

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
237-35 (COR)	Kelly Marsh (Taitano), PhD Clynton E. Ridgell	AN ACT TO AMEND §§ 2204, § 2205(b)(3), § 2205(b)(10)(B), AND § 2206 OF <u>ARTICLE 2</u> , CHAPTER 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO SIMPLIFYING THE COMPOSITION OF THE GUAM PRODUCT SEAL TASK FORCE, UPDATING TERMS RELATED TO GUAM AND CHAMORU, REQUIRING THAT IT MEET BIANNUALLY INSTEAD OF MONTHLY, AND CLARIFYING THE NUMBER OF MEMBERS NEEDED FOR QUORUM AND ACTION.	11/5/19 4:07 p.m.	11/20/19	Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña-Revitalization, Self-Determination, and Regional Affairs	11/29/19 5:15 p.m.	2/24/20 3:48 p.m.	Request: 11/25/19 Waiver: 12/2/19	

Senator Kelly Marsh (Taitano), PhD.

Assistant Majority Leader

Chairwoman of the Committee on Heritage and the Arts, Parks, Guam Products,
Hagatna Revitalization, Self-Determination, and Regional Affairs

I Mina'trentai Singko Na Liheslaturan Guåhan



12 FEB 2020

The Honorable Tina Muña Barnes

Speaker

I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: The Honorable Senator Régine Biscoe Lee
Chairperson, Committee on Rules

RBL

RE: Committee Report on Bill No. 237-35 (COR), as Amended by the Committee

Buenas yan Háfa adai Speaker Tina Muña Barnes,

Transmitted herewith is the Committee Report on Bill No. 237-35 (COR), as Amended by the Committee, **“An Act to Amend §§ 2204, 2205(B)(3), 2205(B)(10)(B) and 2206 of Article 2, Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam and CHamoru, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action.”**

The Committee on Heritage and the Arts, Parks, Guam Products, *Hagatna* Revitalization, Self Determination, and Regional Affairs hereby submits its Committee votes as follows:

<u>1</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>4</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Respectfully,

Senator Kelly Marsh (Taitano), PhD.



Revision's Recd: Feb. 19, 2020
@ 5:30pm.

Feb. 24, 2020
@ 3:30pm.

2020 FEB 24 PM 3:48

Senator Kelly Marsh (Taitano), PhD.

Assistant Majority Leader

Chairwoman of the Committee on Heritage and the Arts, Parks, Guam Products,
Hagatna Revitalization, Self-Determination, and Regional Affairs

I Mina'trentai Singko Na Liheslaturan Guåhan



Bill No. 237-35 (COR)
As Amended by the Committee

**Introduced by: Senator Kelly Marsh
(Taitano) PhD and Senator Clynton E.
Ridgell.**

**“AN ACT TO AMEND §§ 2204, 2205(b)(3),
2205(b)(10)(B) AND 2206 OF ARTICLE 2,
CHAPTER 2, TITLE 5, GUAM CODE
ANNOTATED, RELATIVE TO SIMPLIFYING
THE COMPOSITION OF THE GUAM PRODUCT
SEAL TASK FORCE, UPDATING TERMS
RELATED TO GUAM AND *CHAMORU*,
REQUIRING THAT IT MEET BIANNUALLY
INSTEAD OF MONTHLY, AND CLARIFYING
THE NUMBER OF MEMBERS NEEDED FOR
QUORUM AND ACTION.”**

Senator Kelly Marsh (Taitano), PhD.

Assistant Majority Leader

Chairwoman of the Committee on Heritage and the Arts, Parks, Guam Products,
Hagatna Revitalization, Self-Determination, and Regional Affairs

I Mina'trentai Singko Na Liheslaturan Guåhan



February 12, 2020

MEMORANDUM

To: **All Members**
Committee on Heritage and the Arts, Parks, Guam Products,
Hagatna Revitalization, Self-Determination, and Regional Affairs

From: **Senator Kelly Marsh (Taitano), Phd.** *Km*
Committee Chairperson

Subject: **Committee Report on Bill No. 237-35 (COR), as Amended by the Committee**

Transmitted herewith for your consideration is the Committee Report on Bill No. 237-35 (COR), as Amended by the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self-Determination, and Regional Affairs, “An Act to Amend §§ 2204, 2205(B)(3), 2205(B)(10)(B) and 2206 of Article 2, Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam and CHamoru, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action.”

This document includes the following:

- Copy of COR Referral to the Committee
- Notices of Public Hearing & Related Documents
- Copy of Public Hearing Agenda
- Public Hearing Sign-In Sheet
- Submitted Written Testimony and Supporting Documents
- Committee Report Digest
- Bill No. 237-35 (COR), As Introduced
- Bill No. 237-35 (COR), As Amended by the Committee
- Copy of Fiscal Note Waiver on Bill No. 237-35 (COR) by Bureau of Budget & Management
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Please contact me should you have any questions or concerns. *Si Yu'os Ma'åse'!*

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

office.senatorkelly@guamlegislature.org

(671) 989-5681-3

Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



COMMITTEE ON RULES
I MINATRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

November 20, 2019

Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Re: Referral of Bill No. 237-35 (COR)

Buenas yan Håfa adai.

