



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

25 APR 2005

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. 52 (EC), "AN ACT TO APPROPRIATE THE SUM OF NINETY-SEVEN THOUSAND DOLLARS (\$97,000) FOR THE REPAIR AND MAINTENANCE OF THE GATE TIYAN THEATER," which I signed into law on April 22, 2005, as **Public Law 28-32**.

Sinseru yan Magåhet,

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

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

Office of the Speaker

MARK FORBES

Date: 4/26/05

5:31:45

Emp

[Signature]
28705-0148

Senator Edward J.B. Calvo	
SECRETARY OF THE LEGISLATURE	
ACKNOWLEDGEMENT RECEIPT	
Rcv'd by: <i>Nish</i>	<i>MS</i>
Print Name & Initial	
Time: 3:24	Date: 4-29-05



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

April 11, 2005

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. 5(LS), 34(EC), 39(EC), 40(EC), 43(EC), 52(EC), 54(EC) and 83(EC); and Substitute Bill Nos. 6(LS), 9(LS), 32(EC), 56(EC), 74(EC) and 78(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on April 9, 2005.

Sincerely,

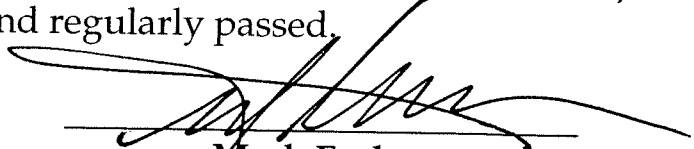
EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosures (14)


I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

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

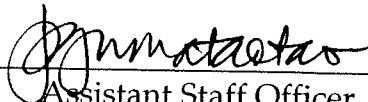
This is to certify that **Bill No. 52 (EC)**, "AN ACT TO APPROPRIATE THE SUM OF NINETY-SEVEN THOUSAND DOLLARS (\$97,000) FOR THE REPAIR AND MAINTENANCE OF THE GATE TIYAN THEATER," was on the 9th day of April, 2005, duly and regularly passed.


Mark Forbes
Speaker


Attested:


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

This Act was received by *I Maga'lahen Guåhan* this 11 day of April, 2005,
at 4:32 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: 4/22/05

Public Law No. 28-32

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 52 (EC)

As amended on the Floor.

Introduced by:

L. A. Leon Guerrero

J. T. Won Pat

F. B. Aguon, Jr.

J. M.S. Brown

Edward J.B. Calvo

B. J.F. Cruz

Mike Cruz

Mark Forbes

L. F. Kasperbauer

R. Klitzkie

J. A. Lujan

A. B. Palacios

R. J. Respicio

Ray Tenorio

A. R. Unpingco

**AN ACT TO APPROPRIATE THE SUM OF NINETY-SEVEN
THOUSAND DOLLARS (\$97,000) FOR THE REPAIR AND
MAINTENANCE OF THE GATE TIYAN THEATER.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the GATE Tiyan Theater has been serving the island's public
4 schools as well as the rest of the island community for over a decade.
5 Hundreds of performances involving thousands of students, from elementary
6 school promotional activities to high school productions, have been staged at
7 the theater. The high demand for the use of the theater, along with a decade
8 that had passed by, has led to an aged theater greatly in need of repairs.

1 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide funding for
2 the maintenance and repairs of the GATE Tiyan Theater in order for it to
3 continue serving the thousands of students island-wide and any other
4 members of the community.

5 **Section 2.** The sum of Ninety-Seven Thousand Dollars (\$97,000.00) is
6 hereby appropriated from the Safe Street, Safe Homes Fund to the
7 Department of Education for the following GATE Tiyan Theater maintenance
8 and repair projects:

9	(a) Replacement of air conditioning system	\$60,000
10	(b) Repair of the roof	\$10,000
11	(c) Replacement of tiles in the lobby area and office	\$10,000
12	(d) Replacement of carpet down the aisles	\$2,000
13	(e) Replacement of rolling door from the stage to the shop	\$2,000
14	(f) Lighting for the lobby	\$2,000
15	(g) Lighting for the outside area	\$3,000
16	(h) Lighting for the dressing rooms	\$2,000
17	(i) Replacement of all outside doors in the theatre	\$6,000.

18 **Section 3.** This appropriation is contingent upon the Superintendent
19 of Education's receipt of either a court order in the probate case on the Estate
20 of Felipe Garrido Leon Guerrero to the effect that the estate will *not* interfere
21 with the government's occupancy of the building for five (5) years after the
22 enactment hereof if repairs in the amount of Ninety-Seven Thousand Dollars
23 (\$97,000.00) as authorized herein are made, or a lease with the estate for the
24 theater premises for said five (5) years or another mutually agreed upon time.

1 **Section 4. Severability.** *If* any of the provisions of this Act or the
2 application thereof to any person or circumstance is held invalid, such
3 invalidity shall *not* affect any other provision or application of this Act which
4 can be given effect without the invalid provision or application, and to this
5 end the provisions of this Act are severable.

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 4/9/05

VOTING SHEET

Bill No. 52(FC)

Resolution No. _____

Question: _____

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

TOTAL

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:

Patricia C. Santos
Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



MINA BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

E-Mail address: senatorcalvo@hotsheet.com
155 Hessler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

April 07, 2005

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

Håfa adai, Mr. Speaker:

The Committee on Finance, Taxation, and Commerce, to which **Bill No. 52 (EC): "An Act To Appropriate The Sum Of \$97,000 For The Repair And Maintenance Of The Gate Tiyan Theater"**, was referred, wishes to report its findings and recommendations **TO REPORT OUT** Bill No. 52 (EC).

