



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

RECEIVED
OFFICE OF THE SPEAKER
DATE: 3-23-94
TIME: 1:20 pm
RECD BY: [Signature]

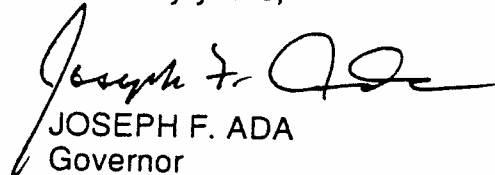
**REFER TO
LEGISLATIVE SECRETARY**

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hessler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 753, which has been designated as Public Law
No. 22-97.

Sincerely yours,


JOSEPH F. ADA
Governor
220590

Attachment

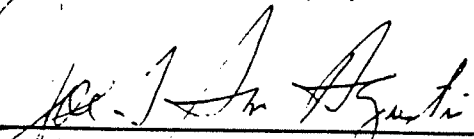


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

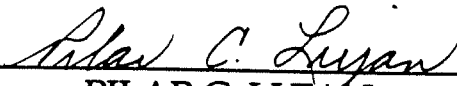
CERTIFICATION TO THE GOVERNOR OF PASSAGE OF AN ACT

This is to certify that Substitute Bill No. 753 (LS), "AN ACT TO PROTECT THE SAFETY OF GUAM PUBLIC SCHOOL CHILDREN WHILE ON SCHOOL CAMPUSES AND MINIMIZING THE NUMBER OF VANDALISM ACTIVITIES OCCURRING IN PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES BY FENCING THEM; TO MAKE ZONE CHANGES IN YIGO, DEDEDO, AGAÑA HEIGHTS, AND TAMUNING; AND TO AMEND §2107, TITLE 2, GUAM CODE ANNOTATED, ON SEPARATE CONSIDERATION OF LAND BILLS BY THE LEGISLATURE," returned to the Legislature without the approval of the Governor, was reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 8th day of March, 1994, agree to pass said bill notwithstanding the objection of the Governor by a vote of two-thirds or more of all the members thereof, to wit: by a vote of fifteen (15) members.



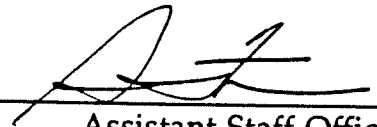
JOE T. SAN AGUSTIN
Speaker

Attested:



PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 21st day of March, 1994, at
11:00 o'clock A.M.



Assistant Staff Officer
Governor's Office

Public Law No. 22-97

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 753 (LS)

As substituted by the Committee on
Education and as further substituted
on the floor.

Introduced by:

M. Z. Bordallo
C. T. C. Gutierrez
J. T. San Agustin

H. D. Dierking
T. C. Ada
J. P. Aguon
E. P. Arriola
P. C. Lujan
T. S. Nelson
V. C. Pangelinan
D. Parkinson
E. D. Reyes
F. E. Santos
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
A. R. Unpingco

AN ACT TO PROTECT THE SAFETY OF GUAM PUBLIC
SCHOOL CHILDREN WHILE ON SCHOOL
CAMPUSES AND MINIMIZING THE NUMBER OF
VANDALISM ACTIVITIES OCCURRING IN PUBLIC
SCHOOLS DURING NON-INSTRUCTIONAL TIMES
BY FENCING THEM; TO MAKE ZONE CHANGES IN
YIGO, DEDEDO, AGAÑA HEIGHTS, AND
TAMUNING; AND TO AMEND §2107, TITLE 2, GUAM
CODE ANNOTATED, ON SEPARATE

CONSIDERATION OF LAND BILLS BY THE
LEGISLATURE.

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

2 **Section 1. (a) Legislative findings.** The Legislature finds that several
3 of Guam's public schools presently without adequate fencing are located close
4 to busy roads and highways which poses a threat to the safety of the schools'
5 pupils. To address this concern, many parents have requested that the
6 schools be fenced to protect school students and personnel. Additionally, over
7 the past few years, the level of vandalism, particularly graffiti, has increased
8 significantly throughout the island. These vandalism activities have
9 damaged several public educational facilities. A teacher of F. Q. Sanchez
10 Elementary School in Umatac reported that several classrooms and hallways
11 of the school were vandalized with graffiti, causing the school and the
12 Department of Education (the "Department") to incur unnecessary expenses
13 in the repair and restoration of the school property. Because of the
14 significant costs associated with the repair and restoration of school property
15 resulting from vandalism of the schools, the Legislature finds that it is
16 necessary to insure that such vandalism activities be minimized. One option
17 available is the proper fencing of all of Guam's public school facilities, which
18 should prevent many of these vandalism activities from taking place.
19 Therefore, this Act addresses both the safety of the school children and the
20 vandalism problems by requiring that all of Guam's public schools be enclosed
21 with fencing, and that the fencing be properly secured during such times that
22 the respective schools are not being utilized for educational purposes or
23 authorized community activities.

24 **(b) Guam public schools be fenced.** The Department shall provide
25 proper fencing for all Guam public school facilities, and shall insure that such

1 fences are properly secured during such times that the schools are not being
2 utilized for educational purposes or for authorized community activities.

3 (c) **Assessment of schools.** The Department shall conduct an
4 assessment of all Guam's public schools, compiling information on their
5 fencing needs and the cost of complying with this section. Such assessment
6 shall also include the replacement or repair of damaged fences. Should the
7 Department be unable to incur such costs within its present annual fiscal year
8 budget, it shall submit a report to the Governor and the Legislature of its
9 findings, setting out the funding needs of the Department for properly
10 complying with the provisions of this section no later than ninety (90) days
11 after this Act goes into effect. The Department shall make every effort to
12 fence the public schools of Guam by the 1996-1997 school year.

13 **Section 2. (a) Legislative findings.** The Legislature finds that certain
14 lots in Yigo owned by Scan Orient Inc. (the "Owner") are currently zoned in
15 fractions—some parts are zoned Commercial, some Rural and some Single
16 Family Residential. In order to achieve the highest and best use of these lots,
17 the Legislature further finds that they should be rezoned to allow their
18 orderly development by the Owner in a rapidly growing area. The Owner's
19 principals are the owners of Oceanic Pacific Lumber Company recently
20 destroyed by a catastrophic fire, and the Legislature finds that such rezoning
21 might assist them in rebuilding their business.

