



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

12 JUL 2006

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 256(LS), "AN ACT TO AMEND SECTION 59110 OF CHAPTER 59 OF TITLE 5, G.C.A. AND TO ADD A NEW SECTION 59111 TO CHAPTER 59 OF TITLE 5 G.C.A. TO AUTHORIZE PUBLIC SAFETY AGENCIES OF THE GOVERNMENT OF GUAM TO ENTER INTO LEASE PURCHASE AGREEMENTS FOR CURRENTLY OCCUPIED BUILDINGS, AND TO ADD A NEW SECTION 1126 TO TITLE 2 G.C.A. TO AUTHORIZE I LIHESLATURA TO BUILD, PURCHASE, LEASE OR REPAIR ITS OWN FACILITY," which I signed into law on July 11, 2006, as Public Law 28-132.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Office of the Speaker
MARK FORBES

Date: 7/12/06
Time: 4:50 PM
Rec'd by: [Signature]
Print Name: [Signature]

28 06 0936

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

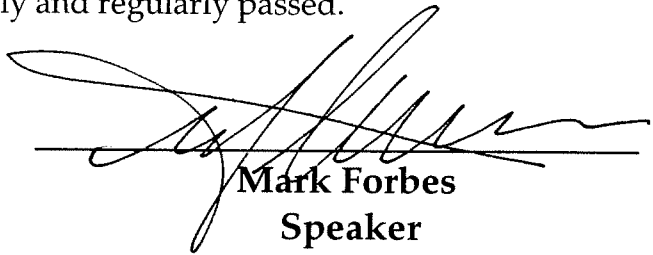
833

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Nikole
Print Name & Initial
Time: 3:55 Date: 7-18-06

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session


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

This is to certify that **Bill No. 256 (LS)**, "AN ACT TO AMEND SECTION 59110 OF CHAPTER 59 OF TITLE 5 G.C.A. AND TO ADD A NEW SECTION 59111 TO CHAPTER 59 OF TITLE 5 G.C.A. TO AUTHORIZE PUBLIC SAFETY AGENCIES OF THE GOVERNMENT OF GUAM TO ENTER INTO LEASE TO PURCHASE AGREEMENTS FOR CURRENTLY OCCUPIED BUILDINGS, AND TO ADD A NEW SECTION 1126 TO TITLE 2 G.C.A. TO AUTHORIZE *I LIHESLATURA* TO BUILD, PURCHASE, LEASE OR REPAIR ITS OWN FACILITY," was on the 26th day of June, 2006, duly and regularly passed.



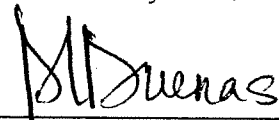
Mark Forbes
Speaker

Attested:



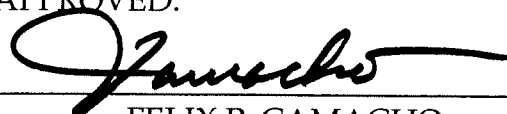
Edward J.B. Calvo
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 29 day of Jun, 2006, at 12:40 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 11 July 2006

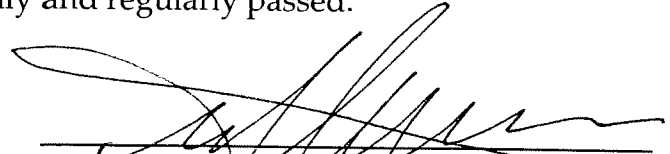
Public Law No. 28-132

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session


FILE COPY

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

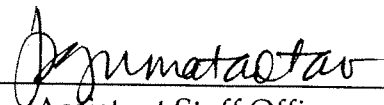
This is to certify that Bill No. 256 (LS), "AN ACT TO AMEND SECTION 59110 OF CHAPTER 59 OF TITLE 5 G.C.A. AND TO ADD A NEW SECTION 59111 TO CHAPTER 59 OF TITLE 5 G.C.A. TO AUTHORIZE PUBLIC SAFETY AGENCIES OF THE GOVERNMENT OF GUAM TO ENTER INTO LEASE TO PURCHASE AGREEMENTS FOR CURRENTLY OCCUPIED BUILDINGS, AND TO ADD A NEW SECTION 1126 TO TITLE 2 G.C.A. TO AUTHORIZE I LIHESLATURA TO BUILD, PURCHASE, LEASE OR REPAIR ITS OWN FACILITY," was on the 26th day of June, 2006, duly and regularly passed.


Mark Forbes
Speaker

Attested:


Edward J.B. Calvo
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 29 day of June, 2006, at
12:40 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

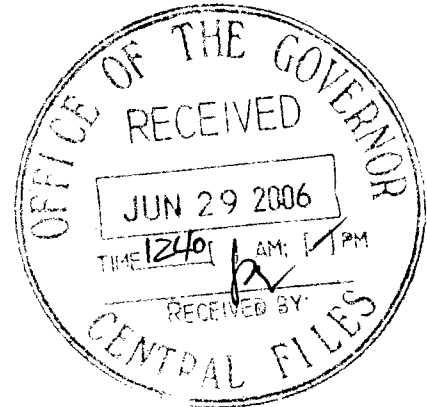


MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

FILE COPY

June 28, 2006


The Honorable Felix P. Camacho
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 182(EC), 256(LS), 268(EC), 278(EC), 295(EC), 296(EC), 308(EC), 309(EC) & 314(EC); and Substitute Bill Nos. 134(EC), 236(EC) & 307(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on June 26, 2006.

Sincerely,


EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosures (12)

I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

Bill No. 256 (LS)

As amended by the author
and further amended on the Floor.

