. Cruz**

REFERRED TO:

Senator Dennis G. Rodriguez, Jr.
Committee on Health, Tourism, Military Affairs and Senior Citizens

**(A) FISCAL NOTE or
WAIVER**

(1) Requested by COR

☒ YES ☐ NO

Date & Time:

Mon., Feb. 5, 2018 @ 7:59 a.m.

(2) Received by COR

☒ YES ☐ NO

Date & Time:

Fri., Feb. 16, 2018 @ 10:13 a.m.

(3) Waived by COR

☐ YES ☒ NO

Date & Time:

**(4) Bill contains appropriations or
authorizations for appropriations
from any fund sources?**

☐ YES ☒ NO

If YES:

**(4/5)(a) Funding Availability Note/Waiver
(OFB) attached?**

☐ YES
☐ NO (Unable to file CMTE Report)

(4/5)(b) Funding source identified?

2 GCA § 9101
☐ YES
☐ NO (Proceed to (A)(6))

**(5) Bill contains an authorization
to expend government funds?**

☐ YES ☒ NO

(4/5)(c) Funds available and sufficient?

2 GCA § 9101
☐ YES
☐ NO (Proceed to (A)(6))

**(6) Restrictions Against Unfunded
Appropriations (2 GCA § 9101)**

- ☐ Identifies specific alternate funding source
- ☐ De-appropriates from previous appropriation with available funds and fiscal note
- ☐ Written certification by CMTE Chair that a situation exists which "threatens the safety, health and welfare of the community"

If no boxes checked:

**UNABLE TO PLACE ON SESSION
AGENDA**
2 GCA § 9102

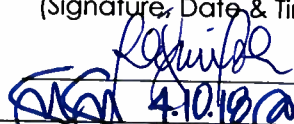
Committee Report Checklist on
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(B) PUBLIC HEARING	(1) HEARING NOTICES SR §§ 6.04(a)(1) and 6.04(a)(2), Open Government Law (5 GCA, Ch. 8)	
	<input checked="" type="checkbox"/> (a) Five (5) working days prior (A L Senators & ALL Media)	Date and Time of Notice: <i>Wed., March 14, 2018 @ 3:27 pm.</i>
	<input checked="" type="checkbox"/> (b) Forty-eight (48) hours prior (ALL Senators & ALL Media)	Date and Time of Notice: <i>Thurs., March 22, 2018 @ 8:41 am.</i>
	(2) Date and Time of Hearing: <i>Mon., March 26, 2018 @ 10 am.</i>	or (4) HEARING WAIVED by Speaker in case of emergency SR § 6.04(a)(1) <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A If YES: Attach memo indicating WAIVER
	(3) Location: Public Hearing Room, Guam Congress Building	
	(5) AMENDMENTS or SUBSTITUTIONS BY COMMITTEE SR § 6.04(b)	
	(a) Committee elects to substitute bill? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If YES: Date and Time: (a)(1) Vote sheet affirmative? <input type="checkbox"/> YES <input type="checkbox"/> NO (a)(2) Preliminary report filed with COR? SR § 6.04(b)(2) <input type="checkbox"/> YES <input type="checkbox"/> NO (a)(3) Public Hearing noticed? <input type="checkbox"/> YES <input type="checkbox"/> NO
	(b) Bill materially different after committee amendment or substitution? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If YES: SECONDARY PUBLIC HEARING MAY BE REQUIRED SR § 6.04(c)(3) <input type="checkbox"/> YES <input type="checkbox"/> NO <hr/> COR Chair

