



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, GU 96932
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

2010 MAR 16 PM 2:24 epm

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

MAR 15 2010

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

DF 3/16/10
10
30-10-0221

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 230-30 (COR) "AN ACT TO APPROPRIATE FUNDS FROM THE BALANCE OF THE 2009 TERRITORIAL EDUCATION FACILITIES FUND OF THE DEPARTMENT OF EDUCATION" which I signed into law on March 12, 2010 as **Public Law 30-104**.

Sinseru yan Magåhet,

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan para pa'go
Acting Governor of Guam

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

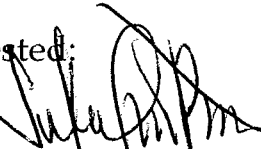
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 230-30 (COR), "AN ACT TO APPROPRIATE FUNDS FROM THE BALANCE OF THE 2009 TERRITORIAL EDUCATION FACILITIES FUND TO THE DEPARTMENT OF EDUCATION," was on the 26th day of February, 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1 day of March, 2010, at
5:40 o'clock p.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

MAR 12 2010

Date: _____

Public Law No. P.L. 30-104

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 230-30 (COR)

As amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed.D.

E. J.B. Calvo

v. c. pangelinan

T. C. Ada

F. B. Aguon, Jr.

B. J.F. Cruz

F. F. Blas, Jr.

J. V. Espaldon

Judith P. Guthertz, DPA

T. R. Muña Barnes

Adolpho B. Palacios, Sr.

R. J. Respicio

Telo Taitague

Ray Tenorio

**AN ACT TO APPROPRIATE FUNDS FROM THE
BALANCE OF THE 2009 TERRITORIAL EDUCATION
FACILITIES FUND TO THE DEPARTMENT OF
EDUCATION.**

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

2 **Section 1.** Notwithstanding any other provision of law, *I Liheslaturan*
3 *Guåhan* hereby appropriates the total sum of Five Million One Hundred Fifty
4 Thousand Dollars (\$5,150,000) from the balance of the 2009 Territorial Education
5 Facilities Fund to the Department of Education (DOE) as follows:

6 (a) \$2,800,000 CIP Reimbursement

7 (b) \$1,600,000 Textbooks, instructional material and supplies

- 1 (c) \$150,000 Vehicles for DOE Maintenance
2 (d) \$100,000 Vehicles for DOE Warehouse
3 (e) \$500,000 at the discretion of the Superintendent of
4 Education for the rehabilitation of the Eugene Ramsey Field and the
5 repayment of the principal owed to the Guam Power Authority note.

6 This appropriation is *not* subject to *I Maga'lahaen Guåhan's* transfer
7 authority *or* the Bureau of Budget and Management Research's allotment process.
8 The Department of Administration *shall* release this appropriation for immediate
9 expenditure and encumbrance of the Department of Education.

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 2/26/10

VOTING SHEET

Bill No. 230-30(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

14

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

February 18, 2010

The Honorable Judith T. Won Pat, Ed.D.

Speaker
I Mina'trenta na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

REC'D FROM 23 MAR 18
JTW

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

RE: Committee Report on Bill No. 230-30 (COR), An Act To Appropriate Funds From The Balance Of The 2008 Territorial Education Facilities Fund To The Department Of Education.


Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 230-30 (COR) "An Act To Appropriate Funds From The Balance Of The 2008 Territorial Education Facilities Fund To The Department Of Education." and which was referred to the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

- 6 TO PASS
- _____ NOT TO PASS
- 1 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'us Ma'ase,


ben c. pangelinan
Senator

**COMMITTEE REPORT
ON**

Bill No. 230-30 (COR)

**“An Act To Appropriate Funds From The
Balance Of The 2008 Territorial Education
Facilities Fund To The Department Of
Education.”**



The People

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

February 18, 2010

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Banking, Insurance,
Retirement, and Land

From: Senator vicente "ben" c. pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 230-30 (COR)


Transmitted herewith for your consideration is the Committee Report on Bill No. 230-30 (COR), "An Act To Appropriate Funds From The Balance Of The 2008 Territorial Education Facilities Fund To The Department Of Education." sponsored by Senator vicente "ben" c. pangelinan

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative
- Copy of Bill No. 230-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No.230-30 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'us Ma'ase,


ben c. pangelinan
Senator

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Taxation, Banking, Insurance, Retirement,
and Land

Bill No. 230-30 (COR)

"An Act To Appropriate Funds From The Balance Of The 2008 Territorial
Education Facilities Fund To The Department Of Education."