Introduced by:

Ray Tenorio
Mark Forbes
A. B. Palacios, Sr.
F. B. Aguon, Jr.
J. M.S. Brown
Edward J.B. Calvo
B. J.F. Cruz
Mike Cruz
L. F. Kasperbauer
R. Klitzkie
J. A. Lujan
R. J. Respicio
A. R. Unpingco
J. T. Won Pat

**AN ACT TO *AMEND* SECTION 59110 OF CHAPTER 59
OF TITLE 5 G.C.A. AND TO *ADD* A NEW SECTION
59111 TO CHAPTER 59 OF TITLE 5 G.C.A. TO
AUTHORIZE PUBLIC SAFETY AGENCIES OF THE
GOVERNMENT OF GUAM TO ENTER INTO LEASE
TO PURCHASE AGREEMENTS FOR CURRENTLY
OCCUPIED BUILDINGS, AND TO ADD A NEW
SECTION 1126 TO TITLE 2 G.C.A. TO AUTHORIZE *I*
LIHESLATURA TO BUILD, PURCHASE, LEASE OR
REPAIR ITS OWN FACILITY.**

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

2 **Section 1.** Section 59110 of Chapter 59 of Title 5, Guam Code

3 Annotated is hereby *amended* to read:

1 **“Section 59110. Authorization to Enter into an Agreement for a**
2 **Lease to Purchase of Existing Facilities.** The government of Guam is
3 authorized to enter into a lease to purchase agreement with a private owner
4 for an existing building or land presently occupied or to be occupied in the
5 future by a public safety agency, as defined by §59102(i) of Title 5 G.C.A.,
6 provided that the Director of Public Works certifies the building meets the
7 requirements of Guam law for structural integrity. Funds previously
8 appropriated for the lease of such building or land may be used for said lease
9 to purchase agreement. The terms of the lease to purchase agreement
10 authorized by this Section shall comply with Section 59103 of Chapter 59 of
11 Title 5 G.C.A.”

12 **Section 2.** A new subsection (j) is hereby *added* to Title 5 G.C.A.
13 §59102 to read:

14 “(j) For purposes of this Chapter, the Guam Environmental Protection
15 Agency shall be deemed a public safety agency.”

16 **Section 3.** A new Section 59111 is hereby *added* to Chapter 59 of
17 Title 5, Guam Code Annotated to read:

18 **“Section 59111. Severability.** *If any provision of this Chapter or*
19 *its application to any person or circumstance is found to be invalid or*
20 *contrary to law, such invalidity shall not affect other provisions or*
21 *applications of this Chapter which can be given effect without the*
22 *invalid provision or application, and to this end the provisions of this*
23 *Chapter are severable.”*

24 **Section 4.** A new Section 1126 is hereby *added* to Title 2 Guam
25 Code Annotated to read:

26 **“Section 1126. *Liheng Para Sagan I Liheslaturan Guåhan.*** *I*
27 *Liheslaturan Guåhan shall create, construct, lease or purchase a new*

1 building or buildings or refurbish, repair, or renovate the Old Legislative
2 Hall and the Manuel F.L. Guerrero Building for its session hall, public
3 meetings, activities and offices of its members, their staffs and other
4 legislative employees as appropriate or for other purposes. Real property
5 may be obtained, as well as any existing structures thereon, for said
6 buildings by any appropriate means available, including purchase, lease,
7 lease to purchase, the acquisition process created for public safety agencies
8 by Title 5 G.C.A. Chapter 59, grant or lease from the executive branch of the
9 government of Guam or any agency or part of the federal government. *I*
10 *Liheslatura* may purchase or lease land and construct the facility thereon,
11 purchase or lease land and existing structures or accept a grant or lease of
12 property or a structure from the government of Guam or any agency or part
13 of the federal government. The funding for the construction, purchase, lease
14 or other means of acquisition shall be by legislative appropriation, funds
15 currently in the budget for *I Liheslatura* and appropriated for lease of the
16 buildings in *Hagåtña* now occupied by *I Liheslatura*, grant from the
17 Department of Administration, grant or loan from any agency or part of the
18 federal or local government, a loan from a private financial institution,
19 donations or contributions, an appropriate combination of said means or by
20 any appropriate means. Leases, contracts and construction contracts with
21 private entities authorized by this Section shall be entered into pursuant to
22 the procurement laws applicable to *I Liheslatura*.”

6

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN
2006 (SECOND) Regular Session

Date: 6/29/06

VOTING SHEET

Bill No. 256(hs)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				✓ ea
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F.	✓				
CRUZ, Michael (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				✓ ea
KLITZKIE, Robert	✓				
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL 12 0 0 0 2

CERTIFIED TRUE AND CORRECT:

 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3407 • Fax (671) 472-3510

Speaker Mark Forbes

March 21, 2006

Speaker Mark Forbes
I Mina' Bente Ocho Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

The Committee on General & Omnibus Matters to which Bill No. 256 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 256 (LS), as amended by the author: "An Act To Amend Section 59110 Of Chapter 59 Of Title 5, Guam Code Annotated As Enacted By Public Law 28-60 And To Add A New Section 59111 To Chapter 59 Of Title 5, Guam Code Annotated To Authorize Public Safety Agencies Of The Government Of Guam To Enter Into Lease Purchase Agreements For Currently Occupied Buildings"**.

Transmitted herewith for your consideration and action is our committee report on the above subject matter.

The voting record is as follows:

6 TO PASS
0 NOT TO PASS
0 TO REPORT OUT ONLY
0 ABSTAIN
0 INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.


MARK FORBES

Attachments

MEMORANDUM

TO: Committee Members

FROM: Chairman 

SUBJECT: Committee Report- BILL No. 256 (LS), as amended by the author: "An Act To Amend Section 59110 Of Chapter 59 Of Title 5, Guam Code Annotated As Enacted By Public Law 28-60 And To Add A New Section 59111 To Chapter 59 Of Title 5, Guam Code Annotated To Authorize Public Safety Agencies Of The Government Of Guam To Enter Into Lease Purchase Agreements For Currently Occupied Buildings".

Transmitted herewith for your information and action is the report on Bill No. 256 (LS), as amended by the author, from the Committee on General and Omnibus Matters.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. BILL No. 256 (LS), as amended by the author
4. Public Hearing Sign-In Sheet
5. Fiscal Note/ Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

MARK FORBES

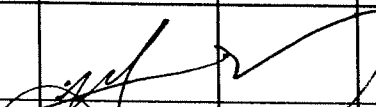

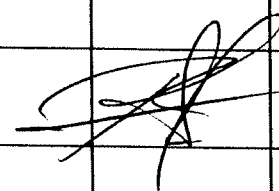


Attachments

COMMITTEE ON GENERAL AND OMNIBUS MATTERS

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
155 HESLER PLACE, HAGÅTNA, GUAM 96910

An Act To Amend Section 59110 Of Chapter 59 Of Title 5, Guam Code Annotated As Enacted By Public Law 28-60 And To Add A New Section 59111 To Chapter 59 Of Title 5, Guam Code Annotated To Authorize Public Safety Agencies Of The Government Of Guam To Enter Into Lease Purchase Agreements For Currently Occupied Buildings.