As per my authority as Chair of the Committee on Rules and subject to §6.01(d), Rules VI of our Standing Rules, I am forwarding the referral of Bill No. 237-35 (COR).

Please ensure that the subject bill is referred to the **Committee on Heritage and the Arts, Parks, Guam Products, Hågatña Revitalization, Self-Determination, and Regional Affairs** chaired by Senator Kelly Marsh (Taitano), PhD.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,


Senator Régine Biscoe Lee
Chair, Committee on Rules



Roland Villaverde <roland.senatorkelly@gmail.com>

FIRST NOTICE of Public Hearing – Friday, November 29, 2019 at 5:15 p.m.

1 message

Office of Senator Kelly Marsh (Taitano), PhD.
<office.senatorkelly@guamlegislature.org>
Bcc: phnotice@guamlegislature.org

Thu, Nov 21, 2019 at
4:40 PM

November 21, 2019

MEMORANDUM

To: All Senators, Stakeholders, and Media

From: Senator Kelly Marsh (Taitano), PhD, Chairperson
Committee on Heritage and the Arts, Parks, Guam Products, Hagatna Revitalization, Self-Determination, and Regional Affairs

Subject: **FIRST NOTICE of Public Hearing – Friday, November 29, 2019 at 5:15 p.m.**

Håfa Adai,

Please be advised that the Committee on Heritage and the Arts, Parks, Guam Products, Hagatna Revitalization, Self-Determination, and Regional Affairs will convene a public hearing on **Friday, November 29, 2019 at 5:15 PM** in *Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña).

- Bill No. 237-35 (COR) - Kelly Marsh (Taitano), PhD and Clynton E. Ridgell - AN ACT TO AMEND § 2204, § 2205(b)(3), § 2205(b)(10)(B), AND § 2206 OF CHAPTER 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO SIMPLIFYING THE COMPOSITION OF THE GUAM PRODUCT SEAL TASK FORCE, UPDATING TERMS RELATED TO GUAM AND CHAMORU, REQUIRING THAT IT MEET BIANNUALLY INSTEAD OF MONTHLY, AND CLARIFYING THE NUMBER OF MEMBERS NEEDED FOR QUORUM AND ACTION.
- The Appointment of **Chris Duenas** to serve as a **Member** of the **Department of Parks and Recreation Board of Commissioners**.
- The Appointment of **Audrea P. Sgro** to serve as a **Member** of the **Guam Educational Telecommunications Corporations (KGTF/PBS) Board of Trustees**.

Individuals requiring special accommodations, auxiliary aids, or services may contact and submit their request to Rikki Orsini at the Office of Senator Kelly Marsh (Taitano), PhD at 163 Chalan Santo Papa, *Hagåtña*, Guam 96910, by phone at 989-5681, or by email at office.senatorkelly@guamlegislature.org

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Office of Senator Kelly Marsh (Taitano), PhD
Committee on Heritage and the Arts, Parks, Guam Products,
Hagåtña Revitalization, Self-Determination, and Regional Affairs
I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
Telephone: (671) 989-5681/2





Roland Villaverde <roland.senatorkelly@gmail.com>

SECOND NOTICE of Public Hearing – Friday, November 29, 2019 at 5:15 p.m.

1 message

Office of Senator Kelly Marsh (Taitano), PhD.
<office.senatorkelly@guamlegislature.org>
To: "Victor J. Lujan" <victor.senatorkelly@gmail.com>
Bcc: phnotice@guamlegislature.org

Wed, Nov 27, 2019 at
5:01 PM

November 27, 2019

MEMORANDUM

To: All Senators, Stakeholders, and Media

From: Senator Kelly Marsh (Taitano), PhD, Chairperson
Committee on Heritage and the Arts, Parks, Guam Products, Hagatna Revitalization, Self-Determination, and Regional Affairs

Subject: **SECOND NOTICE of Public Hearing – Friday, November 29, 2019 at 5:15 p.m.**

Håfa Adai,

Please be advised that the Committee on Heritage and the Arts, Parks, Guam Products, Hagatna Revitalization, Self-Determination, and Regional Affairs will convene a public hearing on **Friday, November 29, 2019 at 5:15 PM** in *Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña).

- Bill No. 237-35 (COR) - Kelly Marsh (Taitano), PhD and Clynton E. Ridgell - AN ACT TO AMEND § 2204, § 2205(b)(3), § 2205(b)(10)(B), AND § 2206 OF CHAPTER 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO SIMPLIFYING THE COMPOSITION OF THE GUAM PRODUCT SEAL TASK FORCE, UPDATING TERMS RELATED TO GUAM AND CHAMORU, REQUIRING THAT IT MEET BIANNUALLY INSTEAD OF MONTHLY, AND CLARIFYING THE NUMBER OF MEMBERS NEEDED FOR QUORUM AND ACTION.
- The Appointment of **Chris Duenas** to serve as a **Member of the Department of Parks and Recreation Board of Commissioners.**
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Office of Senator Kelly Marsh (Taitano), PhD



**Committee on Heritage and the Arts, Parks, Guam Products,
Hagåtña Revitalization, Self-Determination, and Regional Affairs**
I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
Telephone: (671) 989-5681/2



Office of Senator Kelly Marsh (Taitano), PhD
**Committee on Heritage and the Arts, Parks, Guam Products,
Hagåtña Revitalization, Self-Determination, and Regional Affairs**
I Mina'trentai Singko na Liheslaturan Guåhan | 35th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
Telephone: (671) 989-5681/2





Senator Kelly Marsh (Taitano), PhD.