The voting record for Bill No. 52 (EC) is as follows:

TO PASS

1

NOT TO PASS

0

TO REPORT OUT

5

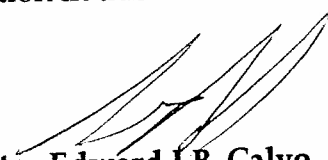
ABSTAIN

0

TO PLACE IN INACTIVE FILE

0

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention in this matter. *Si Yu'os Ma'åse!*


Senator Edward J.B. Calvo
Chairman



MINA' BEN OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

E-Mail address: senatorcalvo@hotsheet.com
155 Hessler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

April 07, 2005

MEMORANDUM

To: Committee Members


From: Chairman, Committee on Finance, Taxation, and Commerce

Subject: Committee report on Bill 52 (EC)

This memorandum is accompanied by the following:


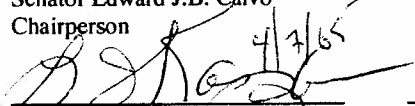
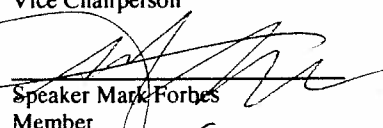
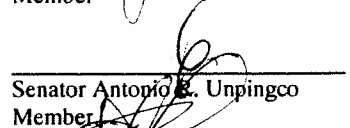
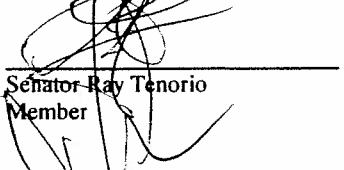
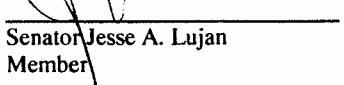
1. Committee voting sheet
2. Public Hearing sign-in sheet
3. Notice of Public Hearing
4. Testimonies submitted

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated. Should there be any questions regarding this matter, please feel free to contact my office at 475-8801.


Senator Edward J.B. Calvo
Chairman

Committee Voting Sheet
Committee on Finance, Taxation, and Commerce
Office of Finance and Budget
Sinadot Edward J.B. Calvo, Ge'Hilo'

Bill No. 52 (EC): "An Act To appropriate The Sum Of \$97,000 For The Repair And Maintenance Of The Gate Tiyan Theater".

Committee Members	To Pass	Not to Pass	Report Out	Abstain	Inactive File
 Senator Edward J.B. Calvo Chairperson	_____	_____	✓	_____	_____
 Senator Lawrence F. Kasperbauer Vice Chairperson	_____	_____	X	_____	_____
 Speaker Mark Forbes Member	✓	_____	_____	_____	_____
 Senator Antonio E. Unpingco Member	_____	_____	+	_____	_____
 Senator Ray Tenorio Member	_____	_____	✓	_____	_____
 Senator Jesse A. Lujan Member	_____	_____	✓	_____	_____
Senator Adolpho B. Palacios Member	_____	_____	_____	_____	_____
Senator Frank B. Aguon, Jr. Member	_____	_____	_____	_____	_____



MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

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Telephone: (671) 475-8801
Facsimile: (671) 475-8805

WAIVER OF FISCAL NOTE REQUIREMENT

In accordance with §9105 of Title 2 of the Guam Code Annotated, I hereby certify that prompt committee action on Bill No. 52 (EC) is necessary for the proper conduct of legislative business. Therefore, I am waiving the requirement for a fiscal note on Bill No. 52 (EC).

Senator Edward J.B. Calvo
Chairman
Committee on Finance, Taxation, and Commerce



MINA BENIE UCHU NA LIHESLATURAN GUAM
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
S E C R E T A R Y O F T H E L E G I S L A T U R E

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

E-Mail address: senatorcalvo@hotsheet.com
155 Hessler Street Hagåtña, Guam 96910

Telephone: (671) 475-8801
Facsimile: (671) 475-8805

Committee Report on

Bill No. 52 (EC): "An Act To appropriate The Sum Of \$97,000 For The Repair And Maintenance Of The Gate Tiyan Theater".

I Mina Bente Ocho Na Liheslaturan Guåhan

Committee on Finance, Taxation, and Commerce

Sinadot Edward J.B. Calvo, Ge' hilo

I. OVERVIEW

The Committee on Finance, Taxation, and Commerce held a Public Hearing on Tuesday, March 22, 2005, 9:30 a.m. at *I Liheslaturan Guahan's* Public Hearing Room on Bill no. 52 (EC), "*An Act To Appropriate The Sum Of \$97,000 For The Repair And Maintenance Of The Gate Tiyan Theater*". Notices of this public hearing were disseminated throughout all local media via facsimile and are attached herein.

a. Senators present:

Senator Edward J.B. Calvo, Chairman
Senator Lawrence F. Kasperbauer, Vice-Chairman
Senator Adolpho B. Palacios, Member
Senator Robert Klitzkie
Senator Lou Leon Guerrero

b. Appearing before the Committee:

Ms. Teri Knapp, GATE Coordinator, Department of Education
Mr. Michael Hartendorp, GATE Alumni
Ms. Elizabeth San Nicolas, GATE Alumni
Ms. Emmalynn Settlemyre, GATE Alumni
Mr. Stephen Bednarzyk, Guam Symphony and UOG Faculty Member
Mr. James Seymour, UOG Faculty Member
Mr. Ray Twenter, GATE Program, Department of Education
Ms. Dianelsis Thurber, Theatre Guam
Mr. Vincent T. Leon Guerrero, Associate Superintendent, Division of
Special Education, Department of Education

c. Written testimony provided:

Ms. Terri Knapp, GATE Coordinator, Department of Education
Ms. Lourdes White Longa, Computer Assistant, Information Management