VOTING SHEET

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT OF COMMITTEE	ABSTAIN	INACTIVE FILE
Mark Forbes, Chairman		✓				
Edward J.B. Calvo		✓				
Lawrence F. Kasperbauer, Ph.D.	LFK	X				
Jesse A. Lujan						
Ray Tenorio		✓				
Michael Cruz, M.D.						
Lou A. Leon Guerrero						
Judith T. Won Pat		✓				
Benjamin J.F. Cruz		✓				

Dismissal 6/11/06 3rd 6/2/06

Introduced
JAN 24 2006
3:54 pm

Final Copy

I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

*3/22/06
3/23/06
3/24/06
3/28/06
4/17/06
5/19/06*

Bill No. 256(LS)

Introduced by:
(as amended by the author)

Ray Tenorio
Mark Forbes
abp

*rayf
FA3
JY*

AN ACT TO AMEND SECTION 59110 OF CHAPTER 59 OF TITLE 5, GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW 28-60 AND TO ADD A NEW SECTION 59111 TO CHAPTER 59 OF TITLE 5, GUAM CODE ANNOTATED TO AUTHORIZE PUBLIC SAFETY AGENCIES OF THE GOVERNMENT OF GUAM TO ENTER INTO LEASE PURCHASE AGREEMENTS FOR CURRENTLY OCCUPIED BUILDINGS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 59110 of Chapter 59 OF TITLE 5, Guam Code
3 Annotated is amended to read:

4 "Section 59110. Authorization to Enter into a Agreement for a
5 Lease to Purchase of Existing Facilities. Severability. ~~If any provision of~~
6 ~~this chapter or its application to any person or circumstance is found to be~~
7 ~~invalid or contrary to law, such invalidity shall not affect other provisions or~~
8 ~~applications of this Chapter which can be given effect without the invalid~~
9 ~~provisions or applications, and to this end the provisions of this Chapter are~~
10 ~~severable.~~ The government of Guam is also authorized to enter into a lease
11 to purchase agreement with a private owner for an existing building or land
12 presently occupied or to be occupied in the future by a public safety agency,
13 as defined by §59102(i) of Public Law 28-60, provided that the Director of
14 Public Works certifies the building meets the requirements for structural

Passed FA No. 3

Date: 4/2 Time: _____

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 256

Ray T
Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

add ABP as 3rd sponsor

(Below only for Clerk of Legislature's use and processing)

Date 6/2, 2006

Floor Amendment No. 3 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: ✓

Amendment Failed: _____
Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur *(initial)*

[Signature]
Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk
____ Engrossment Staff

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 256

Joanne M.S. Brown

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

To change section two to section three add a new section two to the bill to read:

Section Two: A new subsection (j) is added to Title 5 G.C.A. 59102 to read:

(j) For purposes of this Chapter, the Guam Environmental Protection Agency shall be deemed a public safety agency.

(Below only for Clerk of Legislature's use and processing)

Date 6/1/06

Floor Amendment No. 1 of a total of changes on above Bill.

Votes For Amendment: Votes Against Amendment:

AMENDMENT PASSED:

Amendment Failed:

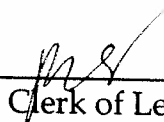
Amendment Withdrawn:

APPROVED AS TO FORM PASSED



AUTHOR OF AMENDMENT

Concur *(initial)*



Clerk of Legislature

Speaker

Ass't. Amend. Clerk
Engrossment Staff

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 256

Mark Forbes / am 4 FA
Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

To add a new section to the bill to read:

Section Four: A new section 1126 is added to Title 2 G.C.A. to read:

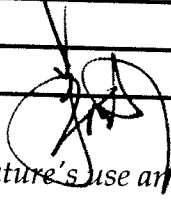
1126. New Building for I Liheslatura: I Liheslatura Guahan shall create, construct, lease or purchase a new building or buildings for its session hall, public meetings, activities and offices of its members, their staffs and other legislative employees. ^{real property} I Liheslatura may ^{be} obtain the real ~~property~~, as well as any existing structure thereon, for said buildings by any appropriate means available, including purchase, lease, lease to purchase, the acquisition process created for public safety agencies by Title 5 G.C.A. Chapter 59, grant or lease from the executive branch of the government of Guam or any agency or part of the federal government. I Liheslatura may purchase or lease land and construct the facility thereon, purchase or lease land and existing structures or accept a grant or lease of property or a structure from the government of Guam or any agency or part of the federal government. The funding for the construction, purchase, lease or other means of acquisition shall be legislative appropriation, funds currently in the budget for I Liheslatura and appropriated for lease of the buildings in Hagatna now occupied by I Liheslatura, grant from the Department of Administration, grant or loan from any agency or part of the federal ^{or local} government, a loan from a private financial institution, ^{donations or contributions} an appropriate combination of said means or any appropriate means. Leases and construction contracts with private entities authorized by this section shall be entered into pursuant to ^{the} Guam's procurement laws as they apply to I Liheslatura.

zc
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RK 2801

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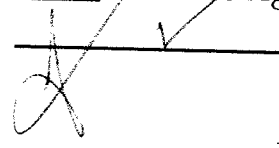


(Below only for Clerk of Legislature's use and processing))

Date 6/2/06

Floor Amendment No. 2, 2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: 

Amendment Failed: _____
Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 256

ARU

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

Change title of the section to Mark Forbes amendment
" 1126, Liheng para sagan i Liheslaturan Guahan "

(Below only for Clerk of Legislature's use and processing))

Date 6/2, 2006

Floor Amendment No. 20 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk
Engrossment Staff

Passed FA No. _____

Date: _____ Time: _____

**I MINA'BENTE OCHO NA LIHESLATURAN GUAHAN
FLOOR AMENDMENTS/CHANGES**

Bill No. 256

Senator Proposing Amendment: **BJFC**

Describe proposed amendment and/or change here:

Amend the Amendment sponsored by Speaker Forbes as follows:

To add a new section to the bill to read:

"Section 4. A new section 1126 is added to Title 2 GCA to read:

1126. New Building for I Liheslatura. I Liheslaturan Guahan shall create, construct, lease or purchase a new building or buildings and refurbish, repair, or renovate the Old Legislative Hall and the Manuel F.L. Guerrero Building for its session hall, public meetings, activities and offices of its members, their staffs and other legislative employees, ^{or appropriate} or other purposes. ...