Chairwoman of the Committee on Heritage and the Arts, Parks, Guam Products,
Hagatna Revitalization, Self-Determination, and Regional Affairs

I Mina'trentai Singko Na Liheslaturan Guåhan

Committee Membership

Overall Vice-Chair:
Speaker Tina Muña
Barnes

Heritage and the Arts
Vice-Chair: Senator
Amanda L. Shelton

Self-Determination Vice-
Chair:
Senator Jose "Pedro"
Terlaje

Regional Affairs Vice-
Chair:
Senator Clynt E. Ridgell

Senator Régine Biscoe
Lee

Senator Joe S. San
Agustin

Senator Therese M.
Terlaje

Contact Details

989-5681

office.senatorkelly@guamlegislature.org

Guam Congress
Building

163 Chalan Santo Papa
Hagåtña, GU 96910

Agenda

Public Hearing

Public Hearing Room – Guam Congress Building

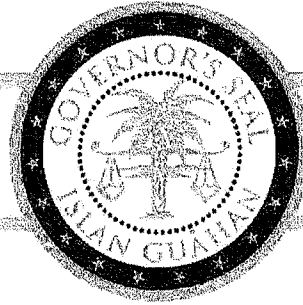
Friday, November 29, 2019

5:15 PM

- Bill No. 237-35 (COR) - Kelly Marsh (Taitano), PhD and Clynton E. Ridgell - **AN ACT TO AMEND § 2204, § 2205(b)(3), § 2205(b)(10)(B), AND § 2206 OF CHAPTER 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO SIMPLIFYING THE COMPOSITION OF THE GUAM PRODUCT SEAL TASK FORCE, UPDATING TERMS RELATED TO GUAM AND CHAMORU, REQUIRING THAT IT MEET BIANNUALLY INSTEAD OF MONTHLY, AND CLARIFYING THE NUMBER OF MEMBERS NEEDED FOR QUORUM AND ACTION.**
- The Appointment of **Chris Duenas** to serve as a **Member of the Department of Parks and Recreation Board of Commissioners.**
- The Appointment of **Audrea P. Sgro** to serve as a **Member of the Guam Educational Telecommunications Corporations (KGTF/PBS) Board of Trustees.**

UFISINAN I MAGA'HAGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LARI • LIEUTENANT GOVERNOR

November 29, 2019

Honorable Kelly Marsh (Taitano), PhD.
Senator
35th Guam Legislature
Mina'trentai Singko na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, GU 96910

Dear Senator Marsh (Taitano):

I write in strong support of Bill 237-35(COR), relative to simplifying the composition of the Guam Product Seal Task Force and making certain other updates as the author has deemed necessary and proper.

Under current statute, the Lieutenant Governor of Guam is charged with chairing this task force. Yet, as our transition committee noted, many boards, commissions, and task forces are statutorily too large to achieve quorum on a regular basis. This unintended consequence often leaves the Legislature's good intentions unrealized.

I appreciate your recognition of the fact that service takes time. With this task force and others, community members want to serve but can rarely meet the monthly meeting requirements mandated in law. While these minimums serve a laudable purpose for many boards and commissions, these mandatory minimums are not optimal in every case.

I know that this simple piece of legislation may not garner many headlines but its simplicity does not take away from its value. If government operates a little smarter, if it achieves a little more because a law was amended, we prove that we can be trusted to change things for the better—and that matters most of all.

Senseramente,

A handwritten signature in black ink, appearing to read 'Joshua F. Tenorio'.

JOSHUA F. TENORIO
Sigundo Maga'låhen Guåhan
Lieutenant Governor of Guam

COMMITTEE REPORT DIGEST

Bill No. 237-35 (COR) Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self Determination, and Regional Affairs Hearing Transcription November 29, 2019

I. OVERVIEW

Bill No. 237-35 (COR) was introduced on Tuesday, November 05, 2019, by Senator Kelly Marsh (Taitano) Ph.D. and Senator Clynton E. Ridgell; and, subsequently referred by the Committee on Rules to the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self Determination, and Regional Affairs, on Wednesday, November 20, 2019.

The Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self Determination, and Regional Affairs, convened a public hearing on Bill No. 237-35 (COR) on Friday, November 29, 2019, at 5:15 pm, at *I Liheslaturan Guåhan's*, Public Hearing Room.