22 (b) **Lots in Yigo rezoned.** That portion of Lot No. 7110-New-New-1,
23 Yigo, zoned Single Family Residential ("R-1") is hereby rezoned Commercial
24 ("C"); that portion of said Lot No. 7110-New-New-1, zoned Rural ("A") is
25 hereby rezoned Multi-family Residential ("R-2"); that portion of Lot No.
26 7110-New-New-R1, Yigo, zoned Single Family Residential ("R-1") is hereby
27 rezoned Commercial ("C"); that portion of Lot No. 7110-New-New-R1,

1 Yigo, zoned Rural ("A") is hereby rezoned Multi-family Residential ("R-2");
2 that portion of said Lot No. 7110-New-New-R1, zoned Single Family
3 Residential ("R-1") is hereby rezoned Commercial ("C"); and Lot No. 7110-
4 New-New-2, Yigo, zoned Rural ("A"), is hereby rezoned Multi-family
5 Residential ("R-2").

6 **Section 3. Rezoning of land in Tamuning.** Lot No. 28, Block 1, located
7 in the Satpon Point Subdivision, in the municipality of Tamuning, Guam,
8 containing an area of approximately 500+ square meters, owned by Rustica
9 Sally Geisenger and Lisa Ann Geisenger, is hereby rezoned from Single
10 Family Residential ("R-1") to Multi-family Residential ("R-2").

11 **Section 4. Rezoning in Yigo.** Lot No. 12 New-2-2, Tract 292, as shown
12 on Drawing No. 3515, Yigo, containing an area of 4,000 square meters,
13 owned by Rosita D. Santos, Lourdes S. and Jesus Leon Guerrero, and Joaquin
14 B. and Antonia L. G. Santos, is hereby rezoned from Rural ("A") to Single
15 Family Residential ("R-1").

16 **Section 5. Rezoning in Dededo.** Lot No. 17, Block 25, Dededo Village
17 Extension, containing an area of 929.03 square meters, owned by Jose G.
18 Savares and Oliva B. Savares, Lot No. 9, Block 29, Dededo Village Extension,
19 containing an area of 919.61 square meters, owned by Loren E. Lelis and
20 Cecilia H. Lelis, and Lot No. 16, Block 25, Dededo Village Extension,
21 containing an area of 929.03 square meters, owned by Alberto S. Salonga and
22 Maria S. Salonga, are all hereby rezoned from Single Family Residential
23 ("R-1") to Multi-family Residential ("R-2").

24 **Section 6. Correcting lot number on previous rezoning in Agaña**
25 **Heights.** Item (h) of Section 5, Public Law 21-144, is hereby amended to read:

26 "(h) Lot No. 3061-4-1-R1, Estate No. 8564, situated in Agaña
27 Heights, Municipality of Sinajaña, said to contain an area of 10,325

1 square feet; and Lot No. 3061-8-R4, Estate No. 57, situated in Agaña
2 Heights, Municipality of Sinajaña, said to contain an area of
3 2,689.61 square meters, owned by Florentina L. Untalan, are hereby
4 rezoned from Single Family Residential ("R-1") to Multi-family
5 Residential ("R-2")."

6 **Section 7. Correcting lot numbers on previous rezoning in**
7 **Dededo.** Subsection (a) of Section 10, and subsection (b) of Section 13, all of
8 Public Law 22-72 are hereby amended to read:

9 "Section 10. (a) **Background.** The owners of Lot No. 27 (176),
10 Block No. 1 (Subdivision of Lot No. 5172-2), 24 Point, Dededo, desire
11 to build a 2- or 4-unit dwelling thereon, which lot is zoned for single
12 family dwellings, in order to accommodate the needs of their family.

13 **Section 13. (b) Lot rezoned.** Lot No. 15, Block 25, Dededo,
14 Estate No. 9462, Suburban, containing an area of 929.03± square
15 meters, as shown on Drawing No. E4-55T343, bearing Certificate of
16 Title No. 14173, recorded at DLM under Document No. 53318,
17 owned by Avelino D. Cabreros and Natividad F. Cabreros, is hereby
18 rezoned from Single Family Residential ("R-1") to Multi-family
19 Residential ("R-2")."

20 **Section 8. Amendment to law on considering land bills.** §2107 of Title
21 2, Guam Code Annotated, is hereby amended to read:

22 "§2107. **Separate consideration of land bills.** (a) Every bill
23 authorizing the sale, gift, disposal, transfer, or trade of government
24 of Guam land (hereinafter called 'transfer of land' or 'land
25 transfer'), and every bill authorizing the leasing of any government
26 land for more than two (2) years shall contain only matters
27 reasonably related to one (1) such transaction, and may not be

1 considered with any other transaction or any unrelated matters,
2 unless the particular transaction is a transfer or trade which involves
3 the taking by the government of Guam of more than one privately-
4 owned lot at essentially the same time for the same public purpose
5 and project, in which case the bill may contain all matters related to
6 that transfer or trade. No authorization for such land lease or land
7 transfer may be considered as a "rider" or amendment to another
8 bill, and neither may any unrelated amendment or "rider" be
9 considered by the Legislature on any bill which authorizes the lease
10 or transfer of land.

11 (b) No such bill authorizing the transfer of land or leasing of
12 land may be considered by the Legislature on third reading unless
13 accompanied by two (2) appraisals on all land concerned, appraised
14 for highest and best use regardless of zoning, from two separate
15 licensed real estate appraisers, one (1) of which appraisals is not
16 more than twelve (12) months old, and which appraisals are paid for
17 by the transferee. If the transferee is the government of Guam by
18 virtue of exercising its eminent domain power or similar action for
19 specific and identified public benefit, the appraisals, surveys, maps,
20 and recordation shall be paid by the government of Guam. The
21 private land owner shall sign a statement that the person agrees that
22 his paying for the appraisals does not in any way obligate the
23 Legislature nor the government of Guam to approve the transfer.
24 One (1) of the appraisers shall be selected by the Department of Land
25 Management and the other by the private landowner. The average
26 of the two (2) appraisals may be used by the Legislature as the value
27 for the transfer or trade."

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

Date: 3/8/94

VOTING SHEET (AS REVISED)

Voted
Bill No. 753
Resolution No. _____

shall voted B753 be enacted into law, notwithstanding the Governor's objection?"

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
DA, Thomas C.	/	✓		
AGUON, John P.		✓		
RIOLA, Elizabeth P.		✓		
CAMBA, J. George		✓		
LAZ, Anthony C.	/		✓	
DALLO, Madeleine Z.		✓		
OKS, Doris F.			✓	
ACHO, Felix P.	/		✓	
DIERKING, Herminia D.		✓		
GUTIERREZ, Carl T. C.		✓		
LUJAN, Pilar C.	/	✓		
MANIBUSAN, Marilyn D. A.	/		✓	
NELSON, Ted S.		✓		
PANGELINAN, Vicente C.		✓		
PARKINSON, Don		✓		
REYES, Edward D.		✓		
SAN AGUSTIN, Joe T.		✓		
SANTOS, Francis E.		✓		
SHIMIZU, David L. G.		✓		
TANAKA, Thomas V. C.				✓
UNPINGCO, Antonio R.				✓

TOTAL 15 2 4



P.L. 22-97

Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

1000 1100 1100
3-7-94
5:35 pm.