BJFC

(Below for Clerk of Legislature's use and processing)

Date: 6/2/06

Floor Amendment No. 2d of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____ AMENDMENT FAILED: _____

AMENDMENT WITHDRAWN: _____

**APPROVED AS TO FORM PASSED
CONCUR (INITIAL)**

MS

BJFC

Clerk of Legislature

Ass't Amend. Clerk

Engrossment Staff

Speaker

Passed FA No. _____

Date: _____ Time: _____

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 254

ARU

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

To allow legal counsel to amend bill title
to reflect changes in B256.

(Below only for Clerk of Legislature's use and processing))

Date 6/, 2006

Floor Amendment No. 22 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

AUTHOR OF AMENDMENT

Concur *(initial)*

ms
Clerk of Legislature

Speaker

Ass't. Amend. Clerk
Engrossment Staff

2

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 256

May K.

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

at the beginning of the second sentence
Strike "~~Real~~" + "~~Legislation~~ may obtain
real property" and add "Real property
may be obtained"

(Below only for Clerk of Legislature's use and processing))

Date 6/2, 2006

Floor Amendment No. 29 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk
Engrossment Staff

3

Passed FA No. _____

Date: _____ Time: _____

I MINA'BENTE OCHO NA LIHESLATURAN GUÁHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 256

Bob K.
Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

in the last ~~last~~ sentence change
"GUÁHAN'S" to "The."

(Below only for Clerk of Legislature's use and processing))

Date 6/2 2006

Floor Amendment No. 2h of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk
Engrossment Staff

**I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
COMMITTEE ON GENERAL & OMNIBUS MATTERS
SPEAKER MARK FORBES, CHAIRMAN**

COMMITTEE REPORT

ON

BILL NO. 256 (LS), AS AMENDED BY THE AUTHOR

**AN ACT TO AMEND SECTION 59110 OF CHAPTER 59 OF TITLE 5,
GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW 28-60
AND TO ADD A NEW SECTION 59111 TO CHAPTER 59 OF TITLE 5,
GUAM CODE ANNOTATED TO AUTHORIZE PUBLIC SAFETY
AGENCIES OF THE GOVERNMENT OF GUAM TO ENTER INTO
LEASE PURCHASE AGREEMENTS FOR CURRENTLY OCCUPIED
BUILDINGS.**

I. OVERVIEW

The Committee on General and Omnibus Matters held a public hearing at 9:00 a.m. on March 8, 2006 in the Session Hall, I Liheslaturan Guáhan. Public notice was given to all media (see facsimile confirmation page) on March 1 and March 6, 2006. Notice was placed in the PDN on March 6, 2006.

Senators present at the public hearing were:

Speaker Mark Forbes, Chairman
Vice Speaker Joanne M.S. Brown
Senator Lou Leon Guerrero, Member
Senator Robert Klitzkie
Senator Ray Tenorio
Senator Adolpho B. Palacios, Sr.

II. SUMMARY OF TESTIMONY

Individuals that appeared before the Committee to present oral and written testimony on the bill were as follows:

Mr. James Mitchell, Legal Advisor, Guam Police Department, oral and written testimony in support of Bill No. 256. Mr. Mitchell spoke on behalf the Guam Police Department and conveyed the department's position in favor of Bill No. 256.

Discussion:

Senator Ray Tenorio asked Mr. Mitchell whether the Chief of Police has any intentions in retaining their department office's in Tiyan.

Mr. Mitchell said that he is unaware of the Chief's plans.

Speaker Forbes pursued the discussion further asking Mr. Mitchell about conversations with the Guam International Airport Authority's General Manager Mr. Jess Toress. Speaker Forbes asked whether memos or documents memorializing the decisions of the GIAA and GPD are available for review by the committee. Mr. Mitchell said he does not have those documents available with him presently but he will do the research to provide the committee with any paperwork in regards to any agreements made between GIAA and GPD. In a written email to the Chairman, Mr. Michel provided the first draft of the MOU between GPD and GIAA and indicated that no one in GPD is aware of the existence of documents memorializing the relationship between GIAA and GPD. The first draft of the MOU is provided in the attachments.

III. FINDINGS AND RECOMMENDATION

The Committee on General and Omnibus Matters finds that the intent of Bill No. 256 will provide an option for Public Safety Agencies in retaining their current location of their offices if the private land owner decides to enter an agreement for lease to purchase. The intent of the bill will also allow the government of Guam to enter into such lease to purchase agreements with private land owners for those public safety agencies seeking office space.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 256 (LS) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL No. 256 (LS), as amended by the author, "An Act To Amend Section 59110 Of Chapter 59 Of Title 5, Guam Code Annotated As Enacted By Public Law 28-60 And To Add A New Section 59111 To Chapter 59 Of Title 5, Guam Code Annotated To Authorize Public Safety Agencies Of The Government Of Guam To Enter Into Lease Purchase Agreements For Currently Occupied Buildings."**



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 256(LS), as amended by the author, is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 256(LS), as amended by the author.

MARK FORBES
Speaker and Chairman,
Committee on General and Omnibus Matters

AGENDA

**COMMITTEE ON GENERAL & OMNIBUS MATTERS, and
EXECUTIVE COMMITTEE**

**Public Hearing
Wednesday, March 8, 2006, 9:00 a.m.
Session Hall**

The following Appointments and Bills will be heard by the Committee on General & Omnibus Matters & the Executive Committee;

Appointments:

**Goring T. Duenas, Member, Guam Land Use Commission
Jay L. Lather, Member, Guam Land Use Commission
Alicia A. Limtiaco, Member, Guam Council on the Arts & Humanities
Michael C. Makio, Member, Guam Historic Preservation Review Board
Art O. Salomes, Member, Guam Land Use Commission**

Bills; Committee on General and Omnibus Matters:

Bill No. 227 (EC) – by L. F. Kasperbauer

An Act To Authorize I Maga Lahen Guahan To Sell Fractional Lot 1461 Plus Or Minus Fifty-Two Square Meters (52 + Sq. Meters) And Fractional Lot 1462 Plus Or Minus One Hundred Eighty Six Square Meters (186 + Sq. Meters) All In The Municipality Of Agana To Mr. Michael P. Flaherty For Its Appraised Fair Market Value.

