



Office of the Governor of Guam

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

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

12 DEC 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. 172 (EC), "AN ACT TO PLACE THE FORMER INARAJAN ELEMENTARY SCHOOL FACILITY UNDER THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE; TO INCREASE THE PORTION OF THE MARBO PROPERTY TO BE LEASED FOR A NEW SCHOOL BY AMENDING P.L. 28-68, CHAPTER II, PART I, SECTION 20; AND TO APPROPRIATE FUNDING FOR THE MAYOR OF PITI TO LEASE OFFICE SPACE" which I signed into law on December 9, 2005, as Public Law 28-81.

Sins eru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

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

Form for Senator Edward J.B. Calvo, Secretary of the Legislature, Acknowledgement Receipt. Includes fields for Rec'd by (Nikola) and Date (12-15-05).

Office of the Speaker

MARK FORBES

Date: 12/13/05

Time: 2:14 PM

Rec'd by: [Signature]

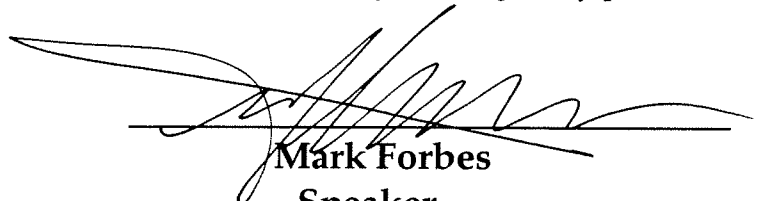
Print Name: [Signature]

28-05-0477


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

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

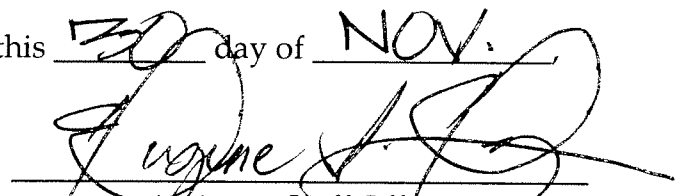
This is to certify that Substitute Bill No. 172 (EC), "AN ACT TO PLACE THE FORMER INARAJAN ELEMENTARY SCHOOL FACILITY UNDER THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE; TO INCREASE THE PORTION OF THE MARBO PROPERTY TO BE LEASED FOR A NEW SCHOOL BY AMENDING P.L. 28-68, CHAPTER II, PART I, SECTION 20; AND TO APPROPRIATE FUNDING FOR THE MAYOR OF PITI TO LEASE OFFICE SPACE" was on the 30th day of November, 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'lahaen Guåhan* this 30 day of NOV.
2005, at 5 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 9 DEC 05

Public Law No. 28-81

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

Bill No. 172 (EC)

As substituted by the Committee on
Education and Community Development
and amended on the Floor.

Introduced by:

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

**AN ACT TO PLACE THE FORMER INARAJAN
ELEMENTARY SCHOOL FACILITY UNDER THE
ADMINISTRATIVE JURISDICTION OF THE INARAJAN
MAYOR'S OFFICE; TO INCREASE THE PORTION OF THE
MARBO PROPERTY TO BE LEASED FOR A NEW SCHOOL
BY AMENDING P.L. 28-68, CHAPTER II, PART I, SECTION
20; AND TO APPROPRIATE FUNDING FOR THE MAYOR
OF PITI TO LEASE OFFICE SPACE.**

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

2 **Section 1. Transfer of Property.** The administrative jurisdiction over the
3 former Inarajan Elementary School facility is hereby transferred to the Inarajan
4 Mayor's office to be used for civic and community purposes. Such purposes

1 include, *but are not limited to*, a community center, recreational uses, emergency
2 shelter, police and/or fire station use, library, learning center and senior citizens'
3 center.

4 **Section 2.** Item (a) of Section 20 of Part I of Chapter II of Public Law 28-
5 68 is hereby *amended* to read:

6 “(a) **Authorization to Enter into Lease.** For the purpose of
7 facilitating the financing of the design, construction and maintenance of an
8 Education Facility, as defined in Title 5 GCA §58103(e), an Education Agency,
9 namely the Guam Public School System, or the government of Guam, as the case
10 may be, is authorized to lease, to a Contractor, up to thirty-five (35) acres of
11 certain real property located on Guam better described more particularly as that
12 certain real property, located in Yigo, Guam, known as Lot Marbo Base Command
13 “B”-4, consisting of approximately eighty (80) acres, as described in Exhibit “A”
14 of the United States Quitclaim Deed, Instrument Number 479882, of which to
15 construct an Education Facility, as defined in Title 5 GCA §58103(e) pursuant to
16 Chapter 58 of Title 5, also known as the Education Facilities Construction
17 Initiative Act of 2001, as *amended*.”