RECEIVED

OFFICE OF THE SPEAKER

DATE: 3/8/94

TIME: 8:50 AM

RECD BY: Jerry

March 7, 1994

The Honorable Joe T. San Agustin
Speaker
Twenty Second Guam Legislature
Agana, Guam 96910

Dear Mr. Speaker:

Enclosed herewith is Substitute Bill No. 753 which I have vetoed in its entirety.

Section 1 requires the fencing of all schools. The intent behind requiring the repair and construction of fences around all Guam public School System's school sites is well-intentioned but unnecessary due to the fact that much of the work has already been accomplished. The Guam public School System made a decision some time ago to fence all schools and has made great progress toward this goal. Please refer to the Attachment "A" for a current update on these projects.

As we move toward the establishment of an elected school board and decentralization of the Guam Public School System, greater autonomy and requisite responsibility and accountability for addressing school needs must be placed in the hands of principals. The role of the Legislature should be one of legal, financial and moral support rather than that of a manager. The principals must be tasked with the responsibility of bringing their schools' needs to the Legislature rather than the reverse.

Please be assured that the Legislature's concerns raised in Section 1 of Bill No. 753 will be addressed through the new standard operating procedures of the Guam Public School System.

Sections 2 through 8 of this measure are riders. In the past I have vetoed measures rezoning various parcels if there has been no public hearing. I have been advised that none of the provisions of Sections 2 through 5 were publicly heard. Owners of properties adjacent to these parcels were not given the opportunity to appear and comment on the changes that may affect their lands.

I find that the amendment made in Section 8 is commendable. However, it has been law for sometime and it has been ignored for some time. If the Legislature followed it then it would not have



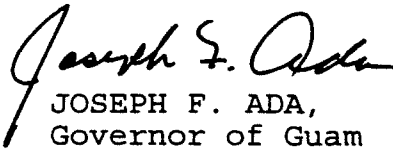
Commonwealth Now!

Mr. Speaker
March 7, 1994
Page Two

been able to act on Substitute Bills 462, 659 and 697 which I am vetoing. But since it governs an internal legislative procedure it is not binding on the Twenty Second or any future Guam Legislature.

Once again I urge the Legislature not to tack on riders especially ones which affect the rights of others and require public hearing.

Cordially,


JOSEPH F. ADA,
Governor of Guam

220571

SCHOOL-WIDE FENCE LISTING

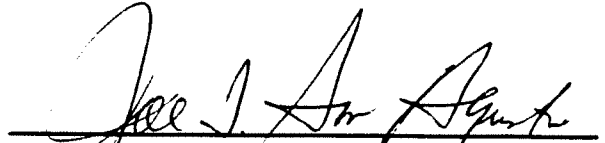
School	Fenced-in	All Around or Partial	Status
Agana Hts. Elem.	Yes	All Around	Needs new fabrics due to rust
Agat Elementary	Yes	"	No problem
Carbullido Elem.	Yes	"	No problem
Finegayan Elem.	No	Partial	1/4 of rear side of school is fenced; sides & front sections not fenced in.
Harmon Loop Elem.	Yes	All Around	No problem.
Inarajan Elem.	No		Private property owners behind the school are utilizing eastmen adjacent to the school property.
L.B.Johnson Elem.	Yes	All Around	No problem.
M.U. Lujan Elem.		Partial	Rear side only. Needs new fabric
P.C. Lujan Elem.	Yes	All Around	Needs minor repair - new fabric
Merizo Elem.	Yes	All Around	Needs a new gate for the rear section & minor repair on the fences.
Ordot-Chalan Pago	Yes	All Around	No problem.
Price Elem.	Yes	All Around	No problem.
F.Q. Sanchez Elem.	Yes	All Around	Needs entrance gate & service gate for the cafeteria.
J.Q. San Miguel Elem.		Partial	Needs fences in the front portion.
C.L. Taitano Elem.	Yes	All Around	No problem.
Talofofa Elem.	Yes	All Around	New
Tamuning Elem.	Yes	All Around	Needs new fabric on damaged & rusted areas.
J.P. Torres Elem.	Yes	All Around	No problem.
H.S. Truman Elem.	Yes	All Around	No problem.
M.A. Ulloa Elem.	Yes	All Around	No problem.

School	Fenced-in	All Around or Partial	Status
Upi Elem.	Yes	All Around	Needs approx. 400 ft. of new fabrics east of bldg. & about 1500 ft. of new fabrics south of bldg. as well as a new post due to construction of new permanent classrooms.
Wettengel Elem.	Yes	All Around	No problem.
Yigo Elem.	Yes	All Around	School is requesting to section off the playground area on the west side & also the PUAG pump station.
MIDDLE SCHOOLS			
Agueda Johnston	Yes	All Around	No problem.
Dededo Middle	Yes	All Around	No problem.
Inarajan Middle	No		Entrance eastmen is being utilized by residents.
F.B. Leon Guerrero	Yes	All Around including the SSHS	Note: The school is requesting to separate the boundary area from SSHS. Would need approx. 750 ft. of fences to do this.
Piti Middle			Under construction - Est. completion date is Mar. 7, 1994
L.P. Untalan	Yes	All Around	No problem.
HIGH SCHOOLS			
John F. Kennedy	Yes	All Around	New
George Washington	Yes	All Around	Needs minor repair like patching up holes.
Simon Sanchez	Yes	All Around	See comments under FBLG Middle.
Inarajan High	Yes	All Around	New
Oceanview High	Yes	All Around	Needs fabric for minor patching up work.

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

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JOE T. SAN AGUSTIN
Speaker

Attested:




PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 23rd day of February, 1994, at
4:01 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: _____

Public Law No. _____

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 753 (LS)

As substituted by the Committee on
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on the floor.

Introduced by:

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AN ACT TO PROTECT THE SAFETY OF GUAM PUBLIC
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20 Cecilia H. Lelis, and Lot No. 16, Block 25, Dededo Village Extension,
21 containing an area of 929.03 square meters, owned by Alberto S. Salonga and
22 Maria S. Salonga, are all hereby rezoned from Single Family Residential
23 ("R-1") to Multi-family Residential ("R-2").

24 **Section 6. Correcting lot number on previous rezoning in Agaña**
25 **Heights.** Item (h) of Section 5, Public Law 21-144, is hereby amended to read:

26 " (h) Lot No. 3061-4-1-R1, Estate No. 8564, situated in Agaña
27 Heights, Municipality of Sinajaña, said to contain an area of 10,325

1 square feet; and Lot No. 3061-8-R4, Estate No. 57, situated in Agaña
2 Heights, Municipality of Sinajaña, said to contain an area of
3 2,689.61 square meters, owned by Florentina L. Untalan, are hereby
4 rezoned from Single Family Residential ("R-1") to Multi-family
5 Residential ("R-2")."