Bill No. 256 (LS) – by Ray Tenorio

An Act To Amend Section 59110 Of Chapter 59 Of Title 5, Guam Code Annotated As Enacted By Public Law 28-60 And To Add A New Section 59111 To Chapter 59 Of Title 5, Guam Code Annotated.

Bill No. 260 (EC) – by J.M.S. Brown

An Act To Repeal And Reenact Section 62108.1 And To Add A New Section 62108.2 To Article 1, Of Chapter 62, Of 21 Guam Code Annotated Relative To Strengthening The General Requirements For Agricultural Subdivisions.

Bill No. 268 (EC) – by Mark Forbes

An Act To Add A New Section 80105. To 21 GCA Relative To Developing A Comprehensive Zoning Plan For Ancestral Lands.

Executive Committee:

Bill No. 262 (EC) – By L.A. Leon Guerrero

An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Sums Appropriated To The I Liheslatura Guahan For Fiscal Year 2006 And To Reappropriate Said Sum To The Office Of Agat Mayor For The Repair And Resurfacing Of The Tennis And Basketball Courts.

GOVERNMENT MEETINGS

March 6

▲ Guam Board of Barbering and Cosmetology regular meeting: 9 a.m. March 6, Health Professional Licensing Office, Suite 9, 651 Legacy Square Commercial Complex, Route 10, Mangilao. Agenda copies available. Call 735-7406/11.

▲ Notary Exam: 9 a.m. March 6, Attorney General's Office, first floor, Justice Building, 287 West O'Brien Drive, Hagåtña. Call 475-3324, from 8 a.m. to noon.

March 7

▲ Civil Service Commission board meeting: 5:30 p.m. March 7, second floor, Hakubotan Building, Tamuning. Signing of decision: B. Lujan vs. Department of Public Works; motion hearing: C. Franquez vs. Guam Public School System; bills and laws related to CSC. For special accommodations, call Bianca, 647-1855/7 or TDD 647-1872.

▲ Commission on Decolonization meeting: 3 p.m. March 7, 588 West Marine Drive, Suite 102, old Corn Building, Anigua. Call 473-5267.

▲ Commission on Post-Mortem Exams special meeting continuation: 10 a.m. March 7, Attorney General's Office, Justice Building, Hagåtña. Increase to medical examiner's salary consideration. Call 475-3324, ext. 141.

▲ Consolidated Commission on Utilities regular meeting on Guam Power Authority matters: 5 p.m. March 7, GPA board conference room, second floor, GPA main office, Harmon. Everyone is invited. Agenda copies available upon request. Call 648-3002.

▲ Guam Community College Board of Trustees' monthly meeting: 6 p.m. March 7, GCC library conference room, second floor, Foundation Building, Mangilao. Call 735-5637. For special accommodations, call 735-5597.

March 8

▲ Alcohol Beverage Control Board meeting: 5 p.m. March 8, Compliance Branch Office, Department of Rev & Tax, second floor, Pacific News Building, Archbishop Flores St., Hagåtña. Call 475-1802.

▲ Committee on Omnibus Matters and Executive Committee public hearing: 9 a.m. March 8, Legislature 4 session hall, Hagåtña. Appointment of Goring Duenas, Jay Lather and Art Salomea as Guam Land Use Commission members, Alicia Limtiaco as Guam Council on the Arts and Humanities Agency member, Michael Makio as Guam Historic Preservation Review Board member. Bill 227, authorizing the governor to sell fractional lots in Hagåtña to Michael Flaherty for its appraised fair market value; Bill 256, to amend Section 59110 of Chapter 59, Title 5, Guam Code Annotated, and to add new Section 59111 to Chapter 59, Title 5, GCA; Bill 260, relative to strengthening of the general requirements for agricultural subdivisions; Bill 268, relative to developing a comprehensive zoning plan for ancestral lands. Executive committee: Bill 262, to re-appropriate \$25,000 from sums appropriated to the legislature for fiscal 2006 and to re-appropriate said sum to the Agat mayor's office for repair and resurfacing of the tennis and basketball courts. For special accommodations, call Eugene Santos, 472-3407.

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- MARCH 16TH & 20TH 2:00PM-2:30PM
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- MARCH 18TH 3:30PM-4:30PM
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Ice Sculpture Display
- MARCH 19TH 2:00PM-3:00PM
Inetnon Gef Pago Performance
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Inetnon Gef Pago Performance
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The 28th Guam Legislature

153 Healer Place
Hagatna, Guam 96910
Office (671) 472-3407 • Fax (671) 472-3510

Speaker Mark Forbes

Facsimile

Date: March 01, 2006 **Time:**
Fax No.: 477-3079 **No. of Pages:**
To: PDN Government Meetings
From: The Office of Speaker Mark Forbes
Re: Public Hearing Notice- Wednesday, March 8, 2006
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Thursday, March 2, Friday, March 3, Monday, March 6, Tuesday, March 7, and Wednesday, March 8, 2006 to read:

"Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Wednesday, March 8, 2006, 9:00 a.m., Session Hall, Temporary Legislative Building, Hagatna, Guam. The following Appointments and Bills will be heard;

Appointments:

Garing T. Duenas, Member, Guam Land Use Commission
Jay L. Lathar, Member, Guam Land Use Commission
Alicia A. Limtiaco, Member, Guam Council on the Arts & Humanities
Michael C. Makio, Member, Guam Historic Preservation Review Board
Art O. Salomon, Member, Guam Land Use Commission

Bills; Committee on General and Omnibus Matters:

Bill No. 227 (EC) - by L. F. Kasperbauer
An Act To Authorize I Maga Lahen Guahan To Sell Fractional Lot 1461 Plus Or Minus Fifty-Two Square Meters (32 + Sq. Meters) And Fractional Lot 1462 Plus Or Minus One Hundred Eighty Six Square Meters (186 + Sq. Meters) All In The Municipality Of Agaña To Mr. Michael P. Fisherty For Its Appraised Fair Market Value.