Committee Members	To Pass	Not To Pass	Report Out	Abstain	Inactive Files
 Senator Vicente C. Pangelinan Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Speaker Judith T. Won Pat, Ed.D. Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker Benjamin J.F. Cruz Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Tina Rose Muña-Barnes Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Frank B. Aguiar Jr. Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith P. Guthertz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator James V. Espaldon Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Telo T. Taitague Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Frank Blas, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Senator Vicente C. Pangelinan
Chairperson

Speaker Judith T. Won Pat, Ed.D.
Vice Chairperson

Vice Speaker Benjamin J.F. Cruz
Member

Senator Tina Rose Muña-Barnes
Member

Senator Frank B. Aguiar Jr.
Member

Senator Judith P. Guthertz
Member

Senator James V. Espaldon
Member

Senator Telo T. Taitague
Member

Senator Frank Blas, Jr.
Member



Office of

The People

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

Committee Report

Bill No. 230-30 (COR) "An Act To Appropriate Funds From The Balance Of The 2008 Territorial Education Facilities Fund To The Department Of Education"

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

I. OVERVIEW

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing on February 3, 2010 at 3:00 pm in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on January 27 (5-Day Notice), and again on February 1 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator vicente "ben" pangelinan, Chairman
Speaker Judith T. Won Pat, Vice Chairman
Vice Speaker Benjamin J.F. Cruz, member
Senator Telo Taitague, member
Senator Tina Rose Muña-Barnes, member
Senator Ada
Senator Adolpho B. Palacios, Sr.

(b) Appearing before the Committee

Gloria Nelson
Frank Hill
Ben Gumataotao, Piti Mayor
Barbara Dela Cruz
Louise C. Rivera, Tamuning Vice Mayor
Vicente Taitague, Talofofo Mayor
Richard Lai, President (GFA)
Valentino San Gil, General Secretary (GFA)
Tony Ada, Director (DYA)
Jane Flores, Director (GMH)
Francisco Roberto, President (Masters Basketball Association)
Danny "Matao Pãgat" Jackson
Ofing Jackson

Vicente Garrido
Paul McDonald, Agana Heights Mayor
Ernest Chargualaf, Merizo Mayor
Frank C. Roberto, Jr., Vice President (Masters Basketball Association)
Rick Agustin, General Manager (PAG)
Jose Guevara, Controller (PAG)
Joaquin Flores, General Manager (GPA)
Frank Taitague, Inarajan Mayor
Bertha Duenas, Director (BBMR)
John Benavente, General Manager (GWA)
Fred Gofigan, Administrator (VAO)
Melissa Savares, Dededo Mayor
Carol Tayama, Agat Mayor
Nito Blas, Mangilao Mayor
Angel Sablan, Executive Director (MCOG)
Ted Nelson
Ed Taitano (DYA)

(c) Written Testimonies Submitted

Port Authority of Guam
Guam Community College
Guam Housing Corporation
Department of Administration (Division of Accounts)
Guam Visitors Bureau
Guam International Airport Authority
Department of Youth Affairs
Guam Masters Basketball Association
Municipality of Agana Heights
Jose S.N Chargualaf
Talofofo Mayor's Office
Bureau of Budget & Management Research
Jane Flores
University of Guam
Department of Education
Government of Guam Retirement Fund

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator ben pangelinan: Good Afternoon, Everyone! I'd like to call this public hearing on the consideration of Bill 317-30: An Act to reprogram and appropriate funds for various programs and projects and other purposes for Fiscal Year 2010. The bill has been designated supplemental bill which allows us to entertain different appropriations or authorizations for expenditures in a single bill. The bill was taken from many of the appropriation bills that were introduced by different members of the body to fund certain projects