6 **Section 7. Correcting lot numbers on previous rezoning in**
7 **Dededo.** Subsection (a) of Section 10, and subsection (b) of Section 13, all of
8 Public Law 22-72 are hereby amended to read:

9 "Section 10. (a) **Background.** The owners of Lot No. 27 (176),
10 Block No. 1 (Subdivision of Lot No. 5172-2), 24 Point, Dededo, desire
11 to build a 2- or 4-unit dwelling thereon, which lot is zoned for single
12 family dwellings, in order to accommodate the needs of their family.

13 **Section 13. (b) Lot rezoned.** Lot No. 15, Block 25, Dededo,
14 Estate No. 9462, Suburban, containing an area of 929.03± square
15 meters, as shown on Drawing No. E4-55T343, bearing Certificate of
16 Title No. 14173, recorded at DLM under Document No. 53318,
17 owned by Avelino D. Cabreros and Natividad F. Cabreros, is hereby
18 rezoned from Single Family Residential ("R-1") to Multi-family
19 Residential ("R-2")."

20 **Section 8. Amendment to law on considering land bills.** §2107 of Title
21 2, Guam Code Annotated, is hereby amended to read:

22 "§2107. **Separate consideration of land bills.** (a) Every bill
23 authorizing the sale, gift, disposal, transfer, or trade of government
24 of Guam land (hereinafter called 'transfer of land' or 'land
25 transfer'), and every bill authorizing the leasing of any government
26 land for more than two (2) years shall contain only matters
27 reasonably related to one (1) such transaction, and may not be

1 considered with any other transaction or any unrelated matters,
2 unless the particular transaction is a transfer or trade which involves
3 the taking by the government of Guam of more than one privately-
4 owned lot at essentially the same time for the same public purpose
5 and project, in which case the bill may contain all matters related to
6 that transfer or trade. No authorization for such land lease or land
7 transfer may be considered as a "rider" or amendment to another
8 bill, and neither may any unrelated amendment or "rider" be
9 considered by the Legislature on any bill which authorizes the lease
10 or transfer of land.

11 (b) No such bill authorizing the transfer of land or leasing of
12 land may be considered by the Legislature on third reading unless
13 accompanied by two (2) appraisals on all land concerned, appraised
14 for highest and best use regardless of zoning, from two separate
15 licensed real estate appraisers, one (1) of which appraisals is not
16 more than twelve (12) months old, and which appraisals are paid for
17 by the transferee. If the transferee is the government of Guam by
18 virtue of exercising its eminent domain power or similar action for
19 specific and identified public benefit, the appraisals, surveys, maps,
20 and recordation shall be paid by the government of Guam. The
21 private land owner shall sign a statement that the person agrees that
22 his paying for the appraisals does not in any way obligate the
23 Legislature nor the government of Guam to approve the transfer.
24 One (1) of the appraisers shall be selected by the Department of Land
25 Management and the other by the private landowner. The average
26 of the two (2) appraisals may be used by the Legislature as the value
27 for the transfer or trade."

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

Date: 2/18/94

VOTING SHEET

(AS REVISED)

Bill No. 753
 Resolution No. _____
 Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente C.	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.		✓		
UNPINGCO, Antonio R.		✓		

TOTAL 19 2 0 _____



COMMITTEE ON EDUCATION
TWENTY-SECOND GUAM LEGISLATURE
KUMITEN IDUKASION
MINA'BENTE DOS NA LIHESLATURA

155 Hesler Street • Agaña, Guam 96910 • Tel: (671) 472-3581/2/3 • Fax: (671) 472-3585

February 17, 1994

Senator

Madeleine F. Bordallo
CHAIRPERSON

COMMITTEE ON
EDUCATION

Sen. Thomas C. Ada
Vice-Chairperson

MEMBERS

Vice Speaker John P. Aguon
 Sen. Elizabeth P. Arriola
 Sen. Herminia D. Dierking
 Sen. Carl T.C. Gutierrez
 Sen. Pilar C. Lujan
 Sen. David L.G. Shimizu
 Sen. J. George Bamba
 Sen. Anthony C. Blaz
 Sen. Marilyn D.A. Manibusan
 Sen. Thomas V.C. Tanaka

Speaker Joe T. San Agustin
Ex. Officio

The Honorable Joe T. San Agustin
Speaker
Twenty Second Guam Legislature
155 Hesler Street
Agaña, Guam 96910

Dear Speaker San Agustin:

The Committee on Education, Twenty Second Guam Legislature, to which was referred BILL NO. 753: "AN ACT RELATIVE TO ADDRESSING THE SAFETY OF GUAM PUBLIC SCHOOL CAMPUSES AND MINIMIZING THE NUMBER OF VANDALISM ACTIVITIES OCCURRING IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES, BY REQUIRING THAT THE PROPER ENCLOSURE OF ALL GUAM'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED." as substituted by the Committee on Education, does hereby recommend that the provision be favorably considered and passed by the Twenty-Second Guam Legislature.

Votes of the Committee members are as follows:

<i>To Pass</i>	<u>8</u>
<i>To Not Pass</i>	<u>0</u>
<i>To Abstain</i>	<u>0</u>
<i>To Report Out</i>	<u>0</u>
<i>To Place in Inactive File</i>	<u>0</u>
<i>Off-Island</i>	<u>0</u>
<i>Not Available</i>	<u>40</u> <i>MFB</i>

Respectfully Submitted,

Madeleine F. Bordallo
MADELEINE Z. BORDALLO
 Chairperson

Enclosures



COMMITTEE ON EDUCATION
TWENTY-SECOND GUAM LEGISLATURE
KUMITEN IDUKASION
MINA'BENTE DOS NA LIHESLATURA

155 Hesler Street • Agaña, Guam 96910 • Tel: (671) 472-3581/2/3 • Fax: (671) 472-3585

VOTING SHEET

Senadora

Madeleine Z. Bordallo

CHAIRPERSON

COMMITTEE ON
EDUCATION

Sen. Thomas C. Ada
Vice-Chairperson

MEMBERS

- Vice Speaker John P. Aguon
- Sen. Elizabeth P. Arriola
- Sen. Herminia D. Dierking
- Sen. Carl T.C. Gutierrez
- Sen. Pilar C. Lujan
- Sen. David L.G. Shimizu
- Sen. J. George Bamba
- Sen. Anthony C. Blaz
- Sen. Marilyn D.A. Manibusan
- Sen. Thomas V.C. Tanaka

BILL NO. 753

(AS SUBSTITUTED BY THE COMMITTEE ON EDUCATION)

"AN ACT RELATIVE TO ADDRESSING THE SAFETY OF
GUAM PUBLIC SCHOOL CHILDREN WHILE ON
SCHOOL CAMPUSES AND MINIMIZING THE NUMBER
OF VANDALISM ACTIVITIES OCCURRING IN OUR
ISLAND'S PUBLIC SCHOOLS DURING NON-
INSTRUCTIONAL TIMES, BY REQUIRING THAT THE
DEPARTMENT OF EDUCATION PROVIDE FOR THE
PROPER ENCLOSURE OF ALL GUAM'S PUBLIC
SCHOOL FACILITIES WITH FENCING AND THAT SUCH
FENCES BE PROPERLY SECURED."