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No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	587	4773079	3- 1-06; 4:30PM	1'08"	2/ 2	EC		CP 14.4

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EC: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
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The 28th Guam Legislature

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Hagatna, Guam 96910
Office (671) 472-3407 • Fax (671) 472-3510

Speaker Mark Forbes

March 01, 2006

MEMORANDUM

TO: All Media:
Pacific Daily News; 477-3079 KUAM; 637-9870
Marianas Variety; 648-2007 K-57/Power 98; 477-3982
K-Stereo; 477-6411 Hit Radio 100; 472-7663
Glimpses-Gu. Business 649-8883 Adventist World Radio 565-2983
Harvest Family Radio 477-7136 KPRG 734-2958
KISH 477-6411 Rlene Live

FROM: Speaker
Chairman, Committee on General & Omnibus Matters, and
Executive Committee

SUBJECT: Notice of Public Hearing- Wednesday March 8, 2006

Please be informed that I have scheduled a public hearing on March 8, 2006, 9:00 a.m. at the Session Hall, Temporary Legislative Building, on the following appointments and bills:

The following Appointments and Bills will be heard by the Committee on General & Omnibus Matters & the Executive Committee;

Appointments:

Goring T. Duenas, Member, Guam Land Use Commission
Jay L. Lather, Member, Guam Land Use Commission
Alicia A. Limtiaco, Member, Guam Council on the Arts & Humanities
Michael C. Makio, Member, Guam Historic Preservation Review Board
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3	547	sen. unpingco	3:16PM	42"	1/ 1	EC	BC	CP 14.4
4	547	sen. won pat	3:17PM	42"	1/ 1	EC	BC	CP 14.4
5	547	executive director	3:18PM	24"	1/ 1	EC	BC	CP 28.8
6	547	sergeant at arms	3:18PM	49"	1/ 1	EC	BC	CP 9600
7	547	sen. kasperbauer	3:20PM	42"	1/ 1	EC	BC	CP 14.4
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9	558	6492418	8:29AM	0"	-/ 1			056D
10	561	6492418	8:37AM	0"	-/ 1			056D
11	564	6492418	8:49AM	0"	-/ 1			056D
12	569	GUAM LEGISLATURE	10:46AM	22"	1/ 1	EC		CP 28.8
13	572	sen. leon guerrero	10:56AM	36"	1/ 1	EC		CP 14.4
14			3:19PM					PI
15			3:42PM					PI
16	587	4773079	4:30PM	1'08"	2/ 2	EC		CP 14.4
17	590	pdn	4:34PM	1'19"	3/ 3	EC	BC	CP 14.4
18	590	marianas variety	4:36PM	1'12"	3/ 3	EC	BC	CP 14.4
19	590	glimpses	4:38PM	51"	3/ 3	EC	BC	CP 26.4
20	590	harvest radio	4:39PM	38"	3/ 3	EC	BC	CP 28.8
21	590	kuam	4:40PM	48"	3/ 3	EC	BC	CP 26.4
22	590	power ninty eight	4:41PM	1'11"	3/ 3	EC	BC	CP 14.4
23	590	hit radio	4:42PM	38"	3/ 3	EC	BC	CP 28.8
24	590	adventist radio	4:43PM	1'33"	3/ 3	EC	BC	CP 9600
25	590	kprg	4:45PM	2'22"	3/ 3	G3	BC	CP 9600
26	590	riene live	4:48PM	1'11"	3/ 3	EC	BC	CP 14.4
27	592	sen. frank aguon	4:50PM	0"	-/ 3		BC	056D
28	590	k stereo	4:51PM	40"	-/ 3		BC	0510
29	592	sen. joanne brown	4:52PM	2'08"	3/ 3	EC	BC	CP 9600
30	592	sen. eddie calvo	4:54PM	44"	3/ 3	EC	BC	CP 28.8
31	592	sen. b. j. cruz	4:56PM	35"	3/ 3	EC	BC	CP 28.8
32	592	sen. mike cruz	4:57PM	38"	3/ 3	EC	BC	CP 28.8
33	592	sen. kasperbauer	4:58PM	1'15"	3/ 3	EC	BC	CP 14.4
34	592	sen. klitzle	4:59PM	1'35"	3/ 3	G3	BC	CP 14.4
35	592	sen. leon guerrero	5:01PM	1'07"	3/ 3	EC	BC	CP 14.4
36	592	sen. jesse lujan	5:03PM	2'08"	3/ 3	EC	BC	CP 9600
37	592	sen. palacios	5:06PM	37"	3/ 3	EC	BC	CP 28.8
38	592	sen. respicio	5:07PM	41"	3/ 3	EC	BC	CP 28.8
39	592	sen. tenorio	5:08PM	3'08"	3/ 3	G3	BC	CP 9600
40	592	sen. unpingco	5:11PM	1'07"	3/ 3	EC	BC	CP 14.4
41	592	sen. won pat	5:12PM	1'07"	3/ 3	EC	BC	CP 14.4
42	592	executive director	5:14PM	38"	3/ 3	EC	BC	CP 28.8
43	592	clerks	5:15PM	0"	-/ 3		BC	056D
44	592	sergeant at arms	5:16PM	1'22"	3/ 3	EC	BC	CP 9600
45	592	protocol	5:18PM	1'22"	3/ 3	EC	BC	CP 9600

Total 89

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3	567	6716497766	3- 1-06; 10:45AM	43"	1	EC		CP 9600
4	577	GHC	2:08PM	25"	1	EC		CP 28.8
5	579	671 475 8805	2:44PM	1'05"	4	EC		CP 26.4

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FM: Forward Mailbox Doc.