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(C) COMMITTEE REPORT	(1) Committee Report filed with COR? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If YES: Date & Time: Mon., April 9, 2018 @ 2:50pm.		Notes:	If NO: UNABLE TO PLACE ON SESSION AGENDA SR § 6.04(d)(1)
	(1)(a) Secondary CMTE Report filed with COR? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A If YES: Date & Time:			
	(2) LAND LEGISLATION			
	(a) Bill involves government taking, transfer, purchase, or lease of land? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		If YES: ATTACH TWO (2) PROPERTY APPRAISALS TO CMTE REPORT SR § 6.04(c)(4) 2 GCA § 2107(b)	
	(a)(1) Please indicate on both columns:			
	(i) Type of transaction: <input type="checkbox"/> Taking <input type="checkbox"/> Transfer <input type="checkbox"/> Purchase <input type="checkbox"/> Lease	(ii) Type of entity: <input type="checkbox"/> Government <input type="checkbox"/> Non-government		
	(b) Bill involves legislative land rezoning? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		If YES: INCLUDE Land Zoning Consideration Report 2 GCA § 2110	
	(b)(1) Bill involves legislative rezoning of property zoned Agricultural (A)? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		If YES: INCLUDE Agricultural Consideration Report (Dept. of Agriculture) 2 GCA § 2110 [Proceed to (b)(2)]	
	(b)(2) Proof of Agricultural consideration report reviewed by Guam Land Use Commission? 21 GCA § 61637 <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A			

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		(3) G.A.R.R. LEGISLATION SR § 6.04(c)(1) 5 GCA §§ 9301 and 9303	
		a) Bill involves approving or amending Rules and Regulations? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	If YES: INCLUDE Economic Impact Statement 5 GCA §§ 9301(d), 9301(e), 9301(f)
(D) COMMITTEE REPORT (continued)		(4) COMMITTEE REPORT COMPONENTS	
		(a) Front Page Transmittal to Speaker	<input checked="" type="checkbox"/>
		(a)(1) COR Chair Signature Line	<input checked="" type="checkbox"/>
		(b) Title Page	<input checked="" type="checkbox"/>
		(c) Committee Chair Memo to All Committee Members	<input checked="" type="checkbox"/>
		(d) COR Referral Memorandum	<input checked="" type="checkbox"/>
		(e) Notice of Public Hearing & Other Correspondence	<input checked="" type="checkbox"/>
		(f) Public Hearing Agenda	<input checked="" type="checkbox"/>
		(g) Public Hearing Sign-in Sheet	<input checked="" type="checkbox"/>
		(h) Written Testimonies & Additional Documents	<input type="checkbox"/>
		(i) Committee Vote Sheet(s)	<input checked="" type="checkbox"/>
		(j) Committee Report Digest(s)	<input checked="" type="checkbox"/>
		(k) Bill History	<input checked="" type="checkbox"/>
		(k)(1) Copy of Bill as introduced	<input checked="" type="checkbox"/>
		(k)(2) COR Pre-Referral Checklist	<input checked="" type="checkbox"/>
		(k)(3) Copy of Bill as corrected by Prime Sponsor (if applicable)	<input type="checkbox"/>
		(k)(4) Copy of Bill as amended/substituted by Committee (if applicable)	<input type="checkbox"/>
		Substitute/Amended Mark-Up Version	<input type="checkbox"/>
		Substitute/Amended Word-Version Emailed to COR?	<input type="checkbox"/>
		(l) Fiscal Note/Waiver and Funding Availability Note (OFB)	<input checked="" type="checkbox"/>
		(m) Two (2) Property Appraisals (if applicable)	<input type="checkbox"/>
		(n) Related News Reports (optional)	<input type="checkbox"/>
		(o) Miscellaneous (optional)	<input type="checkbox"/>
		(p) Committee Report Checklist(s)	<input checked="" type="checkbox"/>
		Originals	<input checked="" type="checkbox"/>
		Single-Sided	<input checked="" type="checkbox"/>
		Letter Size	<input checked="" type="checkbox"/>
		No Staples/ Paper Clips	<input checked="" type="checkbox"/>
(E) COR Action		<input checked="" type="checkbox"/> CMTE Report duly filed; Available for Placement on Session Agenda <input type="checkbox"/> CMTE Report non-conforming for acceptance; Return to Committee	COR CHAIR (Signature, Date & Time)  4.10.10 @ 10:25 AM