<u>COMMITTEE MEMBER</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
<i>Madeleine Z. Bordallo</i> MADELEINE Z. BORDALLO Chairperson	✓			
<i>T.C. Ada</i> THOMAS C. ADA Vice Chairperson	✓			
<i>Joe T. San Agustin</i> SPEAKER JOE T. SAN AGUSTIN (Ex-Officio Member)	✓			
<i>Carl T.C. Gutierrez</i> CARL T.C. GUTIERREZ Member	✓			
<i>David L.G. Shimizu</i> DAVID L. G. SHIMIZU Member	✓			
<i>John P. Aguon</i> VICE-SPEAKER JOHN P. AGUON Member	✓			

Speaker Joe T. San Agustin
Ex. Officio

<u>COMMITTEE MEMBER</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
<u><i>H. Dierking</i></u> HERMINIA D. DIERKING Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u><i>E. Arriola</i></u> ELIZABETH P. ARRIOLA Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PILAR C. LUJAN</u> Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>J. GEORGE BAMBA</u> Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>ANTHONY C. BLAZ</u> Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>MARILYN D.A. MANIBUSAN</u> Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>THOMAS V.C. TANAKA</u> Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**COMMITTEE ON EDUCATION
TWENTY SECOND GUAM LEGISLATURE**

SENATOR MADELEINE Z. BORDALLO
Chairperson

COMMITTEE MEMBERS

Senator Thomas C. Ada, Vice-Chairman
Vice-Speaker John P. Aguon
Senator Elizabeth P. Arriola
Senator Herminia D. Dierking
Senator Carl T. C. Gutierrez
Senator Pilar C. Lujan
Senator David L. G. Shimizu
Senator J. George Bamba
Senator Anthony C. Blaz
Senator Marilyn D. A. Manibusan
Senator Thomas V. C. Tanaka

Speaker Joe T. San Agustin
Ex-Officio Member

**COMMITTEE REPORT
ON
BILL NO. 753**

"AN ACT RELATIVE TO ADDRESSING THE SAFETY OF GUAM PUBLIC SCHOOL CHILDREN WHILE ON SCHOOL CAMPUSES AND MINIMIZING THE NUMBER OF VANDALISM ACTIVITIES OCCURRING IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES, BY REQUIRING THAT THE DEPARTMENT OF EDUCATION PROVIDE FOR THE PROPER ENCLOSURE OF ALL GUAM'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED."

The Committee on Education of the Twenty Second Guam Legislature conducted a public hearing on Bill No. 753, relative to enclosing and securing all Guam public schools with proper fencing for the safety of the school children and to minimize the vandalism occurring in the schools during non-instructional

times, on Wednesday, December 29, 1993, in the Public Hearing Room, Temporary Legislative Building, Agana, Guam.

MEMBERS PRESENT

Senator Madeleine Z. Bordallo, Chairperson
Senator Thomas C. Ada, Vice-Chairman
Vice-Speaker John P. Aguon
Senator Carl T. C. Gutierrez
Senator Thomas Tanaka

NON-MEMBERS PRESENT

Senator Doris F. Brooks

WITNESSES PRESENT: Luis S. N. Reyes, Acting-Director, Department of Education; Roland Taimanglo, Department of Education; Ernestina A. Cruz, Department of Education; Dr. Lawrence Kasperbauer, Chairman, Guam Territorial Board of Education; Mary Gutierrez, President, Guam Parent-Teacher Association Congress.

SUMMARY OF TESTIMONY

Dr. Lawrence F. Kasperbauer
Chairman, Guam Territorial Board of Education

Dr. Lawrence F. Kasperbauer, Chairman of the Guam Territorial Board of Education, presented oral and written testimony to the Committee on Bill No. 753. Dr. Kasperbauer emphasized that the Department of Education is aware that many of the island's public schools have been plagued with vandalism over the past several years which has cost the Department significant amounts of unnecessary expenses. Dr. Kasperbauer further stated that several of the schools that presently have fences and have been secured after school hours have been vandalized, emphasizing that a fence will not stop unlawful entry.

Mr. Rory Respicio
Speaker, Nineteenth Guam Youth Congress

Mr. Rory Respicio, Speaker of the Nineteenth Guam Youth Congress,

submitted written testimony to the Committee on Education in support of Bill No. 753. In his written testimony, Mr. Respicio commenced by stating that the Nineteenth Guam Youth Congress will be actively addressing educational issues on our island. Mr. Respicio further stated that Bill No. 753 will address the vandalism occurring in our island's public schools, which would complement the proposed program of the Youth Congress to host a graffiti painting-over party for the youth. Mr. Respicio concluded by mentioning that Bill No. 753 is a measure designed to assist in keeping our island's public property maintained and a good environment for our students.

Mrs. Mary A. Gutierrez
President, Guam Parent-Teacher Association Congress

Mrs. Mary A. Gutierrez, the President of the Guam Parent-Teacher Association Congress, presented oral testimony to the Committee on Education in support of Bill No. 753. Mrs. Gutierrez stated that many of the parents support the provision, and emphasized that a problem may also be with enforcing the closure of such fences. Mrs. Gutierrez continued by stating that these fences should be properly closed during non-instructional times, and further stated that schools near five or six lane highways are hazardous to the students, emphasizing the need for fences in these areas. Mrs. Gutierrez concluded by acknowledging that money always seems to be a problem, but the government must prioritize for the children and immediately install the fences. Mrs. Gutierrez concluded by stating that the fences are very important for the schools and that the gates can be closed and arrangements made with the Guam Police Department for their periodical spot-checks.

COMMITTEE COMMENTS/QUESTIONS

Senator Madeleine Z. Bordallo, Chairperson, commenced the questioning of the witnesses present during the public hearing. Senator Bordallo questioned Mr. Luis Reyes on the number of school facilities presently fenced. Mr. Reyes responded that the information is not readily available, but the data can be provided to the Committee in a few days. Mr. Reyes further stated that in the past the Guam Police Department have requested that the fences not be secured during for their spot-checks. Senator Bordallo then stated that the fences can also serve as a safety feature of the schools, for the safety of the school

children. Senator Bordallo acknowledged that the proposed measure may not prevent all of the vandalism problems occurring during non-instructional hours, but the fences are particularly important in schools located near busy thoroughfares for the safety of the school children. Mr. Reyes then stated that no one in the Department would oppose a proposal to enclose all schools with fences if the purpose is for the safety of the children, but is questionable if the purpose is for vandalism, but if the government can afford it then why not.