18 **Section 3. Authorization to Make Changes to the RFP.** The education
19 agency is authorized to *amend* the Request For Proposal authorized by Item (b) of
20 Section 20 of Part I of Chapter II of Public Law 28-68 and attached thereto as
21 Exhibit “B” of Public Law 28-68 to allow for the leasing of up to thirty-five (35)
22 acres of certain real property located on Guam better described more particularly
23 as that certain real property, located in Yigo, Guam, known as Lot Marbo Base
24 Command “B”-4, consisting of approximately eighty (80) acres, as described in
25 Exhibit “A” of the United States Quitclaim Deed, Instrument Number 479882 as
26 authorized by Section 1 of this Act.

1 **Section 4.** A new Item (1) is hereby *added* to Subsection (a) of Section 32
2 of Chapter III, Public Law 28-68 to read:

3 “(1) **Municipal Office Space Rental.** The sum of Twelve Thousand
4 Dollars (\$12,000.00) from the Fiscal Year 2006 General Fund appropriation to the
5 Mayors Council of Guam is authorized for the purpose of funding office space
6 rental for the Mayor of the Municipality of Piti.”



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12 DEC 2005

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Speaker
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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

Senator Edward J.B. Calvo SECRETARY OF THE LEGISLATURE ACKNOWLEDGEMENT RECEIPT	
Rcv'd by: <u>Nikole</u>	Print Name & Initial
479	Date: <u>12-15-05</u>

Office of the Speaker

MARK FORBES

Date: 12/13/05

Time: 2:14 PM

Rec'd by: EF

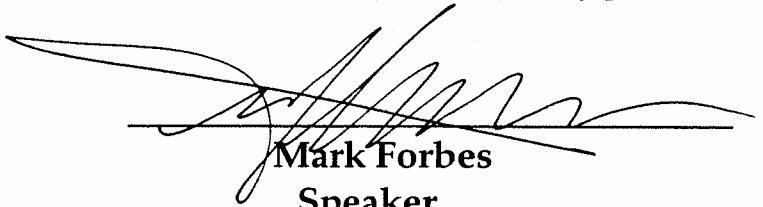
Print Name: EF

28-05-0477


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

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

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Speaker

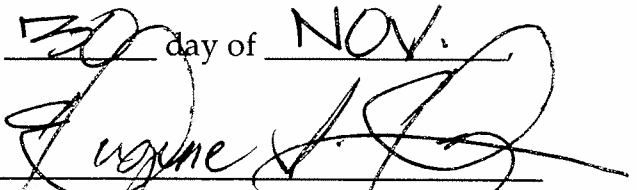
Attested:


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

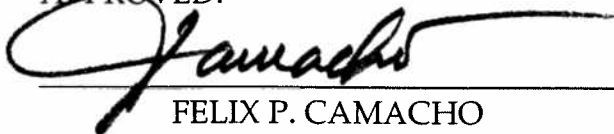
.....
This Act was received by *I Maga'lahen Guåhan* this

30 day of NOV.

2005, at 5 o'clock P..M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: 9 DEC 05

Public Law No. 28-81

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

Bill No. 172 (EC)

As substituted by the Committee on
Education and Community Development
and amended on the Floor.

Introduced by:

L. F. Kasperbauer

Ray Tenorio

J. T. Won Pat

F. B. Aguon, Jr.

J. M.S. Brown

Edward J.B. Calvo

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Mike Cruz

Mark Forbes

R. Klitzkie

L. A. Leon Guerrero

J. A. Lujan

A. B. Palacios

R. J. Respicio

A. R. Unpingco

**AN ACT TO PLACE THE FORMER INARAJAN
ELEMENTARY SCHOOL FACILITY UNDER THE
ADMINISTRATIVE JURISDICTION OF THE INARAJAN
MAYOR'S OFFICE; TO INCREASE THE PORTION OF THE
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3 **“(1) Municipal Office Space Rental.** The sum of Twelve Thousand
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5 Mayors Council of Guam is authorized for the purpose of funding office space
6 rental for the Mayor of the Municipality of Piti.”

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 11/30/05
12:08 P

VOTING SHEET

5 Bill No. 172 (EC)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				✓
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:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

P.L. 28-81



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

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

Speaker Mark Forbes

November 7, 2005

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

The Committee on General & Omnibus Matters to which Bill No. 172 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 172 (EC): "An Act To Place The Former Inarajan Elementary School Facility Under The Administrative Jurisdiction Of The Inarajan Mayor's Office"**.