MB: Receive to Mailbox
PI: Power Interruption
TM: Terminated by user
WT: Waiting Transfer
WS: Waiting Send

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Speaker Mark Forbes

Facsimile

Date: March 06, 2006 Time:
Fax No.: 477-3079 No. of Pages:
To: PDN Government Meetings
From: The Office of Speaker Mark Forbes
Re: Public Hearing Notice- Wednesday, March 8, 2006
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Tuesday, March 7, and Wednesday, March 8, 2006 to read:

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BILL No. 256 (LS) - by Ray Teorio

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1	713	4773079	3- 6-06;10:14AM	56"	2/ 2	EC		CP 14.4

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The 28th Guam Legislature

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Speaker Mark Forbes

March 06, 2006

MEMORANDUM

TO: All Media:
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Harvest Family Radio 477-7136 KPRG 734-2958
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FROM: Speaker
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1	698	clerks	3- 3-06; 10:37AM	22"	1/ 1	EC	BC	CP 26.4
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3	713	4773079	3- 6-06; 10:14AM	56"	2/ 2	EC	BC	CP 14.4
4	715	pdn	10:15AM	57"	2/ 2	EC	BC	CP 14.4
5	715	marianas variety	10:17AM	57"	2/ 2	EC	BC	CP 14.4
6	715	k stereo	10:18AM	34"	2/ 2	EC	BC	CP 28.8
7	715	glimpses	10:19AM	42"	2/ 2	EC	BC	CP 26.4
8	715	harvest radio	10:20AM	33"	2/ 2	EC	BC	CP 26.4
9	715	kuam	10:21AM	38"	2/ 2	EC	BC	CP 26.4
10	715	power ninty eight	10:22AM	56"	2/ 2	EC	BC	CP 14.4
11	715	hit radio	10:23AM	30"	2/ 2	EC	BC	CP 28.8
12	715	adventist radio	10:24AM	1' 11"	2/ 2	EC	BC	CP 9600
13	715	kprg	10:25AM	1' 59"	2/ 2	G3	BC	CP 9600
14	715	rlene live	10:28AM	55"	2/ 2	EC	BC	CP 14.4
15	718	sen. frank aguon	10:29AM	0"	-/ 2		BC	056D
16	718	sen. joanne brown	10:30AM	1' 39"	2/ 2	EC	BC	CP 9600
17	718	sen. eddie calvo	10:32AM	33"	2/ 2	EC	BC	CP 26.4
18	718	sen. b. j. cruz	10:33AM	29"	2/ 2	EC	BC	CP 28.8
19	718	sen. mike cruz	10:34AM	29"	2/ 2	EC	BC	CP 28.8
20	718	sen. kasperbauer	10:35AM	59"	2/ 2	EC	BC	CP 14.4
21	718	sen. klitzie	10:36AM	1' 15"	2/ 2	G3	BC	CP 14.4
22	718	sen. leon guerrero	10:38AM	55"	2/ 2	EC	BC	CP 14.4
23	718	sen. jesse lujan	10:39AM	1' 39"	2/ 2	EC	BC	CP 9600
24	718	sen. palacios	10:42AM	31"	2/ 2	EC	BC	CP 28.8
25	718	sen. respicio	10:42AM	31"	2/ 2	EC	BC	CP 28.8
26	718	sen. tenorio	10:43AM	2' 14"	2/ 2	G3	BC	CP 9600
27	718	sen. unpingco	10:46AM	54"	2/ 2	EC	BC	CP 14.4
28	718	sen. won pat	10:47AM	54"	2/ 2	EC	BC	CP 14.4
29	718	executive director	10:48AM	30"	2/ 2	EC	BC	CP 28.8
30	718	clerks	10:49AM	0"	-/ 2		BC	056D
31	718	sergeant at arms	10:50AM	1' 06"	2/ 2	EC	BC	CP 9600
32	720	4776666	11:07AM	1' 34"	3/ 3	EC		CP 14.4
33	723	6496178	11:10AM	36"	2/ 2	EC		CP 28.8
34	726	4779402	11:13AM	36"	2/ 2	EC		CP 28.8
35	728	5654826	11:14AM	34"	2/ 2	EC		CP 28.8
36	729	AGRICULTURE/DOS	11:15AM	36"	2/ 2	EC		CP 28.8
37	735	6496178	11:46AM	34"	2/ 2	EC		CP 28.8
38	738	executive director	12:51PM	49"	4/ 4	EC	BC	CP 28.8
39	738	clerks	12:52PM	0"	-/ 4		BC	056D
40	738	sergeant at arms	12:53PM	1' 59"	4/ 4	EC	BC	CP 9600
41	742	sen. joanne brown	1:47PM	1' 08"	1/ 1	EC	BC	CP 9600
42	742	sen. eddie calvo	1:49PM	27"	1/ 1	EC	BC	CP 28.8
43	742	sen. b. j. cruz	1:49PM	22"	1/ 1	EC	BC	CP 28.8
44	742	sen. mike cruz	1:50PM	24"	1/ 1	EC	BC	CP 28.8
45	742	sen. kasperbauer	1:51PM	40"	1/ 1	EC	BC	CP 14.4

Total 82

* Called **

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	702		3- 3-06; 1:03PM	1' 41"	3	EC		CP 9600
2	704		3:04PM	4' 26"	7	G3		CP 14.4
3	706	477 9006	3:21PM	1' 08"	2	EC		CP 14.4
4	708	6714752000	5:26PM	39"	1	EC		CP 14.4
5	740	7352721	3- 6-06; 12:58PM	38"	1	EC		CP 9600

Total 14

Notes :

IC: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
IC: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
IP: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
IS: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
IF: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

YAHOO! MAIL

Print - Close Window

From: "James Mitchell" <cooljtm@hotmail.com>
To: speakerforbes@yahoo.com
Subject: Bill Number 256(LS)
Date: Thu, 09 Mar 2006 17:09:50 +1000

Dear Speaker Forbes:

Please accept this as Guam Police Department's written testimony with respect to Bill Number 256(LS). GPD fully supports Bill Number 256.

Thank you,

James T. Mitchell
GPD Legal Advisor

Express yourself instantly with MSN Messenger! Download today it's FREE!

<http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/>

YAHOO! MAIL

Print - Close Window

From: "James Mitchell" <cooljtm@hotmail.com>
To: speakerforbes@yahoo.com
Subject: GPD/GIAA MOU
Date: Thu, 09 Mar 2006 17:16:46 +1000

Dear Speaker Forbes:

Please find attached the 1st draft of a MOU between GPD and GIAA. I checked around, and no one knows of any existing documents that memorize the relationship between the two agencies. GPD and GIAA will be meeting next week to discuss the proposed MOU.