II. SUMMARY OF VERBAL TESTIMONIES:

Following introductory remarks by Chairman Edward J.B. Calvo, Ms. Terri Knapp, GATE Program Coordinator at the Department of Education, provided comments in support of Bill no. 52 (EC). Ms. Knapp encouraged members of the Legislature to consider the importance of the GATE Tiyan Theatre as it is the island's only functioning theatrical facility. According to Ms. Knapp, many elementary schools use the facility for their promotional activities and the secondary schools use the facility for their high school productions and concerts. In addition, the facility is utilized by the Guam Symphony, Natibu, Ohana, DanceJazz, the Guam Waterworks Authority and many other government of Guam agencies and organizations. *(Attached is a copy of Ms. Knapp's written testimony including an attachment)*

Subsequent to Ms. Knapp's testimony, the following individuals provided brief comments in support of Bill no. 52 (EC):

Mr. Michael Hartendorp, GATE Alumni
Ms. Elizabeth San Nicolas, GATE Alumni
Ms. Emmalynn Settlemyre, GATE Alumni
Mr. Stephen Bednarzyk, Guam Symphony and UOG Faculty Member
Mr. James Seymour, UOG Faculty Member
Mr. Ray Twenter, GATE Program, Department of Education
Ms. Dianelsis Thurber, Theatre Guam

Comments specifically addressed the role of the GATE Tiyan Theatre as a necessary component to a vibrant community. The GATE Tiyan Theatre continues to provide the island's children which a venue for which to stay off the streets, while participating enjoying a variety of meaningful activities at the facility. These individuals further emphasized the importance of supporting the GATE Tiyan Theatre as any financial help would directly benefit its users from throughout the island community. With this much needed funding; the GATE Tiyan Theatre will also be able to accommodate visiting

performers while providing residents with opportunities to experience the arts in an appropriate setting.

Following comments offered by the aforementioned individuals, Chairman Calvo asked if any of those testifying knew who the administrator of the property was and if the GATE Tiyan Theatre could maintain its operations in the future.

Mr. Vincent Leon Guerrero, Associate Superintendent of Special Education at the Department of Education, provided a brief summary of the GATE Tiyan Theatre's current situation with regard to legitimately continuing its operations at its current location. According to Mr. Leon Guerrero, the property where the GATE Theatre sits belongs to the Ancestral Lands Commission and the return of this property to its original owners is anticipated sometime in the future. Because of this predicament, the Department of Education intended to begin negotiations with those claiming to be the legal heirs of said property, however, no legal action has been taken in order to determine an administrator for the property. Mr. Leon Guerrero mentioned that the Department of Education is looking forward to negotiating a lease for the GATE Theatre in order to maintain a central location for participating students.

In response to Mr. Leon Guerrero's comments, Senator Lawrence Kasperbauer suggested that it would be more prudent to use the appropriations contained in Bill No. 52 (EC) to repair and/or upgrade facilities currently available at Southern High School and at the University of Guam. Senator Kasperbauer recommended that the Department of Education consider a long-term solution for the GATE Theatre and that any money appropriated to the department not be used to upgrade any facility that the Government may be unable to use in the future.

Following Senator Koperbauer's comments, Senator Adonho Palacios acknowledged his appreciation for those who are involved in the arts and encouraged organizers of the GATE Tiyan Theatre to solicit donations, both monetary and in-kind, in order to augment the very limited funding currently available by the government of Guam. Although he supports an appropriation for the GATE Tiyan Theatre, Senator Palacios recognizes that any help from the private sector would benefit the island community.

Senator Lou Leon Guerrero, author of Bill No. 52 (EC), provided closing remarks relative to the efforts made by Ms. Terri Knapp and other supporters of the GATE program. Senator Leon Guerrero thanked those present for offering testimony and further requested that the Committee consider forwarding said legislation to the full legislative body for consideration as help to restoring the GATE Tiyan Theatre facility.

III. SUMMARY OF WRITTEN TESTIMONIES:

The following are summaries of individual testimony presented before the Committee on Finance, Taxation, and Commerce relative to Bill No. 52 (EC) and are attached herein:

- Ms. Terri Knapp, GATE Coordinator at the Department of Education, provided comments supporting the passage of Bill No. 52 (EC). Citing the work she and other supporters of the GATE Theatre have done in order to maintain the facility without funds from the Department of Education. Ms. Knapp encouraged members of the Legislature to consider the importance of the GATE Tiyan Theatre as it is the island's only functioning theatrical facility.

- Ms. Lourdes White Longa, a Computer Assistant at the U.S. Naval Hospital, Guam, provided her written testimony in opposition to Bill No. 52 (EC). As a parent of a former SKIP dancer, Ms. Longa understands the importance of the theatre as a venue

for the local students to display their talents on stage. However, the idea of spending this amount of money on a structure that may eventually be taken back its original landowners is not cost effective.

IV. COMMITTEE FINDINGS AND RECOMMENDATIONS

The Committee on Finance, Taxation, and Commerce finds that *I Liheslaturan Guahan* finds that the GATE Tiyan Theatre has been serving the island's public schools as well as the rest of the island community for over a decade. Hundreds of performances involving thousands of students, from elementary school promotional activities to high school productions, have been staged at the theatre. The high demand for the use of the theatre, along with a decade that had passed by, had led to an aged theatre, greatly in need of repairs.

Therefore, it is the intent of *I Liheslaturan Guahan* to provide funding for the maintenance and repairs of the GATE Tiyan Theatre in order for it to continue serving the thousands of students island-wide and any other members of the community.

The Committee on Finance, Taxation, and Commerce, to which Bill No. 52 (EC) "*An Act To Appropriate The Sum Of \$97,000 For The Repair And Maintenance Of The Gate Tiyan Theater*", was referred, does hereby submit its findings and recommendations to *I Mina' Bente Ocho Na Liheslaturan Guahan* **TO REPORT OUT** Bill No. 52 (EC).