within the community. Most of these projects, from my understanding, were introduced at the request of certain members of our community, like the mayors and those that have expressed a need and the desire to find funding for certain programs and projects of the Government of Guam. One of the major portions of the bill, of course, is contained in the section of the bill that deals with finding funding for the payment—continuing payment—of the COLA settlement award and the COLA interest as have been determined to be due and owing to the retirees pursuant to the agreement or the Attorney General’s Office. The Attorney General had ruled that the nonpayment or non-issuance of the COLA certificates and the nonpayment of those balances of the principle in the COLA made the Government of Guam liable for certain interest payments on the outstanding balance of that award. And this bill seeks to find the mechanism to provide some additional funding for the payment—continual payment—of those awards until such time that we fully pay what we owe the COLA retirees pursuant to their court case and pursuant to rulings by this government body. In addition, it also provides funding to certain institutions and instrumentalities of the Government of Guam such as the Guam Department of Education and other entities of the Government of Guam to meet operational requirements of the respective departments and agencies. I’m going to use the prerogative of the Chair in terms of deciding which group to call up first, but I don’t think that I need to do that, because it’s the ones that signed up first are, pretty much, those that are here with the most interests. Before I do that, I’d like to introduce the members of the body that are here to join me. I want to thank them and express my appreciation for their presence this afternoon. To my extreme left is the Vice Chair of the Committee and the Speaker—our Speaker—of the 30th Guam Legislature, Speaker Judy Won Pat. We thank her for joining us this afternoon. And right next to her is Senator Adolfo Palacios. And to my left is Senator Telo Taitague. To my right is Senator Tina Rose Muna-Barnes, and to her right is Senator Tom Ada. Thank you very much, Senators, for joining us this afternoon. I’m going to go ahead and call the order of those that signed up with regards to... on the issue and the matter of the COLA, we have asked them to identify that that will be there interest and then we’ll begin with that. And then we’ll go ahead and call other members of the—actually, then, we’ll call the department of Bureau and Budget Management. And then after their presentation, we’ll proceed with the other elements of the bill. To start the hearing and the receipt of public testimony this afternoon, I’d like to call Mrs. Gloria Nelson. I’d like to go ahead and call Zeny Asuncion-Nace... I think she’s representing the University of Guam—they’re going to provide written testimony on this. Ben Gumataotao, were you going to testify on the COLA section or just the Mayors’ section? (Inaudible) Okay. I’d also like to recognize Vice Speaker, B.J. Cruz, thank you very much, Mr. Vice Speaker. I’d like to go ahead, then, and call Mr. Frank Hill. And Barbara Dela Cruz. Barbara, are you going to testify? And we’ll begin with the testimony in the order that I called. Mrs. Nelson.

(b) Testimony

1. Gloria Nelson – President, Dinanña’ Para i Direchon i Retirees and Survivors

Gloria Nelson: Thank you... can you hear me? Buenas Senator ben pangelinan, and before coming over here—in fact, that was about ten minutes ago when I was talking to him and was trying to find out, what are his titles? And so because it’s too long, I decided to just say, Buenas, Senator pangelinan. And Senators, for the record, my name is Gloria B. Nelson, and I am the President of the Dinanña’ Para Direchon i Retirees and Survivors. I’m

here to testify in full support of Bill 317-30. It appears that the intent of this bill is not only focused on COLA appropriation injustices but also on the need to ensure there is a continuity of services in the operation of the Government of Guam for various programs and projects to put to a closure, in Fiscal Year 2010. Indeed, very realistic, sensible, and excellent management, Senator pangelinan. Future prevention of injustices to the community, to our schools, to our hospital, to the mayors that are handling the villages, the COLA retirees have been continuously and patiently, I called us powerless for it took fifteen years, or maybe more by now. Some Guam leaders have made history; we made history in court; the longest for neglecting the handicap, the sick, and the poor elders of Guam. Insensitivity, greed, and lack of caring leaders yesterday and today, and by the way, I want to make it very clear, because most of you that have been meeting with the buildup and other hearings, I do not see each one of you to be that category. The COLA retirees demand final closure to this treatment and injustice. We owe our retirees, past and present, much gratitude, respect, and kindness for their years of service, dedication, and love for our children and the people of Guam. Let's wait no more. Thank you for this bill. It will probably no longer delay much more than fifteen years. Time is fast-departing for all of us. Senators, work hard; pay them promptly. No more pain, no more hardship. They legally deserve to be compensated **now**. Si Yu'os Ma'ase'.

Panel Comments and Questions

None

2. Ben Gumataotao – Mayor, Piti

Ben Gumataotao: Good afternoon, Senator pangelinan and members of the Committee. I am in favor for this COLA to be paid. It's long overdue. And just in the event that you do not have enough funding to pay the COLA, I have here, for the mayor, \$26,000, and I'll yield that money for the people from the COLA. Please, and I thank you very much.

Senator ben pangelinan: Thank you very much, Mr. Mayor. Mr. Hill?