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

The voting record is as follows:

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

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



MARK FORBES

Attachments

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

**COMMITTEE REPORT
ON
BILL NO. 172 (EC)**

**An Act To Place The Former Inarajan Elementary School Facility Under
The Administrative Jurisdiction Of The Inarajan Mayor's Office.**

III. FINDINGS AND RECOMMENDATION

The Committee on General and Omnibus Matters finds that the intent of Bill No. 172 would relocate the current office of the Inarajan Mayor from the Malojojo back to the village in Inarajan. For several years the Mayor's Office has been situated at the social hall next to the Malojojo Catholic Parish and has been leasing the facilities allocated from the budget. The committee finds that the Department of Education has not utilized the former Inarajan Elementary Building for several years and has agreed to transfer the building to house the new Inarajan Mayor's Office.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 172 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL No. 172 (EC)**, "An Act To Place The Former Inarajan Elementary School Facility Under The Administrative Jurisdiction Of The Inarajan Mayor's Office."

An Act To Add A New §1103.3 To Chapter 1 Of Title 4 Guam Code Annotated To Provide Visible Identification For Government Of Guam Owned Or Leased Vehicles.

Bill No. 172 (EC) – By L. F. Kasperbauer

An Act To Place The Former Inarajan Elementary School Facility Under The Administrative Jurisdiction Of The Inarajan Mayor's Office.

Bill No. 175 (EC) – by A. R. Unpingco

An Act To Set Aside No Less Than 26± Acres Of Land Area Within The Boundaries Of Lot No. 10142- New, Located In The Municipality Of Dededo, And To Authorize The Governor To Transfer The Property To Guam Little League Baseball Incorporated For The Purpose Of Constructing The Asia-Pacific Baseball Stadium.

Bill No. 178 (EC) – by J. M.S. Brown

An Act To Deappropriate Fifty Thousand Dollars (\$50,000.00) From The Sums Appropriated To I Liheslatura For Fiscal Year 2005 And To Reappropriate Said Sum To The Department Of Agriculture For The Sole Purpose Of Hiring An Attorney For Fiscal Years 2006 And 2007

Bill No. 179 (EC) – by A. B. Palacios, Sr.

An Act To Add A New Chapter 23 To Title 1, Guam Code Annotated, Relative To The Removal Of Elected Officials.

Bill No. 182 (EC) – by F. B. Aguon, Jr.

An Act To Add A New Section §834.3 To Title 1, Guam Code Annotated, To Designate Route 8 As "Purple Heart Memorial Highway" To Honor And Pay Special Tribute To All Recipients Of The Military Order Of The Purple Heart, Members Of The United States Armed Services Who Have Been Wounded Or Killed In Action Thus Making The Ultimate Sacrifice In The Protection Of Freedom And Liberty.

Bill No. 184 (EC) – by R. Klitzkie

An Act To Add A New 17 GCA Ch. 7 §7115 To Create The "Every Child Is Entitled To An Adequate Public Education Act Fund," To Add A New 17 GCA Ch. 7 §7116 To Authorize The Superintendent To Accept Donations From Individuals And Organizations For Deposit To The Fund, To Add A New 17 GCA Ch. 7 §7117 Requiring The Publication Of The Details Of Expenditures From The Fund To Be Published On The Guam Public School System's Website And To Deappropriate One Hundred Thousand Dollars (\$100,000.00) From The Sums Appropriated To I Liheslatura And To Reappropriate Said Sum To The "Every Child Is Entitled To An Adequate Public Education Fund."

Bill No. 185 (EC) – By J. A. Lujan

An Act To Zone Lot No. 5049-2-1, Municipality Of Tamuning.



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

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

Speaker Mark Forbes

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 172 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 172.

A handwritten signature in black ink, appearing to read "Mark Forbes", is written over a horizontal line.

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



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

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

Speaker Mark Forbes

FACSIMILE

Date: August 29, 2005

Time:

Fax No.: 477-3079

No. of Pages:

To: PDN Government Meetings

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- **Friday, September 02, 2005**

Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Tuesday, August 30, Wednesday, August 31, Thursday, September 01, and Friday, September 02, 2005 to read:

“Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Friday, September 02, 2005, 9:00 A.M., Public Hearing Room, Temporary Legislative Building, Hagatna, Guam. The following Bills will be heard;

Bill No. 85 (EC) - by Mark Forbes

An Act To Appropriate Ten Thousand Dollars From The Carry-Over Funds Assigned To The Office Of Speaker Mark Forbes To The Department Of Public Works For The Purpose Of Repairing The Pothole On Marine Corps Drive Located In The Vicinity Of Blockbuster Video In Tamuning.

Bill No. 124 (EC) - by L. F. Kasperbauer

An Act To Transfer The Abandoned GPD Koban Adjacent To The Barrigada Community Center To The Barrigada Municipal Planning Council.

Bill No. 127 (EC) - by J. A. Lujan

An Act To Authorize The Chamorro Land Trust Commission To Release And Convey Title To Lot 14-Newnew3, Block 24, Municipality Of Hagatna To The Guam Housing And Urban Renewal Authority.