Among the item on the agenda was the consideration of Bill No. 237-35 (COR), introduced by Senator Kelly Marsh (Taitano) and Senator Clynton E. Ridgell, **“An Act to Amend § 2204, § 2205(B)(3), § 2205(B)(10)(B), and § 2206 of Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam And CHamoru, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action.”**

a. Public Notice Requirements

Notices were disseminated via email to all senators, stakeholders, and primary broadcasting instrumentalities in accordance with the Open Government Law and the 35th Guam Legislature Standing Rules. First Notice was issued via electronic mail, on Thursday, November 21, 2019. A second notice was subsequently disseminated via electronic mail on Wednesday, November 27, 2019.

b. Senators Present

Senator Kelly Marsh (Taitano), Ph.D.
Senator Therese Terlaje

Committee Chair
Committee Member

c. Submitted Written Testimony

Honorable Joshua F. Tenorio
Sigundo Maga'låhen Guåhan

Written Testimony

Support

II. SUMMARY OF TESTIMONY & DISCUSSION

Senator Kelly Marsh (Taitano), Ph.D., Chairperson of the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self Determination, and Regional Affairs, presided over **Bill No. 237-35 (COR)**, introduced by Kelly Marsh (Taitano), Ph.D., and Clynton E. Ridgell, “An Act to Amend § 2204, § 2205(B)(3), § 2205(B)(10)(B), and § 2206 of Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam And CHamoru, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action.” On November 29, 2019, public hearing was convened at 5:20 pm, ending at 6:08 pm.

Items appearing on the public hearing agenda include the following:

- **Bill No. 237-35 (COR)** - Kelly Marsh (Taitano), Ph.D. and Clynton E. Ridgell, “An Act to Amend § 2204, § 2205(B)(3), § 2205(B)(10)(B), and § 2206 of Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam And CHamoru, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action.”
- Confirmation Hearing of **Chris Duenas**, to serve as a Member on the Board of Commissioners, Department of Parks and Recreation.

- The appointment of **Audrea P. Sgro**, to serve as a Member of the Guam educational Telecommunications Corporation, Board of Trustees.

a. Transcription of Hearing (block formatted)

The public hearing was called to order at 5:20 pm.

INTRODUCTION STATEMENTS OF PUBLIC HEARING

SENATOR KELLY MARSH (TAITANO), PHD. CHAIR: *Hafa Adai* the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self Determination, and Regional Affairs now convenes this public hearing. Public hearing notices were given to the media. The first notice was on Thursday, November 21st, 2019, and the second notice was on Wednesday, November 27th, 2019. For the record today is Friday, November 29th, 2019, and the time is now 5:20 pm. The Committee will hear and accept testimonies both oral and written on the following as introduced by myself and Senator Clynton E. Ridgell, An Act to Amend § 2204, § 2205(B)(3), § 2205(B)(10)(B), and § 2206 of Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam And CHamoru, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action.”

We will also be having the appointment of Chris Duenas to serve as a member of the Department of Parks and Recreation Board of Commissioners; and, we had scheduled the appointment of Aundrea P. Sgro to serve as a member of the Guam Educational Telecommunications Corporation also known as KGTF/PBS Board of Trustees. However, the confirmation hearing for Andrea Sgro will be rescheduled to a later date.

Joining me at this public hearing is Senator Therese Terlaje *Saina Ma'åse* for taking your time out Senator and the general rules for public hearing the conduct of this public hearing shall be as follows. Those testifying will be recognized in the order of the sign-in sheets.

Written testimony will be read. Lengthy written testimony should be summarized so about five minutes Written testimonies shall be submitted to the Committee. Please provide our legislative staff with your written testimony for photocopying. Testimony shall be confined to the

substance. Persons will be allowed to present oral testimony only once when you are done. You may be asked to remain in the room for questions or for additional testimony as may be desired by the members of the panel.

When you speak, please make sure that the microphone is turned on and that you speak into the microphone. Please state your name clearly into the microphone for the record. We will now begin to hear testimonies on Bill No. 237-35 and actually for this particular bill. I will read the opening statement, and we have written a letter of support from the Lieutenant Governor and I will read that into the record as well and then, Senator Terlaje may be having some comments on that.

SENATOR KELLY MARSH (TAITANO), PHD., CHAIR: For Bill 237, let me get my intro comments ready. Thirty-five years ago, in 1986, the Guam Legislature recognized the need to protect the products made in Guam and our local entrepreneurs. By passing a public law, it was 18-42; this created the Guam Product Seal Program which also assures visitors an authentic Guam experience. Twenty-five years after the program's creation, a follow-up law re-energized the Guam Product Seal Program by elevating it to the highest levels of the government, and that was to establish a policy directing body. The Guam Product Seal Task Force. Which is under the direction of the Office of Lieutenant Governor. The Guam Product Seal Program has a proven track record of supporting local entrepreneurs and stimulating economic opportunities on Guam by promoting the manufacturing of local products. Businesses under the program have provided over 750 job opportunities to the local workforce and have great potential to grow even further as today we can see a strong presence of locally made products in our consumer market.