Frank Hill: Good afternoon, Senators. My name is Frank Hill; I'm the Vice President of the Dinanña' Group. I also am here to say that I'm in favor of this bill, it's long-awaited. And I hope that we'll override any attempt to veto this bill and that you'll follow through this until we get paid our total—what's due us. I also have a letter here from Mr. Chargualaf—I'd like to go ahead and read it. It says here, his name is Jose M. Chargualaf, a retiree of the Government of Guam, one of thousands who is a recipient of the COLA class award ordered by the Superior Court of Guam. Because of the Governor of Guam and the Executive Branch—the governor of Guam has failed to fully compensate the COLA recipients the money legally owed us—the interest—when the COLA payments were made. Relative to the interest due to each retiree was a joke—pâpet e'ggue. And as no official of the governor or Department of Administration signed or affixed his signature as this is an official acknowledgement of a Government of Guam action, it didn't have any value. I trust that Bill 317 will be passed and endorsed by all fourteen senators. Pay us retirees as soon as possible. As more of us continue to pass away, that's the total sentiment of all the retirees. I want to ask all who are present, stand up please, and say if you are in favor of this COLA award. (Members of the audience stand up or raise their hands to show favor of the award.) I think that's the room. I hope you guys follow through on this.

Senator ben pangelinan: Thank you very much, Mr. Hill. Mrs. Dela Cruz?

Panel Comments and Questions

None

3. Barbara Dela Cruz – COLA Retiree Representative

Dela Cruz: Good afternoon, Senators. You are all beautiful up there. Thank you to those who are here before all these people. I am not a Lola COLA recipient, because I was too late to retire, but I am here on behalf of my sister who is ill. I am the one following this for her, because when all this money was being released. Excuse me, I am Barbara Dela Cruz of Chalan Pago, please excuse me. When the money was being released, I was the one who took my sister to pick up her check. At least six or seven times, I think, when she took the check, each time she cashed the check she'd give me about eighty dollars. So I'm following the organization, and I, too, am asking that you finish this fight by the end of this year. They are crying—they're not crying tears—they're hearts are crying. We hear their cries when our retirees are dying and they leave this world. Senators, please listen to us here, and tell the others who aren't here to get together and to end this and to end it this year. Please just give them their interest and the back pay that is rightfully theirs to let them rest instead of calling them back-and-forth to do this. And look at the time tonight. They're all here, because this is important for them to push, and that's why we need to end this year. Please, Senators, open your hearts and look at all those here before you—the manâmkô'—who are soon to leave this world. I, too, am no longer young, but I'm only here to support my sister. Eventually, when you reach our age and it's your turn to seek help, only then may you see the reality behind the struggle and the tears of what is being asked of you—to give them what is rightfully theirs. Thank you all very much.)

Senator ben pangelinan: Dângkolu na Si Yu'os Ma'âse' lakkue' para hâgu. Is there anyone up here who'd like to ask questions? If there are none, then thank you, and we'll call on the rest. I'll go ahead and follow the list of those who've signed up. Vice Mayor Rivera, Mayor Taitague, Richard Lai, and Valentino San Gil. We'll go ahead and start with Vice Mayor Rivera.

Panel Comments and Questions

None

4. Louise C. Rivera – Vice Mayor, Tamuning

Louise C. Rivera: Hâfa Adai, Senators. I just want to thank you for this opportunity. I want to let you know that I am in support of your bill. I would also like to request that it be amended to include the facilities in Tamuning. The baseball field and the Tamuning gym... I was really surprised to see that all these other villages were apart of this, and I was wondering why Tamuning wasn't. This is my sixth year in office, and I was calling around to see—I know that we've met with different senators, personally, in regards to funding. For the past five years, this is no my sixth year in office, I've been working with different businesses, local companies to help us out with repairs and things that we need in our community. Seeing your bill have different amounts of monies appropriated to different villages, I'm here to ask that you include

Tamuning, Tumon, and Harmon. I do have price quotes for a lot of things—from the lights to the repairs of the gym, the fencing. Whatever you want me to forward to you, just let me know.

Senator ben pangelinan: Thank you very much, Mayor Rivera. Mayor Taitague?

Panel Comments and Questions

None

5. Vicente Taitague – Mayor, Talofofu

Mayor Vicente Taitague: Håfa lai, Mr. ben? Members... I submitted a written testimony on my behalf. For the record, my name is Taitague, Vicente, Mayor of Talofofu. I support this bill, bill number 317-30. On my request, I have two concerns that I want to amend this bill to revise the total cost for the repair projects for the baseball field. I'll give you the breakdown of these things; it will cost ninety thousand six hundred eighty eight dollars. The next request is to amend to get the Koban renovated. The Koban is falling apart and the people of Talofofu want it to be in operational use. I'm requesting to amend the bill for ten thousand dollars to repair and upgrade the facility so GPD can be used for operational use. These are the two main concerns I have, and hopefully, you can accommodate the people who reside in Talofofu.