Bill No. 143 (EC) - by the Committee on Calendar, by request of by request of I Maga'láhen Guáhan, the Governor of Guam, in accordance with the Organic Act of Guam, as amended.

An Act To Amend 12 GCA Chapter 78 Designating The Guam Economic Development And Commerce Authority As The Local Redevelopment Authority For Base Realignment And Closure (BRAC) Activities

Forbes: GWA, DPW need to team up to fix potholes

By Katie Worth

Pacific Daily News
kworth@guampdn.com

The public hearing came just days after it was discovered that the Federal Highway Administration wrote a letter to Public Works early last month threatening to withhold future funding if the government of Guam doesn't fix the pothole problems.

The letter was made public through the attorney general's office, not the Public Works department.

Forbes said he was upset that the letter wasn't made public earlier. "If they received this letter three or four weeks ago, I never heard about it, and I talk to these guys all the time," he said. "They have an absolute obligation to tell the public about it."

Yesterday, Attorney General Douglas Moylan wrote the Federal Highway Administration's international representative, letting her know of his office's investigation into the matter and asking for the agency's recommendations on the proper repair to road surfaces in climates such as Guam's.

The Legislature plans to appropriate some funds for road maintenance this year, Forbes said. But he said it became clear from the testimony of Gagam and utilities czar John Benavente that the primary problem has been a lack of coordination between Waterworks and Public Works.

Guam has a pothole problem — not because there's a lack of funding to fix the problem, but because government agencies don't communicate with each other.

This became clear at a public hearing yesterday, in which lawmakers grilled Public Works officials about potholes.

Public Works Chief Engineer Mark Gagam said the primary barrier to fixing the roads has been coordinating with Guam Waterworks Authority — the primary cause of the potholes.

"So much of this could be solved by the simple act of working in concert," said legislative Speaker Mark Forbes. "Just getting these two agencies to coordinate is half the battle."

Potholes have plagued island drivers for years, but the issue has been in the spotlight lately because the attorney general launched an investigation into whether anyone can be held accountable for the pothole problem.

Yesterday's hearing was on a bill that would require mayors certification that roads have been fixed before money is released to government agencies and contractors who break into the roads.

BILLS

These are some of the bills considered in a public hearing of the Legislative Committee on General and Omnibus Matters yesterday.

▲ Bill 75: Would end the two-term limit for the elected public auditor.

▲ Bill 96: Would require all elected officials and any appointed official to attend an ethics in government program at the University of Guam.

▲ Bill 104: Establishes a performance bond requirement for whoever runs the new landfill. The system would provide money to the community if the landfill harms public health or contaminates the environment.

▲ Bill 132: The "Independent Counsel

WHAT'S NEXT

The committee will hold another public hearing on Bills 85, 124, 127, 143, 147, 149, 150, 159, 172, 175, 178, 182 and 184 beginning at 9 a.m. today in the legislative public hearing room. To view these bills in their entirety, visit the Guam Legislature Web site at www.guamlegislature.com.

▲ Bill 152: Creates the position of vice mayor for the villages of Yigo and Mangilag.

the prosecution would pay for the defense's (attorney general's) legal costs.

ny general. In the case of an acquittal, case of prosecution against the attorney general, in the case of an acquittal, to choose a special prosecutor in the Act of 2005, "establishing procedures

ai

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99

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Four Packs

Mixer

effects

The people of Inarajan are voters too and are your constituents as well. Together, we all have the responsibility in providing for them.

That being said, the following issues and concerns are hereby listed for your consideration:

1. The present facility, although very accommodating for routine office operations, public meetings, civic and parish functions, community programs and activities and other large gathering, the structure however, is not conducive for an Emergency Operation Center particularly during typhoons. Just this week with Tropical Storm Nabi and with past typhoons, flooding and roof leaks are our usual battle during the storms.
2. Often times I get criticize by St. Joseph Parishioners that I am only patronizing San Isidro. They to, have a Social Hall.
3. As with most leased properties; expansion, improvements and modifications are prohibited or restricted, thus hindering operations need and efficiency.
4. The abandoned school building is government property, has been unoccupied for over 8 years, strong structure, lots of floor space, adequate public parking, ADA complaint, and everything else a public facility should have.
5. Because of its long time idleness, initial cost to repair, renovate, and restore the facility to usable condition may be large but long term savings will be realized.
6. Unless we can afford a new Mayor's Office all together, relocating the Mayor's Office to this unoccupied building at the present time is an investment and the right thing to do for our community.

Above are the major justifications in support of Bill 172.

As usual, in all my closing messages, I wish to depart with you these words. "It has been said that those who know the most say the least, and those who know the least say the most. I wish not to be numbered among the latter, therefore, I will now conclude my testimony."

THANK YOU AND SI YU'OS MA'ASE!


Franklin M. Taitague