Bill 237 which is before us today, strengthens the laws original intent and empowers the task force in several ways. The bill better provides the task force the ability to meet and thus support the entrepreneurs and the program's needs. It streamlines the structure of the task force from an unwieldy 15 members to a more reasonable and practical membership of 5. To clear up any non-clarity, Bill 237 also updates the law to recognize its transfer in 2002 from the Department of Revenue and Taxation to that of the Guam Economic Development Authority. This is done in the bill by assigning the director of GEDA or her /his representative to serve as vice-chair of the task force.

Further, Bill 237 streamlines the number of times the task force will meet each year. From monthly to bi-annually, as the program is by now quite developed and successful making it unnecessary to meet each and every month. Just as importantly, Bill 237 expands the protection of the Guam brand by updating the orthography of the terms Chamorro and Guam, That the more updated Orthography of Chamorro with the capital “C” and the Capital “H” ending in the “ru”. And Guåhan are also protected. The bill strengthens the protections of those names by stating that one cannot circumvent the intention of the law by using names or derivations in other languages or characters on products that are not made in Guam.

As Chair of the Guam product seal task force, Lieutenant Governor Josh Tenorio has expressed his strong support for this legislation in a letter provided to the committee and looks forward to the support of my colleagues at the legislature as this bill moves forward.

At this particular time, I will go ahead and open it up to see if there are any comments by Senator Terlaje and then I will read his letter of support into the record.

SENATOR THERESE TERLAJE: Thank you. I really don't have many questions. I just wanted to note. The Guam Product Seal is going to continue to be enforced by GEDA, is that correct? They have already got their rules and regulations in place, and everything that they need to enforce this program consistently. The bill will be removing from membership on the task force, The Department of Revenue and Tax, The Department of Chamorro Affairs, The Guam Visitors Bureau, The Department of Public Health and Social Services, the President of the Mayors Council, member from the Chamber of Commerce, a counselor from the Small Business Development Center of the School of Business and Public Administration at the University of Guam. So I can see how this large task force does not need to be now that the program has been established and now it's just the enforcement part that we need. I don't really have any objection to this. I just wanted to note that for the record. Thank you, Madam Chair.

SENATOR KELLY MARSH (TAITANO), PHD., CHAIR: *Saina ma'åse* Senator Terlaje. It's good that you noted that. It's important that people understand the previous composition, and another important aspect here is that they will continue to be called by the task force as needed. One of the things, and it's mentioned in the support letter, is that the transition team earlier this year, did an assessment of all the task forces', and commissions and boards that we have and they found that we have an unwieldy number and even for some of the agencies like

The Department of Revenue and Taxation if they were to go to all of their monthly meetings it would really impede on their ability to do their actual work for which they sit. But it is good to know that they can still be called upon for their advisement, but I appreciate you pointing out the distinction between the development and the enforcement which will be perhaps the stronger part of the program at this point.

Reading the letter of support, it says: Dear Senator Marsh (Taitano), I write in strong support of Bill 237-35 COR, relative to simplifying the composition of the Guam Product Seal Task Force and making certain other updates as the author has deemed necessary and proper. Under current statute, the Lieutenant Governor of Guam is charged with chairing this task force. Yet as our transition committee noted, many boards, commissions and task forces are statutorily too large to achieve quorum on a regular basis. This UN intended consequence often leave the legislatures good intentions unrealized. I appreciated your recognition of the fact that service takes time. With this task force and others, community members want to serve but can rarely meet the monthly meeting requirements mandated in law. While this minimum serve allotable purpose for many boards and commissions, these mandatory minimums are not optimal in every case. I know this simple piece of legislation may no garner many headlines, but its simplicity does not take away from its value. If government operates a little smarter, f it achieves a little more because a law was amended, we prove that we can be trusted to change things for the better. And that matters most of all. *Senseramente* Joshua F. Tenorio *Sigundo Magalâhen Guahan*. We will conclude the bill portion of this hearing at 5:32.

SEQUE INTO ENDING OF THE NOMINATION HEARING OF CHRIS DUENAS - PUBLIC HEARING ADJOURNMENT, 5:32PM

Is there anyone who has not testified who wishes to testify or anyone else who wishes to make any statements? There being none, this Committee will conclude the public hearing for the appointment of Chris Duenas to serve as a member of the Department of Parks and Recreation Board of Commissioners. The Committee will continue to receive testimonies for the next few days. Please address your written testimony to the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self Determination, and Regional Affairs and submit it via email to office.senatorkelly@guamlegislature.org. My office is located on the second floor

of the Guam Congress building. You can either hand deliver it there or if you wish to mail your testimony. Our address is 163 Chalan Santo Papa Hagåtña Guam 96910.

Si Yu'us Må'ase for your attendance and participation in today's hearing. Today's public hearing has now ended the time is now 6:02pm. Have a good evening.

III. FINDINGS & RECOMMENDATIONS


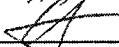
The Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self Determination, and Regional Affairs, finds that certain amendments to Bill No. 237-35 (COR), was necessary to embrace the technical and formatting recommendations suggested by the Legal Bureau.

The Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self Determination, and Regional Affairs, hereby reports out **Bill No. 237-35 (COR)**, as Amended by the Committee, sponsored by Senator Kelly Marsh (Taitano), PhD., and co-sponsored by Senator Clynton E. Ridgell, "**An Act to Amend §§ 2204, 2205(B)(3), 2205(B)(10)(B) and 2206 of Article 2, Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam and CHamoru, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action,**" with a recommendation "**TO REPORT OUT ONLY.**"

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. ~~231~~-35 (COR)

Introduced by:

Kelly Marsh (Taitano), PhD 
Clynton E. Ridgell 

**AN ACT TO AMEND § 2204, § 2205(b)(3), § 2205(b)(10)(B),
AND § 2206 OF CHAPTER 2, TITLE 5, GUAM CODE
ANNOTATED, RELATIVE TO SIMPLIFYING THE
COMPOSITION OF THE GUAM PRODUCT SEAL TASK
FORCE, UPDATING TERMS RELATED TO GUAM AND
CHAMORU, REQUIRING THAT IT MEET
BIANNUALLY INSTEAD OF MONTHLY, AND
CLARIFYING THE NUMBER OF MEMBERS NEEDED
FOR QUORUM AND ACTION.**

2019-07-05 PM 4:07 JPT

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Product Seal program has a proven track record of supporting local entrepreneurs and stimulating economic opportunities on Guam by promoting the manufacturing of local products. Businesses under the program have provided over seven hundred fifty (750) job opportunities to the local workforce and thus has great potential to grow even further as we have seen a strong presence of locally made products in our consumer market.

I Liheslatura finds that the 2018 Transitory Advisory Committee recommended to reduce the number of members in more than two (2) dozen boards and commissions identified in Chapter 1(D) of the Transition Report to no more than five (5) members to ensure the fulfilment of appointments and quorum. The Guam

1 Product Seal Task Force is among those entities identified. It comprises fifteen (15)
2 members, which has led to the task force not being able to meet consistently in the
3 past.

4 *I Liheslatura* also finds that since the enabling act's passage there have been
5 updates to adopted *CHamoru* orthography and grammar, which include *Guåhan* and
6 *CHamoru*. Therefore, the Guam Product Seal Task Force should also restrict the use
7 of these words in addition to Guam and *Chamorro* on consumable commodities *not*
8 made in Guam in order to protect the Guam brand, and it should be duly reflected in
9 its enabling act.

10 *I Liheslatura* further finds that the requirement for the task force to meet once
11 a month is unnecessary at this developed stage of the program and that the provision
12 on quorum should be made clearer.

13 It is therefore the intent of *I Liheslaturan Guåhan* to simplify the composition
14 of the Guam Product Seal Task Force, update terms related to Guam and *CHamoru*,
15 require that it meet biannually instead of monthly, and clarify the number of
16 members needed for quorum and action.

17 **Section 2.** § 2204 of Chapter 2, Title 5, Guam Code Annotated, is *amended*
18 to read:

19 **“§ 2204. Composition of Guam Product Seal Task Force.**

20 The composition of the Guam Product Seal Task Force *shall* be as follows: *I*
21 *Segundu Na Maga'lahaen Guåhan* (the Lieutenant Governor of Guam), who *shall*
22 also serve as the Chairperson; the Director of the Guam Economic Development
23 Authority (GEDA) or her or his assigned representative~~designated Program~~
24 ~~Coordinator of the current Guam Product Seal Permit program from the Department~~
25 ~~of Revenue and Taxation (DRT), who shall also serve as Vice Chair; the Department~~
26 ~~Directors, or their assigned representative, of the Guam Customs and Quarantine~~
27 ~~Agency (CQA), the Department of Revenue and Taxation (DRT), the Department~~

1 of ~~Chamorro Affairs (DCA), the Guam Visitors Bureau (GVB), the Guam Economic~~
2 ~~Development Authority (GEDA), and Department of Public Health and Social~~
3 ~~Services (DPHSS); the President of the Mayors Council of Guam (MCOG), or its~~
4 ~~assigned member representative; a representative from the Office of the Attorney~~
5 ~~General of Guam, designated by the Attorney General, who may appoint herself or~~
6 ~~himself; and two (2) one (1) currently licensed holders of the Guam Product Seal~~
7 ~~appointed by I Maga'håga or I Maga'lahi (the Governor); a member from the Guam~~
8 ~~Chamber of Commerce as designated by the Chamber; and one (1) member from the~~
9 ~~island community appointed by I Maga'lahi (the Governor); a counselor or~~
10 ~~representative from the Small Business Development Center of the School of~~
11 ~~Business and Public Administration, University of Guam.~~

12 (a) The Task Force may invite additional public and private sector members
13 to serve on sub-committees, *provided*, that they possess significant background,
14 knowledge and experience with locally produced products; and the Task Force may
15 prescribe special procedures for their participation.

16 (b) The Office of *I Segundu Na Maga'lahi* (the Lt. Governor) *shall* support
17 the administrative needs of the Task Force.”