Senator ben pangelinan: Thank you very much, Mr. Mayor. Mr. Lai.

Panel Comments and Questions

None

6. Richard Lai – President, Guam Football Association

Richard Lai: Good afternoon, Committee Chairman and Committee members. For the record, my name is Richard Lai. I'm the president of the Guam Football Association. I'm very pleased to see that this bill is including a lot of sports facilities; also mayors need a lot of improvements in the villages of the sports facilities. I'm here to testify to support this bill. If I might walk over to the board so that way I can explain to the senators a little bit more what the support we're looking for. We got this property from the Government of Guam roughly about ten years ago. It's a total of twenty one acres of property. We started developing this property roughly about six years ago. From the first day that the government deeded this property to us, we had no funding and were never able to do anything on it. Roughly about six years ago, I started going into international grants, and I've discovered that there are international grants to support football facilities on islands like Guam. The first grant we received (about four years ago) is a four hundred thousand dollar grant; 100% came from the governing body of football of the world called FIFA. The money came from Switzerland, and for the first grant, we were able to build this building which is about three thousand square feet. It consists of offices, classrooms, locker rooms, and bathrooms. Then we were able to put lighting on the lower football facility—the pitch. We were able to build the pitch, the lights, and the building. All four hundred thousand dollars came from FIFA. And through the local sponsorship we were able to raise (roughly) about a hundred thousand. So the whole project, including the chain link fence of the entire facility, we spent about half-a-million dollars. That's the day when football stock (soccer) kicked

off on Guam. During that time, we were still the number sixth or seventh place in sports on Guam. Right now, we're very proud to say that we have more kids playing soccer than any other sport on Guam. We're (roughly) about two thousand five hundred kids from ages four to sixteen years old. And we're (roughly) about eight hundred plus adult players. And then there are our members who utilize this facility. Two years ago, I discovered another grant which enabled us to bring another four hundred thousand dollars for the rest of the improvements. Through Senator pangelinan, we were able to get the matching grant tax credit that allows us to utilize the building. The loan was given to the racetrack for the GRT money. We raised (roughly) about six hundred fifty thousand dollars for the second project. On the second project, we paved the hundred eighty parking space. We were able to build a second pitch with lighting. And a six thousand-square foot dormitory training facility. This time, it's a two-level building plus two more mini soccer facilities. Everything was completed. Last year, we have some leftover money from the FIFA grant to build a big soccer field over here (pointing at the demonstration map) which is also complete. We're very proud with the facility; we're now the facility that is utilized seven days a week. Anyone who passes by Harmon Loop will see that the lights are constantly on for domestic soccer events—also national teams. We provide more national players, off-island competitions than all the sports together. We send eight to ten teams off-island to compete every year. Each team consists of about twenty to twenty five players. But there is a problem, because of technology and its continual improvement. The new football facility in the world FIFA, they call for artificial turf meaning that watering is not needed. You can play seven days a week, twenty four hours a day. We have an existing problem here; we spend more than thirteen thousand dollars a month for power, water, landscaping, and for professionals to surface the field because of all the usage. I went to FIFA to apply for the new grant; which each new member association is encouraged to turn the pitch to an artificial one. Our estimate is about nine hundred thousand dollars for conversion to an artificial one. Once it's converted, we don't need down time anymore; we don't need to close the field for repairs. We don't need to water it; we don't need to fertilize it. We don't need to pay the expensive water bill to water it. Right now, we pay two thousand to three thousand a month for the water bill to Guam Waterworks Authority. The artificial pitch costs about nine hundred thousand. FIFA already agreed to contribute four hundred thousand dollars. And then Guam Football Association is able to come up with another hundred thousand through the local sponsors. But unfortunately, the original tax credit that the legislature gave us is only down to two hundred fifty thousand. If the four hundred thousand grant from FIFA plus two hundred fifty thousand, we're still short about two hundred fifty thousand. I know that GFA can raise about a hundred thousand through the sponsors and the parents, but it's nice to see the bill that another two hundred thousand dollars for tax credit matching. We're proud, because we're the only football sport organization on Guam that's built a long-term facility, and we don't ask for a fee handout. We want to demonstrate that we can make at least half the money from off-island. People from off-island believe in our children in this sport and are willing to donate the money for us to build the infrastructure for generations to use. I'm here to answer questions if you have any questions regarding how we're going to use the additional two hundred thousand tax credit. And I hope that the senators will support our bill so within the next six months, we'll see the first artificial football pitch. Thank you.