2nd 4-7-05
3rd 4-8-05

MINA BENTE OCHO NA LIHESLATURAN GUAHAN
2005 (FIRST) Regular Session

Introduced
FFB 0 / 2005
Abel

Bill No. 52 (EC)

Introduced by:

L.A. Leon Guerrero
L.A.

ledg
FA
JL

AN ACT TO APPROPRIATE THE SUM OF \$97,000 FOR THE REPAIR AND MAINTENANCE OF THE GATE TIYAN THEATER.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan*
3 finds that the GATE Tiyan Theater has been serving the island's public
4 schools as well as the rest of the island community for over a decade.
5 Hundreds of performances involving thousands of students, from
6 elementary school promotional activities to high school productions,
7 have been staged at the theater. The high demand for the use of the
8 theater, along with a decade that had passed by, had led to an aged
9 theater, greatly in need of repairs.

10 Therefore, it is the intent of *I Liheslaturan Guahan* to provide
11 funding for the maintenance and repairs of the GATE Tiyan Theater in
12 order for it to continue serving the thousands of students island-wide
13 and any other members of the community.

14 Section 2. The Sum of Ninety-Seven Thousand Dollars
15 (\$97,000.00) is hereby appropriated from the Safe Street, Safe Homes
16 Fund to the Department of Education for the following GATE Tiyan
17 Theater maintenance and repair projects:

- 18 (a) Replacement of Air Conditioning System \$60,000
- 19 (b) Repair of the Roof \$10,000

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 52

Lalg

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

add itup as #2 sponsor

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

Date 4/8, 2005

Floor Amendment No. 2 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

Lalg

AUTHOR OF AMENDMENT

Concur (initial)

[Signature]

Clerk of Legislature

Speaker

Ass't. Amend. Clerk
Engrossment Staff

1	(c) Replacement of Tiles	
2	in the Lobby Area and Office	\$10,000
3	(d) Replacement of Carpet down the aisles	\$2,000
4	(e) Replacement of Rolling Door	
5	from the stage to the shop	\$2,000
6	(f) Lighting for the Lobby	\$2,000
7	(g) Lighting for the Outside Area	\$3,000
8	(h) Lighting for the Dressing Rooms	\$2,000
9	(i) Replacement of all outside door in the theatre	\$6,000"

RK FA 1
10/10

Section 3

10 **Section 3.4 Severability.** If any of the provisions of this Act or the
11 application thereof to any person or circumstance is held invalid, such
12 invalidity shall not affect any other provision or application of this Act
13 which can be given effect without the invalid provision or application,
14 and to this end the provisions of this Act are severable.

I MINA'BENTE OCHO NA LIHESLATURAN GUÁHAN

Amended

**FLOOR AMENDMENTS/CHANGES
Bill No. 52**

31
↓

KITZKIO

Senator Proposing Amendment

Supplement

refer

A new Section to the Bill is hereby added to read as follows:

"Section 4. This appropriation is contingent ^{or} upon the ^{or} Director of

Education's receipt of a court order in the probate case on the Estate of Felipe Garrido Leon Guerrero to the effect that the estate will not interfere

with the government's occupancy of the building for five years after the enactment hereof if repairs in the amount of Ninety-Seven Thousand

Dollars (\$97,000.00), as authorized herein, are made. ~~This Section does not~~

~~prohibit the Department of Education from entering in to~~ a lease with the estate for the theatre premise for said five years or another mutually

agreed upon time."

refer

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

Date 4/8, 2005

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

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

I MINA'BENTE OCHO NA LIHESLATURAN GUÁHAN

FLOOR AMENDMENTS/CHANGES
Bill No. 52

KLITZKO
Senator Proposing Amendment

A new Section to the Bill is hereby added to read as follows:

"Section 4.3 This appropriation is contingent upon the Director of Education's receipt of a court order in the probate case on the Estate of Felipe Garrido Leon Guerrero to the effect that the estate will not interfere with the government's occupancy of the building for five years after the enactment hereof if repairs in the amount of Ninety-Seven Thousand Dollars (\$97,000.00), as authorized herein, are made. This Section does not prohibit the Department of Education from entering ^{into} ~~in to~~ a lease with the estate for the theatre premise for said five years or another mutually agreed upon time."

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

Date 4/8, 2005

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)

[Signature]
Clerk of Legislature

Speaker

Committee on Finance, Taxation, & Commerce
Office of Finance and Budget
 Senator Edward J.B. Calvo, Chairman

TESTIMONY - SIGN IN SHEET

March 22, 2005 Public Hearing

**BILL NUMBER 52 (EC): "An Act To Appropriate The Sum Of \$97,000 For The Repair
 And Maintenance Of The Tiyan Gate Theater."**

<u>NAME</u>	<u>DEPT./ORGANIZATION</u>	<u>ORAL / WRITTEN</u>	<u>CONTACT NO.</u>
Teri Knapp	DOE	✓ / ✓	475-0598
Michael Hartendorf	GATE Alumni	✓ / ✓	678-4086
Elizabeth San Nicolas	GATE Alumni	✓ / ✓	734-4308
Emmalyn Settemyre	Gate Alumni	✓ / ✓	653-1509
STEPHEN BEDNARZYK	GOAM SYMPHONY/VOG	✓ /	734-9039
James Seymour	University Theatre, VOG	✓ /	789-4501
RAY TWENTER	DOE	✓ /	789-2125
Diana Sis Thurber	Theatre Guam	✓ /	789-8589
		/	
		/	
		/	