Senator Thomas C. Ada, Vice-Chairman, then questioned about the number of school facilities on the island which would need to be fenced and the estimated costs for the entire project, and also asked if the Department can find that amount of money. Mr. Reyes stated that he is not too sure he may find the money in the Department's present budget. Senator Ada further asked what kind of concerns have been expressed by Guam's school principals. Mr. Reyes responded that many of the principal's concerns have been on the need to repair existing fences which have been damaged in the past. Senator Bordallo then estimated that approximately 70% of the public schools have fencing, and Mr. Reyes responded that it may be a higher percentage. Senator Bordallo then asked Mr. Reyes if the Department of Defense funds may be used for this project, Mr. Reyes responded that the Department may use such funds, and may find funds from this category.

Vice-Speaker John P. Aguon then asked the witnesses present about the position of the Department of Education and the Board of Education, emphasizing that the Committee is seeking some sense of direction on the proposed measure. Mr. Luis Reyes responded that the Guam Police Department may experience difficulties with securing the fences. Dr. Kasperbauer further stated that if enclosing the schools with fences for the primary purpose of emphasizing the safety of the children, then there is no question that the fencing would help, and he continued to state that he does not believe that the fences would deter vandalism problems. Vice-Speaker Aguon then asked what kind of vandalism activities were occurring in the schools and what has the Department of Education done to address this problem. Mr. Reyes mentioned that the schools have been experiencing all kinds of vandalism activities quite often (some of these activities include graffiti on the walls of school buildings, damages to the bathrooms and cafeterias, and others); and the Department is combatting this problem by reporting such incidence to the Guam Police Department and by relying on the security alarm system in the schools. Senator

Bordallo then concluded the discussion by expressing the Committee on Education's gratitude for the attendance and participation of the witnesses present during the discussion of Bill No. 753.

COMMITTEE FINDINGS/RECOMMENDATIONS

The Committee on Education, Twenty Second Guam Legislature, finds that there is a need for the Department of Education to provide for the enclosure of Guam's public school facilities with fencing for safety of the school children and to minimize the number of vandalism activities affecting the schools during non-instructional time periods. The Committee further finds that according to Mr. Luis S. N. Reyes, the Acting-Director of the Department of Education, more than 70% of Guam's public schools presently have fences, and that should funds be needed for this project, the Department of Defense funds (if funds are available) may be utilized to address this concern. Because of the necessity to insure the safety of the school children while they are present on the school grounds and the need to properly secure the public school facilities during non-instructional times, the Committee believes that all of Guam's public schools should be properly enclosed with fencing. THEREFORE, THE COMMITTEE ON EDUCATION OF THE TWENTY SECOND GUAM LEGISLATURE RECOMMENDS THAT BILL NO. 753, AS SUBSTITUTED BY THE COMMITTEE ON EDUCATION, " AN ACT RELATIVE TO ADDRESSING THE SAFETY OF GUAM PUBLIC SCHOOL CHILDREN WHILE ON SCHOOL CAMPUSES AND MINIMIZING THE NUMBER OF VANDALISM ACTIVITIES OCCURRING IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES, BY REQUIRING THAT THE DEPARTMENT OF EDUCATION PROVIDE FOR THE PROPER ENCLOSURE OF ALL GUAM'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED", BE FAVORABLY CONSIDERED AND PASSED BY THE TWENTY SECOND GUAM LEGISLATURE.

ATTACHMENTS

1. Voting sheet on Bill No. 753, as substituted by the Committee on Education, Twenty Second Guam Legislature.
2. Bill No. 753, as substituted by the Committee on Education, Twenty

Second Guam Legislature.

3. Bill No. 753, as introduced.
4. Written testimony by Dr. Lawrence F. Kasperbauer, Chairman, Guam Territorial Board of Education.
5. Written testimony by Mr. Rory Respicio, Speaker, 19th Guam Youth Congress.
6. Copy of public hearing agenda on Bill No. 753, held on Wednesday, December 29, 1993, in the Public Hearing Room, Temporary Legislative Building, Agana, Guam.
7. Witness attendance sheet on Bill No. 753 from the public hearing conducted on Wednesday, December 29, 1993, in the Public Hearing Room, Temporary Legislative Building, Agana, Guam.

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

BILL NO. 753.

(AS SUBST. BY THE COMMITTEE ON EDUCATION)

INTRODUCED BY:

M. Z. BORDALLO *MZB*

C. T. C. GUTIERREZ *CTC*

"AN ACT RELATIVE TO ADDRESSING THE SAFETY OF GUAM PUBLIC SCHOOL CHILDREN WHILE ON SCHOOL CAMPUSES AND MINIMIZING THE NUMBER OF VANDALISM ACTIVITIES OCCURRING IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES, BY REQUIRING THAT THE DEPARTMENT OF EDUCATION PROVIDE FOR THE PROPER ENCLOSURE OF ALL OF GUAM'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED."

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:

3
4 Section 1. Legislative Findings.

5 The Guam Legislature finds that several of Guam's public schools
6 presently without adequate fencing are located within close proximity to busy
7 roads and highways which poses a threat to the safety of the school children.
8 To address this concern, numerous parents have requested that fencing be
9 provided to prevent any possible harm to the school students and personnel.
10 Additionally, over the past few years, the level of vandalism, particularly
11 graffiti, have increased significantly throughout the island community. These
12 vandalism activities have also impacted several public educational facilities on
13 our island. Recently, on Saturday, October 23, 1993, a teacher of F. Q.

1 Sanchez Elementary School in Umatac, reported that several classrooms and
2 hallways of the school were vandalized with graffiti, causing the school and the
3 Department of Education to incur unnecessary expenses in the repair and
4 restoration of the school property. Because of the significant costs associated
5 with the repair and restoration of school property resulting from vandalism of
6 the schools, the Guam Legislature finds that it is necessary to insure that such
7 vandalism activities are minimized. One option available to addressing this
8 concern is the proper fencing of all of Guam's public school facilities, which
9 should deter many of these vandalism activities from taking place. Therefore,
10 this provision would address both the safety of the school children and the
11 vandalism problems by requiring that all of Guam's public schools be enclosed
12 with fencing, and that the fencing be properly secured during such times that the
13 respective schools are not being utilized for educational purposes or authorized
14 community activities.

15
16 **Section 2. Legislative Provision.**

17 a.) Requirement, All Guam Public Schools Be Enclosed with
18 Proper Fencing.