Senator ben pangelinan: Thank you very much, Mr. Lai. Mr. Lai the appropriation—the allowance for a tax credit—again, you don't just get the money. You have to contribute your own so every dollar that's given to you as a credit; you'll have to raise your own dollar to match

it in order to take that money. And the idea of increasing that would be to allow you to continue the development of the artificial turf, but also to develop the southern soccer sports complex. That's the intent of this bill to allow you to access that off-island grant which would contribute towards the construction of the artificial turf. But also because you're now bringing in an off-island grant, you'll have enough money to develop the southern soccer field that was authorized by law?

Richard Lai: Thank you, Senator, for reminding me. Yes... last year, the legislature passed a bill to deed up to eleven acres of the southern sports facility for us to develop a southern football facility. And I also submitted that to FIFA. It's true: once we get this additional two hundred thousand dollar tax credit matching, we'll be able to fence up the whole facility in Agat just like this one. We'll be able to build a bathroom, a locker room, and also to build about two training facilities. And then no building for headquarters, because we'll be managing from Harmon, but we'll be able to send the coaches everyday around three o'clock to Agat. We found out that we've got a lot of very talented southern kids. They are less fortunate than our central or northern kids, because when the school bells ring at 3 pm, it's impossible for parents who are working in downtown central to go down south, pick up their kids, and drive them up north to the training facility. I'd like to emphasize how valuable and how smart some of the southern kids who can actually contribute in the national program. Last December, we selected the best two, under thirteen kids from Guam to fly them to Japan and train there with the under thirteen national team. The top thirty kids in Japan, out of two hundred fifty million people train for ten days. We were able to get two slots to fly two kids there; very fortunately, one kid is from the south. The coach almost did not pick him; he was one of the best players with one of the brightest futures. He actually missed half of the practices. The coach almost wanted to take him out to put two kids in from the central part of the island. But I was able to see the attendance, and I understand how difficult it is for the parent to be able to make it to even half of the practices up north. I appreciate that, and I demonstrated that. When these two kids traveled to Japan, they were spotted by a Japanese professional football magazine. They wrote me an email to ask me to allow them to feature—especially the kid from the south—that made it to Japan on the professional magazine. Those are the opportunities that I want to give to the kids from the south. That's why I want to build this artificial turf plus develop the facility that the property that the legislature gave us last year.

Senator ben pangelinan: In the south?

Richard Lai: Yes.

Senator ben pangelinan: Thank you very much. Senator Palacios.

Panel Comments and Questions

Senator Palacios: Thank you Mr. Chairman. Of course, the program is very good for the youth. Is your organization a Non-Profit Organization?

Richard Lai: Yes, Sir. We're audited by FIFA every year. Internally, Ernst & Young audits every six months. We submit our tax return to the Government of Guam. We're nonprofit,

and we also turn in our tax return to the Guam Public Auditor every year. We're not required to, but we do.

Senator Palacios: Could you give this committee some idea of an annual revenues versus expenditures and whether you have a net surplus or a net loss on an annual basis—maybe for the last three or four years?

Richard Lai: Yes... to make it simple to understand, we have about two thousand kids. We charge each kid only forty dollars per year to participate in our sport. We charge adults sixty dollars. Just the registration fees alone, we get close to a hundred thousand a year. We have a FIFA financial aid program which allows us to apply up to a quarter million dollars. But those are deeded to the national program when we send the kids to off-island competitions. That's why I said that every time we send a team off-island, it'll cost us about fifty thousand dollars. But we've managed to send up to eight to ten teams each year which is almost a half a million dollars. We did that through parent contributions of half of the funding, FIFA contributes the rest of the funding, plus with fundraisings through the local organization. We collect only income locally at about fifty thousand dollars cash from the sponsors. A hundred thousand is registration fees; locally, we get about a hundred fifty thousand a year. Paying for the landscape professional is four thousand five hundred a month, not including fertilizer, maintaining his equipment. The power bill is about three thousand to four thousand a month, depending on how many night games and training we have. Water is about three to four thousand a month, depending on the rainy/dry season. Just the maintaining this facility, our registration fee from the members is not enough to pay. What we did was we tried to utilize the facility to generate money. Now we have a lot of chain link fences. We normally sell each board, between four to eight foot boards to corporate sponsors. We sell it for eight hundred dollars a year. We get about twenty to thirty boards sold per year, varying. That additional income comes in handy. The FIFA financial aid assistance program at a quarter million dollars.