Juan P. Flores
Superintendent of Education

DEPARTMENT OF EDUCATION
Division of Special Education

P.O. Box DE
Hågatña, Guam 96932
Telephone (671) 475-0554/0549
Fax: (671) 475-0562
Email: doesped1@ite.net



Vincent T. Leon Guerrero
Associate Superintendent

February 1, 2005

Katrina Celes
Assistant Superintendent

Teri Taton Knapp
GATE Coordinator

MEMORANDUM

TO: Senator Lou Leon Guerrero

FROM: GATE Coordinator, DOE

SUBJECT: GATE Theatre Maintenance and Repairs

Hafa Adai! The GATE Theatre has been serving Guam's Public Schools and the community for the past decade. Hundreds of performances involving thousands of students have been staged at the GATE Theatre. It is estimated that over 200,000 have walked through the doors of the theatre since it was handed over to the Department of Education ten years ago. Aside from the small theatre at the University of Guam, the GATE Tiyan Theatre is the only functioning theatrical facility on the island of Guam. Many elementary schools use the facility for their promotional activities and the secondary schools use the facility for their high school productions and concerts. In addition, the facility is utilized by the Guam Symphony, Natibu, Ohana, DanceJazz, GWA and many other community and Government Organizations. Approximately 26,000 students, parents and community members use the GATE Tiyan Theatre every year not counting the hundreds of students who come to the theatre for classes and rehearsals.

The GATE Tiyan Theatre is a classroom to over 80 students every day who come to the theatre for the Elementary GATE Honor Choir and the GATE Secondary Theatre Program (in which students earn and receive fine arts credits for graduation). Due to the lack of performing arts programs, including music education, in the public schools, the classes held at the GATE Theatre are the only exposure to music and theatre that some students will ever have. The GATE Tiyan Theatre is one of the most valuable classrooms on this island for these talented students.

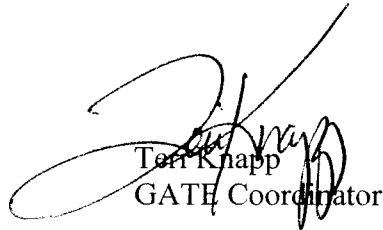
Numerous performances presented by these students are scheduled during the months of March, April and May. These include performances by a group of Special Needs students from Japan who will be presenting a cultural exchange performance with the Inarajan Middle School Cultural Group, the GATE Honor Choir Spring Concert and the much anticipated secondary theatre musical production of *Guys and Dolls*.

We have continually maintained the theatre to the best of our abilities without funds from the Department of Education Budget. We have reached a crisis as the 30 year old air conditioner is not functioning as needed. Major work needs to be done on the system. Over the past ten years we have continually maintained and replaced parts. In addition to the air conditioner, I have compiled a list of needs for the GATE Tiyon Theatre. All items listed are critical for the up keep of the theatre.

Attached please find the budget for critical theatre facility needs and a list of scheduled events for the GATE Tiyon Theatre for SY 04-05.

If you need additional information, please do not hesitate to contact me at 475-0598 or 475-0552.

Thank you for your continued support. We look forward to an expeditious and favorable response.


Teri Knapp
GATE Coordinator

GATE Tiyan Theatre – Critical Needs

Replacement of AirConditioning System	\$60,000
Justification: This is the original air conditioner placed in the building over 30 years ago. The air conditioner is not functioning!	
Repair of the Roof	\$10,000
Justification: The inside of the theatre was repaired three years ago due to the water leak damage. However, the roof was not repaired and the roof still leaks. We are starting to see water damage in the building from the leaks.	
Replacement of Tiles in the Lobby Area and Office	\$10,000
Justification: The carpet is starting to come up at the seams and is frayed and stained. Because of so much traffic, the carpets can no longer be cleaned.	
Replacement of Carpet down the aisles	\$ 2,000
Justification: This is the original carpet that runs down the aisles in the theatre. Due to sound limits in the theatre, the aisles must be carpeted and not tiled.	
Replacement Rolling Door from the stage to the shop	\$ 2,000
Justification: This is the original door which is non functioning. The door needs to be replaced by a sliding door.	
Lighting for the Lobby	\$ 2,000
Justification: The lobby is extremely dark as lights and wiring need to be replaced.	
Lighting for the Outside Area	\$ 3,000
Justification: There almost no functioning lights outside of the theatre. Lights are necessary for evening performances and events.	
Lighting for the Dressing Rooms	\$ 2000
Justification: The light fixtures in the dressing rooms are broken. Adequate lighting is needed for the performers to prepare for shows.	
Replacement of all outside door into the theatre	\$ 6000
Justification: The entry into the theatre is difficult to secure.	
TOTAL	\$97,000

Guam Department of Education
Division of Special Education
Gifted and Talented Education Program
Calendar of Events SY 04-05
GATE Tiyan Theatre

AUGUST			Number in Attendance
August 18	6:00pm	Pre-School Parent Orientation	150
August 19	9:00am	GWA Training	250

TOTAL School Year 2004-05
August, 2004-May 2005

26,650

SEPTEMBER**Number in Attendance**

September 8	4:30pm	NFL Coaches Meeting	25
September 8	4:30pm	ACB Coaches Meeting	25
September 12	8:00am	Parole Office Training	100
September 13	11:00am	GATE Staff Development	35
September 13	4:00pm	Auditions - Secondary Theatre, <i>Rumors</i>	35
September 14	4:30pm	Math Counts Coaches Meeting	25
September 14	4:00pm	Auditions - Secondary Theatre, <i>Rumors</i>	30
Sept 14-Dec 3	4:00pm	Tues/Thurs GATE Honor Choir Rehearsal	35
September 17	9:00am	GATE Choir Performance Upi & Agana Heights	800
Sept 20-Oct 22	4:00pm	Mondays-Fridays <i>Rumors</i> Rehearsal	35