If I can be further assistance, please advise.

James T. Mitchell
GPD Legal Advisor

Express yourself instantly with MSN Messenger! Download today it's FREE!

<http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/>

Attachments

Files:

 **GIAA_MOU.doc** (34k) [Preview]



MEMORANDUM OF UNDERSTANDING

THIS MOMORANDUM OF UNDERSTANDING is by and between The Guam International Airport Authority (hereinafter GIAA) whose mailing address is P.O. Box 8770, Tamuning, Guam 96931 and GUAM POLICE DEPARTMENT (hereinafter GPD), whose address is Building 233, Central Avenue, Tiyan, Guam 96913.

RECITALS

WHERE AS, GIAA is an autonomous agency of the government of Guam;

WHERE AS, GPD is a line agency of the government of Guam;

WHERE AS, GPD provides certain critical services (listed below) to GIAA;

WHERE AS, in order to efficiently and effectively provide critical services to GIAA, GPD occupies certain buildings (listed below) on GIAA premises; and

WHERE AS, the parties wish to clarify and maintain their symbiotic relationship.

NOW THEREFORE, for and in consideration of the mutual promises set forth herein, the parties agree that their relationship is as follows:

1. Purpose of Agreement. The parties acknowledge and agree that this Memorandum of Understanding (MOU) states the relationship between the parties. It is the intention of the parties by the execution of this MOU, to memorialize and clarify the existing relationship between the parties in the manner more specifically set forth in the terms of this MOU that follow. In particular, the parties acknowledge that based on the terms of this MOU, GPD provides certain critical services to GIAA; and to more effectively and efficiently provide said services, GPD occupies certain buildings on GIAA premises. The parties acknowledge and agree that although GPD and GIAA are separate and independent instrumentalities of the government of Guam, as a result the critical

services GPD provides to GIAA, GPD is an integral component of GIAA operations. The parties acknowledge and agree that GIAA does not have sufficient resources to independently perform the services that GPD provides and that GPD has the best resources to provide said services which are essential to continuous GIAA operations.

2. **GPD Obligations.**

2.1 GPD shall provide security patrols for the entire GIAA compound.

2.2 GPD shall provide to the GIAA Police Department basic and advanced training in firearms; operation of police vehicles; special weapons & tactics (SWAT) operations and any other subject the parties agree is appropriate.

2.3 GPD shall be the first responder for any criminal activity; weapons of mass destruction incidents; airline crashes; hostage situations; and hijackings.

2.4 GPD shall, at GIAA's request, conduct criminal and administrative investigations.

2.5 GPD shall collect, process and preserve all evidence of criminal activity.

2.6 With respect to GIAA premises that GPD occupies, GPD shall make improvements to, renovate and harden for natural and man made disasters; maintain and landscape the premises.

2.7 With respect to GIAA premises that GPD occupies, GPD shall pay for utilities (power and water).

3. **GIAA Obligations.**

3.1 GIAA shall, without charge, permit GPD to occupy Building 231 (23,258 sq. ft.); Building 233 (9,192 sq. ft.); Building 235 (24,126 sq. ft.); Building 1733 (4294 sq. ft.); Building 17-3307 (18,700 sq. ft.); and Building 17-3403 (2,754 sq. ft.).

4. **Term of MOU.**

4.1 This MOU remains in effect so long as GPD occupies the above stated GIAA buildings.

4.2 Parties may terminate this MOU at any time upon sixty (60) days advanced written notice.

5. **Modification of MOU.** It is further understood that if the parties agree that changes would improve the working relationship between the parties, they may modify this MOU. Modifications to this MOU shall have no force or effect unless and until they are reduced to writing and signed by an authorized representative of the parties herein.

6. **Independent Advice of Counsel.** Each party represents and declares that it has or could have received independent advice from its respective attorneys with respect to the advisability of making the settlement provided for herein and with respect to the advisability of executing this Agreement. Each party further represents and declares that they have not relied upon any statement or representation by the other party or of any of its partners, agents, employees, or attorneys in executing this Agreement or in making the settlement provided for herein, except as expressly provided for herein.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date written by their respective names.

JESS Q. TORRES
Executive Manager
Guam International Airport Authority

FRANKIE T. ISHIZAKI
Chief of Police
Guam Police Department

Dated _____

Dated _____

I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

Bill No. 256(LS)

Introduced by:

Ray Tenorio
Mark Forbes

AN ACT TO AMEND SECTION 59110 OF CHAPTER 59 OF TITLE 5, GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW 28-60 AND TO ADD A NEW SECTION 59111 TO CHAPTER 59 OF TITLE 5, GUAM CODE ANNOTATED.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1.** Section 59110 of Chapter 59 OF TITLE 5, Guam Code
3 Annotated is amended to read:

4 **“Section 59110. Authorization to Enter into a Agreement for a**
5 **Lease to Purchase of Existing Facilities.** Severability. ~~If any provision of~~
6 ~~this chapter or its application to any person or circumstance is found to be~~
7 ~~invalid or contrary to law, such invalidity shall not affect other provisions or~~
8 ~~applications of this Chapter which can be given effect without the invalid~~
9 ~~provisions or applications, and to this end the provisions of this Chapter are~~
10 severable. The government of Guam is also authorized to enter into a lease
11 to purchase agreement with a private owner for an existing building or land
12 presently occupied or to be occupied in the future by a public safety agency,
13 as defined by §59102(i) of Public Law 28-60. Funds previously
14 appropriated for the lease of such building or land may be used for said lease
15 purchase agreement. The terms of the lease to purchase agreement
16 authorized by this section shall comply with Section 59103 of Chapter 59 of
17 Title 5 G.C.A.

1 Section 2. A new Section 59111 is hereby added to Chapter 59 of
2 Title 5, Guam Code Annotated to read:

3 “Section 59111. Severability. If any provision of this chapter or its
4 application to any person or circumstance is found to be invalid or contrary
5 to law, such invalidity shall not affect other provisions or applications of this
6 Chapter which can be given effect without the invalid provision or
7 application ,and to this end the provisions of this Chapter are severable.”