Senator Palacios: Is that annual?

Richard Lai: Annually.

Senator Palacios: So every year you get—

Richard Lai: Every year. That's why we're very restricted by the auditing. They send in Ernst & Young to audit us every year. And that's why, internally, we have a professional CPA to audit us each month to make sure that we do the books correctly. If we make one mistake, we'll lose this grant forever. And we'll also lose the future infrastructure grant. Since I became the president about six years ago, including infrastructure and operated the financial assistance grants, I'm very proud to say that we've brought in over three million dollars to Guam.

Senator Palacios: One last question, Mr. Chairman, with respect to admissions. Do you have a special price or special consideration for the elderly? I understand there are some venues that entertain or provide discounted or free admissions to senior citizens, 55 and older?

Richard Lai: Unfortunately, this is a soccer facility so we do have senior citizens playing in our leagues.

Senator Palacios: No, to watch.

Richard Lai: Oh, to watch, yes. We have bleachers.

Senator Palacios: No, but do you charge them?

Richard Lai: No, admission is all free. We also host high school and middle school championships. The last high school championship happened in December between Father D and Harvest. We had over two thousand spectators who came to the facility. They were easily fit and comfortable. When we do that, we collect three dollars for adults, one dollar for kids, and one dollar for senior citizens. But we also pay 10% of the gate revenue to the legislature; we follow the book right to the dot.

Senator Palacios: Thank you, Mr. Chairman. Thank you for [Mr. Lai] for that.

Senator ben pangelinan: Thank you. Senator Ada?

Senator Ada: I just want to make sure I understand the process here with the tax credits. In essence when the professional landscaper comes in and puts in the turf and costs two hundred thousand dollars he basically takes that and writes it off from his income tax and so the government does not receive two hundred thousand dollars in tax. Is that correct?

Richard Lai: No. This is how it happens: for example, with our last grant and when we applied for the tax credit. With the last project, we built the hundred eighty plus parking stalls, six thousand square-foot building, upper field lighting system, and the two mini soccer fields. The whole contract cost one point three million dollars. We had a tax bill that allowed us to get up to one million dollars in a tax credit. We must identify a company who normally pays GRT to the Treasurer of Guam every month. Either the contractor or the construction supplier or any business on Guam pays GRT to the Government of Guam. With the last project, the grant from international was only four hundred thousand. Even if I bring in four hundred thousand, I can only match another four hundred thousand. I'm still short so what we did was fundraised and saved the financial aid assistance program (the two hundred fifty thousand) we tried to make more parents pay for the off-island competitions, saving the money. Then we have our sponsors donate more money so we're able to come to a total of six hundred fifty thousand, then we're able to match another six hundred fifty thousand. The contract was signed with FIFA, the contractor, plus the company will have the capacity to do the tax matching out of the GRT payment to the Government of Guam. When the contractor requests payment in phases, half of them are from our FIFA grant, and the other half is from the Government of Guam GRT tax credit. In order to get the tax credit, the construction engineer has to come and verify the phase of the construction is complete then the company who is supposed to pay GRT to the Government of Guam will request us to issue an invoice to them, to indicate that this is the half of the matching money. The whole process is controlled by GEDA. We don't get the money from anybody. When the contractor does a certain phase, once the construction engineer proves that

the phase is legitimate then the contractor will issue that approval to GEDA. GEDA sends the inspector over and looks at the site to say, "Yes. This is really a hundred thousand dollar work." Half the money from FIFA already came in; now the other half from local companies who can donate the GRT, ready to match can make it happen to pay the contractor.

Senator Ada: Thank you very much, and you certainly do a... I commend you for all the fine work and coordination you've done. I think you do a really good job of bringing me to my comfort level. I just want to make it very clear that at the end of the day that the one million tax credit with the Government of Guam is, in other words, a million dollars the Government of Guam does not receive which would otherwise use to pay for other government services but has chosen instead to pay for a facility which is utilized by our youth. And that's a policy call. I just want to make sure it's clear in my mind and in the minds of many people that this is not free money. This, in essence, is an appropriation for a sports facility, and I have no problem with that.