OCTOBER**Number in Attendance**

October 9	7:00pm	Guam Symphony Concert	480
October 15	9:00am	GATE Choir Performance Carbullido & As Tumbo	900
October 15	7:30pm	DanzJazz Concert	400
October 16	7:30pm	DanzJazz Concert	400
October 22	7:30pm	Secondary Theatre Production - <i>Rumors</i>	250
October 23	7:30pm	Secondary Theatre Production - <i>Rumors</i>	300
October 25	4:00pm	Auditions - Secondary Theatre <i>Gift of the Magi</i>	40
October 26	4:00pm	Auditions - Secondary Theatre <i>Gift of the Magi</i>	30
October 29	7:30pm	Secondary Theatre Production - <i>Rumors</i>	200
October 30	7:30pm	Secondary Theatre Production - <i>Rumors</i>	300

NOVEMBER**Number in Attendance**

Sept 14-Dec 3	4:00pm	Tues/Thurs GATE Honor Choir Rehearsal	35
Nov 1-Dec 9	4:00pm	Mondays-Fridays <i>Gift of the Magi</i> Rehearsal	15
November 18	9:00am	Island Wide GATE Geography Bee	100
November 19	9:00am	GATE Choir Performance Chief Brodie & Tamuning	850
November 24	2:00pm	Health Insurance Open Enrollment	250
November 28	7:00pm	Ohana Dance Production	450

DECEMBER**Number in Attendance**

Sept 14-Dec 3	4:00pm	Tues/Thurs GATE Honor Choir Rehearsal	35
Nov 1-Dec 9	4:00pm	Mondays-Fridays <i>Gift of the Magi</i> Rehearsal	15
December 2	10:00am	GATE Elementary Honor Choir Christmas Concert – School Show	400
December 2	3:00pm	GATE Elementary Honor Choir Christmas Concert – DEED Programs	450
December 3	10:00am	GATE Elementary Honor Choir Christmas Concert – School Show	250
December 3	7:00pm	GATE Elementary Honor Choir Christmas Concert	350
December 4	7:00pm	GATE Elementary Honor Choir Christmas Concert	450
December 9	7:30pm	Secondary Theatre Production <i>Gift of the Magi</i>	250
December 10	7:30pm	Secondary Theatre Production <i>Gift of the Magi</i>	350
December 11	7:30pm	Secondary Theatre Production <i>Gift of the Magi</i>	400
December 14	9:00am	GWA Training	250
December 17	7:30pm	SKIP Christmas Concert	490
December 18	2:00pm	SKIP Christmas Concert	490
December 18	7:30pm	SKIP Christmas Concert	490
December 19	7:30pm	SKIP Christmas Concert	490
December 21	9:00am	Inafamoalek Workshops	30
December 22	9:00am	Inafamoalek Workshops	30
December 23	9:00am	Inafamoalek Workshops	30

JANUARY**Estimated
Number in Attendance**

January 10	4:00pm	Auditions - Secondary Theatre – <i>Guys and Dolls</i>	30
January 11	4:00pm	Auditions - Secondary Theatre – <i>Guys and Dolls</i>	20
January 12	4:00pm	Auditions - Secondary Theatre – <i>Guys and Dolls</i>	20
January 13	9:00am	GWA Training	250
Jan 17-Mar 11	4:00pm	Tues/Thurs GATE Honor Choir Rehearsal	40
Jan 17-Apr 14	4:00pm	Mondays-Fridays <i>Guys & Dolls</i> Rehearsal	45
January 21	7:30pm	JFK Theatrical Performance	300
January 22	7:30pm	JFK Theatrical Performance	300
January 28	9:00am	GATE Choir Performance Ordot-Chlan Pago and Machananao	800

FEBRUARY**Estimated
Number in Attendance**

Jan 17-Mar 11	4:00pm	Tues/Thurs GATE Honor Choir Rehearsal	40
Jan 17-Apr 14	4:00pm	Mondays-Fridays <i>Guys & Dolls</i> Rehearsal	45
January 26	7:30pm	JFK Class of 2005 Production	400
January 27	7:30pm	JFK Class of 2005 Production	400

MARCH**Estimated
Number in Attendance**

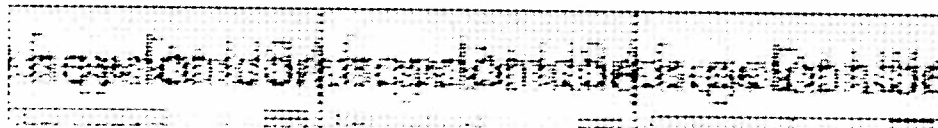
Jan 17-Mar 11	4:00pm	Tues/Thurs GATE Honor Choir Rehearsal	40
Jan 17-Apr 14	4:00pm	Mondays-Fridays <i>Guys & Dolls</i> Rehearsal	45
March 4	9:00am	GATE Choir Performance MU Lujan & DL Perez	800
March 6	7:30pm	JFK Class of 2005 Production	400
March 10	10:00am	GATE Elementary Honor Choir Spring Concert – School Show	450
March 10	3:00pm	GATE Elementary Honor Choir Spring Concert – DEED Programs	450
March 11	10:00am	GATE Elementary Honor Choir Spring Concert – School Show	250
March 11	7:00pm	GATE Elementary Honor Choir Spring Concert	400
March 12	7:00pm	GATE Elementary Honor Choir Spring Concert	400
March 18	10:00am	Special Education– Japan Cultural Show	480
March 25	7:30pm	Guam Symphony Concert	450
March 26	7:30pm	Guam Symphony Concert	450