19 The Department of Education is hereby instructed to provide proper
20 fencing of all Guam public school facilities, and to insure that the fences are
21 properly secured during such times that the schools are not being utilized for
22 educational purposes or authorized community activities.

23 b.) The Department of Education shall insure that the provisions
24 contained in Subsection "a" of this Section be fully complied with no later than
25 School Year 1996-1997.

26
27 **Section 3. Assessment of Schools.**

28 The Department of Education shall conduct an assessment of all
29 Guam's public schools, compiling information on the fencing needs of the

1 schools and the costs associated with the compliance of the provisions within this
2 Act. The assessment shall also include the replacement or repair of damaged
3 fences. Should the Department of Education be unable to incur such expenses
4 within its present annual fiscal year budget, it shall submit a report to the
5 Governor and the Guam Legislature of its findings entailing the funding needs
6 of the Department of Education for properly complying with the provisions
7 contained herein, no later than 90 days following the passage of this Act.

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

**BILL NO. 753.
INTRODUCED BY:**

M. Z. BORDALLO 

**"AN ACT RELATIVE TO ADDRESSING THE
INCREASING NUMBER OF VANDALISM OCCURRING
IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-
INSTRUCTIONAL TIMES, BY REQUIRING THAT THE
DEPARTMENT OF EDUCATION PROVIDE FOR THE
PROPER ENCLOSURE OF ALL OF GUAM'S PUBLIC
SCHOOL FACILITIES WITH FENCING AND THAT
SUCH FENCES BE PROPERLY SECURED."**

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

**3
4 Section 1. Legislative Findings.**

**5 Over the past few years, the level of vandalism, particularly graffiti,
6 have increased significantly throughout the island community. These vandalism
7 activities have also impacted several public educational facilities on our island.
8 Recently, on Saturday, October 23, 1993, a teacher of F. Q. Sanchez
9 Elementary School in Umatac, reported that several classrooms and hallways of
10 the school were vandalized with graffiti, causing the school and the Department
11 of Education to incur unnecessary expenses in the repair and restoration of the
12 school property. Because of the significant costs associated with the repair and
13 restoration of school property resulting from vandalism of the schools, the Guam
14 Legislature finds that it is necessary to insure that such vandalism activities are
15 minimized. One option available to addressing this concern is the proper
16 fencing of all of Guam's public school facilities, which should deter many of**

1 these vandalism activities from taking place. Therefore, this provision would
2 require that all of Guam's public schools be enclosed with fencing, and that the
3 fencing be properly secured during such times that the respective schools are not
4 being utilized for educational purposes or authorized community activities.

5
6 **Section 2. Legislative Provision.**

7 a.) Requirement, All Guam Public Schools Be Enclosed with
8 Proper Fencing.

9 The Department of Education is hereby instructed to provide proper
10 fencing of all Guam public school facilities, and to insure that the fences are
11 properly secured during such times that the schools are not being utilized for
12 educational purposes or authorized community activities.

13 b.) The Department of Education shall insure that the provisions
14 contained in Subsection "a" of this Section be implemented no later than School
15 Year 1996-1997.

16
17 **Section 3. Assessment of Schools.**

18 The Department of Education shall conduct an assessment of all
19 Guam's public schools, compiling information on the fencing needs of the
20 schools and the costs associated with the compliance of the provisions within this
21 Act. The assessment shall also include the replacement or repair of damaged
22 fences. Should the Department of Education be unable to incur such expenses
23 within its present annual fiscal year budget, it shall submit a report to the
24 Governor and the Guam Legislature of its findings entailing the funding needs
25 of the Department of Education for properly complying with the provisions
26 contained herein, no later than 90 days following the passage of this Act.



TERRITORY OF GUAM
TERRITORIAL BOARD OF EDUCATION

P.O. BOX DE
AGANA, GUAM 96910



Lawrence Kasperbauer, Ph.D.
Chairman

December 29, 1993

Vice Chairman

The Honorable Madeleine Z. Bordallo
Chairperson, Committee on Education
Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

MEMBERS

Jose Leon Guerrero, Ed.D.
Dolores Barcinas
Ignacio Tainatongo
Bernie Taitague
Ester Yanza

Dear Madam Chairperson:

Thank you for giving the Department of Education the opportunity to present testimony on Bill No. 753 "AN ACT RELATIVE TO ADDRESSING THE INCREASING NUMBER OF VANDALISM OCCURRING IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES, BY REQUIRING THAT THE DEPARTMENT OF EDUCATION PROVIDE FOR THE PROPER ENCLOSURE OF ALL OF GUAM'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED."

EX-OFFICIO MEMBERS

Mary Gutierrez
(GPTO)

Major Susan Hankey
(USAF)

Alice Lewis
(GFT)

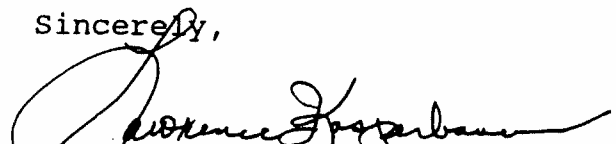
Barbara Askey
(USN)

Jose Rivera
(MAYORS' COUNCIL)

We are all aware that many of our public schools have been plagued with vandalism over the past several years which has cost the Department significant amounts of unnecessary expenses. It would seem that enclosing each school with security fencing and posting a notice to the public that this is a "Closed" campus should be a deterrent in itself. However, this is often not the case: some of our schools that are surrounded by fencing and are secured after hours have been vandalized. If an individual has the idea of getting into school, not even a fence will stop the unlawful entry.

Again, thank you for giving us the opportunity to testify on this Bill.

Sincerely,


LAWRENCE F. KASPERBAUER, Ph.D.
Chairman

Luis S.N. Reyes
Executive Secretary



NINETEENTH GUAM YOUTH CONGRESS

155 Hesler Street
Agana, Guam 96910
Tel: 472-3441 • Fax: 477-5632

*Rep. Eileen Sablan
Vice Speaker*

*Rep. Rory Respicio
Speaker*

*Rep. Florence Dulla
Legislative Secretary*

written testimony submitted by:

Rory Respicio
Speaker, 19th Guam Youth Congress

on

BILL 753

AN ACT RELATIVE TO ADDRESSING THE INCREASING NUMBER OF VANDALISM OCCURRING IN OUR ISLAND'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED.

Madam Chair:

Thank you for seeking the input of the Nineteenth Guam Youth Congress. In my inaugural address on November 20, 1993, I thanked you and your Committee on Education for seeking youth input by placing a Youth Congress' representative to serve on your Blue Ribbon Advisory Council on Education.