18 **Section 3.** § 2205(b)(3) of Chapter 2, Title 5, Guam Code Annotated, is
19 *amended* to read:

20 “(3) address intellectual property rights and concerns relative to the
21 term “Guam,” “Guåhan,” “CHamoru,” “Chamorro,” or derivations of either
22 Guam, Guåhan, CHamoru, or Chamorro in any other language or characters;”

23 **Section 4.** § 2205(b)(10)(B) of Chapter 2, Title 5, Guam Code Annotated,
24 is *amended* to read:

25 “(B) address the use of the words “Guam,” “Guåhan,”
26 “CHamoru,” and “Chamorro,” and derivations of in any other language
27 or characters;”

1 **Section 5.** § 2206 of Chapter 2, Title 5, Guam Code Annotated, is *amended*
2 to read:

3 **“§ 2206. Conduct of Meetings, Quorum.**

4 (a) The Task Force *shall* meet ~~*no less than once every month*~~biannually,
5 and as needed to discuss and assess progress and recommendations.

6 (b) ~~A simple majority of members of the Task Force who are present and~~
7 ~~voting *shall* constitute a quorum to do business; and any action taken by the Task~~
8 ~~Force *shall* be by a simple majority of the members.~~Three (3) members of the Task
9 Force *shall* constitute a quorum to do business, and the affirmative vote of three (3)
10 members of the Task Force *shall* be required to take any action.”

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 237-35 (COR)

As amended by the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self-Determination, and Regional Affairs.

Introduced by:

Kelly Marsh (Taitano), PhD
Clynton E. Ridgell

AN ACT TO AMEND §§ 2204, ~~§~~2205(b)(3), § 2205(b)(10)(B), AND §2206 OF ARTICLE 2, CHAPTER 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO SIMPLIFYING THE COMPOSITION OF THE GUAM PRODUCT SEAL TASK FORCE, UPDATING TERMS RELATED TO GUAM AND *CHAMORU*, REQUIRING THAT IT MEET BIANNUALLY INSTEAD OF MONTHLY, AND CLARIFYING THE NUMBER OF MEMBERS NEEDED FOR QUORUM AND ACTION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Product Seal program has a proven track record of supporting local
4 entrepreneurs and stimulating economic opportunities on Guam by promoting the
5 manufacturing of local products. Businesses under the program have provided over
6 seven hundred fifty (750) job opportunities to the local workforce and thus has great
7 potential to grow even further as we have seen a strong presence of locally-made
8 products in our consumer market.

9 *I Liheslatura* further finds that the 2018-2019 Transitioner~~y~~ Advisory
10 Committee recommended to reduce the number of members in more than two (2)

1 dozen boards and commissions identified in Chapter 1(D) of the Transition Report
2 to no more than five (5) members to ensure the fulfillment of appointments and
3 quorum; and, the Guam Product Seal Task Force is among those entities identified
4 as, it comprises fifteen (15) members, which has led to the task force not being able
5 to meet consistently in the past.

6 *I Liheslatura* also finds that since the enabling act's passage there have been
7 updates to adopted *CHamoru* orthography and grammar, which include *Guåhan* and
8 *CHamoru*. Therefore, the Guam Product Seal Task Force should also restrict the use
9 of these words in addition to Guam and *Chamorro* on consumable commodities *not*
10 made in Guam in order to protect the Guam brand, and it should be duly reflected in
11 its enabling act.

12 *I Liheslatura* further finds that the requirement for the task force to meet once
13 a month is unnecessary at this developed stage of the program and that the provision
14 on quorum should be made clearer.

15 It is, therefore, the intent of *I Liheslaturan Guåhan* to simplify the
16 composition of the Guam Product Seal Task Force, update terms related to Guam
17 and *CHamoru*, require that it meet biannually instead of monthly, and clarify the
18 number of members needed for quorum and action.

19 **Section 2.** § 2204 of Article 2, Chapter 2, Title 5, Guam Code Annotated,
20 is *amended* to read:

21 **“§ 2204. Composition of Guam Product Seal Task Force.**

22 The composition of the Guam Product Seal Task Force *shall* be as
23 follows: *I Segundu Na Maga'låhen Guåhan* (the Lieutenant Governor of
24 Guam), who *shall* ~~also~~ serve as the Chairperson; the Administrator~~Director~~ of
25 the Guam Economic Development Authority (GEDA), or ~~her or his~~ assigned
26 representative, ~~designated Program Coordinator of the current Guam Product~~
27 ~~Seal Permit program from the Department of Revenue and Taxation (DRT)~~;

1 who *shall* also serve as Vice Chairperson; the ~~Department Directors, or their~~
2 ~~assigned representative,~~ of the Guam Customs and Quarantine Agency
3 (CQA), or assigned representative; ~~the Department of Revenue and Taxation~~
4 ~~(DRT), the Department of Chamorro Affairs (DCA), the Guam Visitors~~
5 ~~Bureau (GVB), the Guam Economic Development Authority (GEDA), and~~
6 ~~Department of Public Health and Social Services (DPHSS); the President of~~
7 ~~the Mayors Council of Guam (MCOG), or its assigned member representative~~
8 a representative from the Office of the Attorney General of Guam, designated
9 by the Attorney General, who may appoint herself or himself; ~~and two (2)~~one
10 (1) currently licensed holders of the Guam Product Seal appointed by I
11 Maga'håga/~~or I~~ Maga'låahi (the Governor); ~~a member from the Guam~~
12 ~~Chamber of Commerce as designated by the Chamber; and one (1) member~~
13 ~~from the island community appointed by I Maga'lahi (the Governor); a~~
14 ~~counselor or representative from the Small Business Development Center of~~
15 ~~the School of Business and Public Administration, University of Guam.~~

16 (a) The Task Force may invite additional public and private sector
17 members to serve on sub-committees; provided, that they possess significant
18 background, knowledge and experience with locally produced products; and
19 the Task Force may prescribe special procedures for their participation.