APRIL**Estimated
Number in Attendance**

Jan 17-Apr 14	4:00pm	Mondays-Fridays <i>Guys & Dolls</i> Rehearsal	45
April 14	7:30pm	Secondary Theatre Production <i>Guys and Dolls</i>	400
April 15	9:00am	GATE Choir Performance HS Truman & JM Guerrero	800
April 15	7:30pm	Secondary Theatre Production <i>Guys and Dolls</i>	400
April 16	7:30pm	Secondary Theatre Production <i>Guys and Dolls</i>	400
April 21	7:30pm	Secondary Theatre Production <i>Guys and Dolls</i>	400
April 22	7:30pm	Secondary Theatre Production <i>Guys and Dolls</i>	400
April 23	7:30pm	Secondary Theatre Production <i>Guys and Dolls</i>	400
April 29	7:30pm	JFK Class of 2005 Production	400
April 30	7:30pm	JFK Class of 2005 Production	400

MAY**Estimated
Number in Attendance**

May 5	7:30pm	Notre Dame HS Spring Concert	400
May 6	7:30pm	Notre Dame HS Spring Concert	400
May 7	7:30pm	Notre Dame HS Spring Concert	400
May 13	7:30pm	JFK HS Spring Concert	400
May 14	7:30pm	JFK HS Spring Concert	400
May 20	9:00am	GATE Choir Performance MA Sablan & Wettengel	800
May 20	7:30pm	SKIP Spring Concert	480
May 21	2:00pm	SKIP Spring Concert	480
May 21	7:30pm	SKIP Spring Concert	480
May 27	7:30pm	SKIP Spring Concert	480
May 28	2:00pm	SKIP Spring Concert	480
May 28	7:30pm	SKIP Spring Concert	480



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From: "Longa, Lou - GS" <LLonga@gam10.med.navy.mil>
To: senatorcalvo@hotsheet.com
Subject: BILL 52
Date: Tue 03/22/05 09:22 PM

Attachments

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Part 2	text/html	Save	

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Hafa Adai Senator Calvo,

This testimony is in opposition of Bill 52 sponsored by Senator Lou Leon Guerrero. As a concerned taxpayer, I am opposed to spending \$97,000 for the repair and maintenance of the GATE Tiyan Theater.

As a parent of a former SKIP dancer, I understand the importance of the theater as a venue for the local students to display their talents on stage. However, the idea of spending that huge amount of money on a structure that may eventually be taken back by the original landowners is not cost effective. The Governments return on investment will be minimal at the least. And it is not a good business practice to do so.

In addition, I agree with Senator Larry Kasperbauer that this amount would be better spent improving what currently belongs to the government, i.e., Southern High or UOG.

Therefore, I am submitting my testimony opposing Bill 52 and I humbly ask for your support in ensuring that this bill does not pass.

Respectfully,

Lourdes White Longa
Computer Assistant
Information Management Department
U.S. Naval Hospital, Guam
PSC 490, Box 7626
FPO AP 96538-1600
Phone: (671) 344-9369
Fax: (671) 344-9349
Email: llonga@gam10.med.navy.mil

Sen. Lou Longa
ACKNOWLEDGEMENT RECEIPT
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MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

Chairman
COMMITTEE ON FINANCE, TAXATION & COMMERCE

OFFICE OF FINANCE AND BUDGET

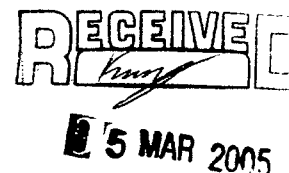
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Telephone: (671) 475-8801
Facsimile: (671) 475-8805

March 15, 2005

The Honorable Lou Leon Guerrero
Senator
Mina' Bente Ocho na Liheslaturan Guåhan
155 Hessler Place
Hagåtña, Guam 96910



Reference: Public Hearing for Bill Nos. 52 (EC) and 63 (EC):

Håfa adai, Senator Leon Guerrero:

Please be advised that the Committee on Finance, Taxation, and Commerce has scheduled public hearings on March 22 and March 29, 2005 at *I Liheslaturan Guåhan's* Public Hearing Room. The *Committee* will receive written and verbal testimonies from the Public on the following measures, which you have authored:

Tuesday, March 22, 2005, 9:30 a.m.:

- **Bill 52 (EC):** "An Act To appropriate The Sum Of \$97,000 For The Repair And Maintenance Of The Tiyan Gate Theater."

Tuesday, March 29, 2005, 9:30 a.m.:

- **Bill 63 (EC):** "An Act To appropriate Seventy Thousand Dollars (\$70,000) From The Safe Street, Safe Homes Fund To The Guam Legal Services Corporation For Legal Services For Victims Of Family Violence."

Should you have any questions regarding this matter, please feel free to contact my office at 475-8801. I look forward to your attendance and participation.

Si Yu'os Ma'àse'!

Senator Edward J.B. Calvo



MINA' ÑENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
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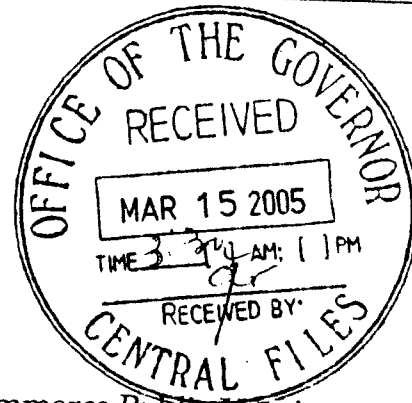
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Facsimile: (671) 475-8805

March 15, 2005

The Honorable Felix P. Camacho
Maga'låhen Guåhan
Office of the Governor
P.O. Box 2950
Hagåtña, Guam 96932



Reference: Committee on Finance, Taxation, and Commerce Public Hearings.