The Nineteenth Guam Youth Congress will address educational issues, among other things, and seek ways to ensuring that the Department of Education (DOE) is fulfilling its public mandate to provide quality education to the young people of our territory. I submit to your Committee on Education written testimony on Bill 753, which pertains to our public educational system:

Vandalism occurring in our island's public schools has been the recent focus of public concern. Bill 753 seeks to rectify the problem. To complement Bill 753, and to address the graffiti problem, the Nineteenth Guam Youth Congress plans to host a graffiti painting-over party. This event will send a clear message to the offenders that their "peers" do not think it's "cool" to trash others' private property, and "OUR" public property. This is a fine example--and only the beginning--of the Legislature and the Youth Congress working together to benefit our island's youth and the community at large. The Youth Congress is in favor of

Written Testimony on Bill 753
12/27/93
Submitted to the Committee on Education
Page 2 of 2

Bill 753 as a measure designed to assist in keeping "our" public property maintained and a good environment for our students.

On behalf of the members of the 19th Guam Youth Congress, I thank you for affording me the opportunity to address your Committee. Again, I emphasize that the Youth Congress will provide contributive efforts to your Committee on Education as we seek to answer some of our island's problems, particularly problems with our public educational system. Together, we can and will make a difference!

Respectfully Submitted,


RORY RESPICIO



COMMITTEE ON EDUCATION

TWENTY-SECOND GUAM LEGISLATURE

KUMITEN IDUKASION

MINA'BENTE DOS NA LIHESLATURA

155 Hesler Street • Agaña, Guam 96910 • Tel: (671) 472-3581/2/3 • Fax: (671) 472-3585

PUBLIC HEARING

Wednesday, December 29, 1993

Public Hearing Room

Temporary Legislative Building, Agaña

9:00 a.m.

AGENDA

BILLS:

- I. **BILL NO. 490**
"AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE SAFE CLEAN DRINKING WATER FOR ALL PUBLIC SCHOOL STUDENTS DURING SCHOOL HOURS."
- II. **BILL NO. 753**
"AN ACT RELATIVE TO ADDRESSING THE INCREASING NUMBER OF VANDALISM OCCURRING IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES, BY REQUIRING THAT THE DEPARTMENT OF EDUCATION PROVIDE FOR THE PROPER ENCLOSURE OF ALL GUAM'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED."
- III. **BILL NO. 756**
"AN ACT RELATIVE TO AUTHORIZING THE GUAM TERRITORIAL BOARD OF EDUCATION TO UNDERTAKE A MANAGEMENT, PERSONNEL AND OPERATIONS AUDIT OF THE DEPARTMENT OF EDUCATION, FOR THE PRIMARY PURPOSE OF ASSESSING THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT AND ITS ABILITY TO EFFECTIVELY CARRY OUT ITS RESPONSIBILITIES, AND TO PROPOSE WAYS THE DEPARTMENT CAN MORE EFFICIENTLY ADMINISTER ITS RESPONSIBILITIES OF PROVIDING QUALITY EDUCATION TO OUR ISLAND'S PUBLIC SCHOOL STUDENTS."

OVERSIGHT HEARING ON THE

DEPARTMENT OF EDUCATION

10:00 a.m.

AGENDA

- I. STATUS ON THE SOUTHERN HIGH SCHOOL / THREE ELEMENTARY SCHOOLS.
- II. AIR-CONDITIONING OF GUAM'S PUBLIC SCHOOLS.
- III. INSTALLATION OF SECURITY SYSTEM IN GUAM'S PUBLIC SCHOOLS.
- IV. GENERAL CONCERNS.

**THE GENERAL PUBLIC IS INVITED TO ATTEND
AND EXPRESS ITS VIEWS.**

Senato

Madeleine L. Bordallo

CHAIRPERSON

COMMITTEE ON
EDUCATION

Sen. Thomas C. Ada
Vice-Chairperson

MEMBERS

Vice Speaker John P. Aguon
Sen. Elizabeth P. Arriola
Sen. Herminia D. Dierking
Sen. Carl T.C. Gutierrez
Sen. Pilar C. Lujan
Sen. David L.G. Shimizu
Sen. J. George Bamba
Sen. Anthony C. Blaz
Sen. Marilyn D.A. Manibusan
Sen. Thomas V.C. Tanaka

Speaker Joe T. San Agustin
Ex. Officio

DEC 13 '93

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

**BILL NO. 753 (LS)
INTRODUCED BY:**

M. Z. BORDALLO *MZB*

"AN ACT RELATIVE TO ADDRESSING THE INCREASING NUMBER OF VANDALISM OCCURRING IN OUR ISLAND'S PUBLIC SCHOOLS DURING NON-INSTRUCTIONAL TIMES, BY REQUIRING THAT THE DEPARTMENT OF EDUCATION PROVIDE FOR THE PROPER ENCLOSURE OF ALL OF GUAM'S PUBLIC SCHOOL FACILITIES WITH FENCING AND THAT SUCH FENCES BE PROPERLY SECURED."

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

Section 1. Legislative Findings.

Over the past few years, the level of vandalism, particularly graffiti, have increased significantly throughout the island community. These vandalism activities have also impacted several public educational facilities on our island. Recently, on Saturday, October 23, 1993, a teacher of F. Q. Sanchez Elementary School in Umatac, reported that several classrooms and hallways of the school were vandalized with graffiti, causing the school and the Department of Education to incur unnecessary expenses in the repair and restoration of the school property. Because of the significant costs associated with the repair and restoration of school property resulting from vandalism of the schools, the Guam Legislature finds that it is necessary to insure that such vandalism activities are minimized. One option available to addressing this concern is the proper fencing of all of Guam's public school facilities, which should deter many of

1 these vandalism activities from taking place. Therefore, this provision would
2 require that all of Guam's public schools be enclosed with fencing, and that the
3 fencing be properly secured during such times that the respective schools are not
4 being utilized for educational purposes or authorized community activities.

5
6 **Section 2. Legislative Provision.**

7 a.) Requirement, All Guam Public Schools Be Enclosed with
8 Proper Fencing.

9 The Department of Education is hereby instructed to provide proper
0 fencing of all Guam public school facilities, and to insure that the fences are
1 properly secured during such times that the schools are not being utilized for
2 educational purposes or authorized community activities.

3 b.) The Department of Education shall insure that the provisions
4 contained in Subsection "a" of this Section be implemented no later than School
5 Year 1996-1997.

6
7 **Section 3. Assessment of Schools.**

8 The Department of Education shall conduct an assessment of all
9 Guam's public schools, compiling information on the fencing needs of the
0 schools and the costs associated with the compliance of the provisions within this
1 Act. The assessment shall also include the replacement or repair of damaged
2 fences. Should the Department of Education be unable to incur such expenses
3 within its present annual fiscal year budget, it shall submit a report to the
4 Governor and the Guam Legislature of its findings entailing the funding needs
5 of the Department of Education for properly complying with the provisions
6 contained herein, no later than 90 days following the passage of this Act.