20 (b) The Office of *I Segundu Na Maga'låahi* (the Lieutenant Governor)
21 *shall* support the administrative needs of the Task Force.”

22 **Section 3.** § 2205(b)(3) of Article 2, Chapter 2, Title 5, Guam Code
23 Annotated, is *amended* to read:

24 “(3) address intellectual property rights and concerns relative to
25 the term “Guam,” “Guåhan,” “CHamoru,” “Chamorro,” or derivations
26 of ~~either~~ Guam, Guåhan, CHamoru, or Chamorro in any other
27 language or characters;”

1 **Section 4.** § 2205(b)(10)(B) of Article 2, Chapter 2, Title 5, Guam Code
2 Annotated, is *amended* to read:

3 “(B) address the use of the words “Guam,” “*Guåhan*,”
4 “*CHamoru*,” and “*Chamorro*,” and derivations thereof in any
5 other language or characters;”

6 **Section 5.** § 2206 of Article 2, Chapter 2, Title 5, Guam Code Annotated,
7 is *amended* to read:

8 **“§ 2206. Conduct of Meetings, Quorum.**

9 (a) The Task Force *shall* meet ~~*no less than once every*~~
10 ~~*month*~~*biannually*, and as needed to discuss and assess progress and
11 recommendations.

12 (b) ~~A simple majority of members of the Task Force who are present~~
13 ~~and voting~~ *shall* ~~constitute a quorum to do business; and any action taken by~~
14 ~~the Task Force~~ *shall* ~~be by a simple majority of the members.~~ Three (3)
15 members of the Task Force *shall* constitute a quorum to do business, and the
16 affirmative vote of three (3) members of the Task Force *shall* be required to
17 take any action.”

Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

December 2, 2019

Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Re: Fiscal Note Waiver

Buenas yan Håfa adai.

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

Bill No. 237-35 (COR)

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

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

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



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

NOV 29 2019

Senator Régine Biscoe Lee
Chairperson, Committee on Rules
I Mina'trentai Singko na Liheslaturan Guåhan
35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Senator Biscoe Lee:

The Bureau requests that Bill No. 237-35 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 237-35 is an act to amend § 2204, § 2205(b)(3), § 2205(b)(10)(B), and § 2206 of Chapter 2, Title 5 of the Guam Code Annotated. The proposed legislation intends to simplify the composition of the Guam Product Seal Task Force, update terms related to Guam and *CHamoru*, require that it meets biannually instead of monthly, and clarifies the number of members needed for quorum and action.

The proposed amendments are administrative in nature and would not fiscally impact the appropriations of FY 2020.

Si Yu'os Ma'ase,

LESTER L. CARLSON, JR.



Senator Kelly Marsh (Taitano), Ph.D.

Assistant Majority Leader

Chairwoman of the Committee on Heritage and the Arts, Parks, Guam Products,
Hagatna Revitalization, Self-Determination, and Regional Affairs

I Mina'trentai Singko Na Liheslaturan Guåhan



COMMITTEE VOTE SHEET

Bill No. 237-35 (COR), as Amended by the Committee, "An Act to Amend §§ 2204, 2205(B)(3), 2205(B)(10)(B) and 2206 of Article 2, Chapter 2, Title 5, Guam Code Annotated, Relative to Simplifying the Composition of the Guam Product Seal Task Force, Updating Terms Related to Guam and *CHamoru*, Requiring that it Meet Biannually Instead of Monthly, and Clarifying the Number of Members Needed for Quorum and Action," Sponsored by Kelly Marsh (Taitano), Ph.D., Co-Sponsored by Clynton E. Ridgell.

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Kelly Marsh (Taitano), Ph.D. Committee Chairperson		<input checked="" type="checkbox"/>				
Speaker Tina Muña Barnes Committee Vice-Chairperson				<input checked="" type="checkbox"/> 1/31/2020		
Senator Amanda L. Shelton Vice-Chairperson: Heritage and the Arts				<input checked="" type="checkbox"/> 1/31/2020		
Senator Jose "Pedro" Terlaje Vice-Chairperson: Self-Determination						
Senator Clinton E. Ridgell Vice-Chairperson: Regional Affairs				<input checked="" type="checkbox"/> 2/12/2020		
Senator Regine Biscoe Lee Member				<input checked="" type="checkbox"/> 12 Feb 2020		
Senator Joe S. San Agustin Member						
Senator Therese M. Terlaje Member						