Håfa adai, Governor Camacho:

The Committee on Finance, Taxation, and Commerce has scheduled public hearings on March 22 and March 29, 2005 at *I Liheslaturan Guåhan's* Public Hearing Room. The *Committee* will receive written and verbal testimonies from the Public regarding the following measures:

Tuesday, March 22, 2005, 9:30 a.m.:

- **Bill 28 (EC):** "An Act To Earmark The Proceeds Of The Sale Of GTA To The Department Of Education."
- **Bill 30 (EC):** "An Act Creating 'Guam GRT Living Wage Tax Credit' Adding \$26215 Chapter 26, Title 11 Guam Code Annotated."
- **Bill 41 (EC):** "An Act To Appropriate The Sum Of Six Hundred Thousand Dollars From The Healthy Futures Fund To The Department Of Mental Health And Substance Abuse For Local Non-Governmental Service Providers Of Residential In-Patient And Out-Patient Drug And Alcohol Detoxification, Rehabilitation, And Prevention Programs; To Create The Guam Drug And Alcohol Detoxification, Rehabilitation, And Prevention Grant Program; And To Provide Continuing Appropriations."
- **Bill 45 (LS):** "An Act To Amend Section 3 Of Chapter VI Of Public Law 27-106 Relative To The Government Rate Of Contribution To The Government Of Guam Retirement Fund."
- **Bill 46 (EC):** "An Act To Add A New Chapter 59 To Title 5 Of The Guam Code Annotated, Relative To Establishing A Means For Construction And Development Of Public Facilities."


- **Bill 52 (EC):** "An Act To Appropriate The Sum Of \$97,000 For The Repair And Maintenance Of The Gate Tiyan Theater."

Tuesday, March 29, 2005, 9:30 a.m.:

- **Bill 63 (EC):** "An Act To Appropriate Seventy Thousand Dollars (\$70,000) From The Safe Street, Safe Homes Fund To The Guam Legal Services Corporation For Legal Services For Victims Of Family Violence."
- **Bill 67 (EC):** "An Act Relative To Authorizing The Department Of Administration To Close Government Of Guam Financial Accounts Which It Considers No Longer Necessary And Which Have Been Inactive Or Have Had No Transaction Activity For No Less Than One Year Requiring That Any Fund Balances Identified In These Accounts Be Deposited Into The General Fund; And Further Requiring A Written Comprehensive Report On The Closure Of Such Accounts To I Maga'lahren Guåhan."
- **Bill 73 (EC):** "An Act To Authorize The Attorney General Notwithstanding Any Other Provision Of Law And Including The Guam Procurement Law To Directly Negotiate An Office Lease For The Office Of The Attorney General's Operations."
- **Bill 81 (EC):** "An Act To Appropriate The Sum Of Twenty Thousand Dollars (\$20,000) From The Safe Streets Fund To The Mayor's Council Of Guam For The Purpose Of Resurfacing The Multi-Purpose Sports Court At The Sinajana Community Center For Safety."
- **Bill 87 (LS):** "An Act To Reserve The Sum Of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) From The Debt Service Savings Resulting From The Payoff Of The Government Of Guam's 1995 General Obligation Bond For Public Education."

The *Committee* encourages verbal testimony, however, written testimony is preferred and should be submitted to my office by 12 noon the day prior to the public hearing. I solicit any comments from any entity within the Executive Branch affected by Bill Nos. 28 (EC), 30 (EC), 41 (EC), 45 (LS), 46 (EC), 52 (EC), 63 (EC), 67 (EC), 73 (EC), 81 (EC), and 87 (EC). Please make the appropriate arrangements with your cabinet. Should you be unable to attend, please contact my office at 475-8801 as soon as possible.

Si Yu'os Ma'åse'!



Senator Edward J.B. Calvo

Attachments



MINA' BENTE OCHO NA LIHESLATUAN GUAHAN
TWENTY-EIGHTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE

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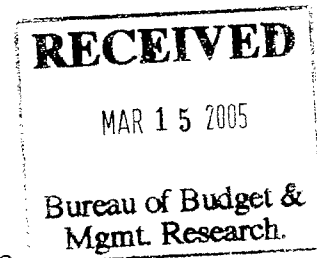
March 15, 2005

MEMORANDUM

To: Mr. Carlos Bordallo, Acting Director
Bureau of Budget Management and Research

From: Chairman, Committee on Finance, Taxation, and Commerce

Subject: **REQUEST FOR FISCAL NOTES**



Pursuant to 2 GCA §9102, I respectfully request BBMR to prepare fiscal notes for the following measures:

- **Bill 28 (EC):** "An Act To Earmark The Proceeds Of The Sale Of GTA To The Department Of Education."
- **Bill 30 (EC):** "An Act Creating 'Guam GRT Living Wage Tax Credit' Adding §26215 Chapter 26, Title 11 Guam Code Annotated."
- **Bill 41 (EC):** "An Act To Appropriate The Sum Of Six Hundred Thousand Dollars From The Healthy Futures Fund To The Department Of Mental Health And Substance Abuse For Local Non-Governmental Service Providers Of Residential In-Patient And Out-Patient Drug And Alcohol Detoxification, Rehabilitation, And Prevention Programs; To Create The Guam Drug And Alcohol Detoxification, Rehabilitation, And Prevention Grant Program; And To Provide Continuing Appropriations."
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- **Bill 87 (LS):** "An Act To Reserve The Sum Of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) From The Debt Service Savings Resulting From The Payoff Of The Government Of Guam's 1995 General Obligation Bond For Public Education."

Attached are copies of the aforementioned bills for BBMR's analysis. The fiscal notes shall be provided to the Standing Committee within fourteen days from receipt of this request as required by 2 GCA §9105. Please call my office should you require additional information.

Si Yu'os Ma'åse'!



Senator Edward J.B. Calvo

Attachments