Richard Lai: You're correct, Senator. I just want to remind you that the one million dollar—actually six hundred fifty thousand is already invested in that from the Government of Guam—no, actually, seven hundred fifty thousand. There's only about two hundred thousand left. This bill will call for an additional two hundred thousand to help us finish the southern facility plus the artificial turf. If we lose the matching, then we'll lose the FIFA four hundred thousand dollars that will be granted to us.

Senator Ada: Thank you for the fine work you're doing with the youth.

Senator ben pangelinan: Thank you very much. Speaker Won Pat?

Speaker Won Pat: Thank you very much, Mr. Chairman. I'd like to know, and I know earlier you said that the fee that you charge is for the individuals who come to use the facility, right?

Richard Lai: No, when we have major competitions such as the high school championship... they don't have facilities with lights or parking spaces for five to six hundred cars. So we work with the Guam public schools and the IIAAG; we become hosts for the semifinals. Only when they come to watch the finals, they have to pay three dollars for adults, children, students, and senior citizens are one dollar. That's the same charge every school charges when you go to school to watch any sports program.

Speaker Won Pat: My understanding is that there's a youth sports 2010 that's going to be hosted here on Guam in April (the 11th) for about five days. About four hundred children will be coming from the Philippines, Palau, the CNMI, and they're looking at soccer, softball, baseball. Would they be able to use the facility? And they would be competing with our children here.

Richard Lai: Absolutely, Senator. In fact, it is the international rule: if there's any soccer event happening here on Guam, it must be sanctioned by the Guam Football Association, because we're the ones reporting back to FIFA. For example, for the last six years, we have numerous professional soccer teams from Japan and Korea who come to Guam for their training at Leo Palace. In fact, while we're talking, there are three professional teams up there training.

They all have to be sanctioned by the Guam Football Association. They have to write letters to us and request for us to sanction. If we don't sanction, no one can play football or come to Guam to play football. If they do, FIFA will find out, and they will get suspended, and they will get fined. So yes, Senator, to answer you, we will support any soccer event on Guam.

Senator ben pangelinan: Thank you. Mr. San Gil?

7. Valentino San Gil – General Secretary, Guam Football Association

San Gil: Thank you, Senator. Every year, I go to FIFA, and I meet with FIFA, because I'm the General Secretary. My name is Valentino San Gil; I'm the General Secretary for Guam Football [Association]. Every year, I go to FIFA, and I explain to them the purpose of our program. And one of the major concerns that they have is, of course, the facility usage, because every month I have to give them an accountability of the number of teams that are playing. And they find out that we're using the field too much. So that's how they came about with giving us the artificial turf program... because of the amount of usage. I went back and told Richard [Lai]: this is what they want to do. We went ahead and applied for the program—the four hundred thousand. But we didn't know what the cost was, because the engineers from off-island, from Belgium, from Australia, the artificial turf, came here and they brought their plans and their specs. But of course, the distance of traveling and the cost varies. When they finally submitted their cost to us, it was beyond the money that we have. But the good thing about the artificial turf that FIFA recommends is because we have a lot of professional teams that come here, from Japan and Korea... this year, we're expecting six teams that are going to be playing at Leo Palace or training. Now if we have that artificial turf, it would provide another venue for teams to come here. We've talked to Hilton about partnering up with them to provide the hotel for the teams to come here. During the winter months, a lot of teams want to come here to train, but the facility at Leo Palace is maxed out. A lot of the training that they're going to be doing is in the day time, and we'll use the facility in the evenings for our national teams and our teams to play. The facility is also used by all the schools if we have the available fields for use. It's not only used for the league here. It's also used for the high schools, the middle schools, and any visiting team coming here. Those are the things the facility for. The gate fee, the three dollars and the one dollar is already dictated by the IIAAG and GPSS. We can't charge any more than that, and that's what they charge everyone everywhere you go. But all the money that's generated does not stay in the facility. We pay for the referees, the trophies, and grass-cutting with that money. So when we generate the income, the first thing we do is take out the money for the GRT and break it down. In actuality, we don't make any money; just break even. We pay for the power, the trash, everything else. And the schools don't pay for that.

Richard Lai: I wrote a letter to FIFA, and they authorized us to open up the pitch for other sports. For example, American football—rugby. In the past, we didn't open up the field to them, because they do a lot of heavy hitting, digging into the soil—it would damage the football pitch, because soccer playing, rolling the ball on the ground. The artificial pitch will not be damaged so FIFA came back to encourage us to cooperate with other sports to allow them to utilize the pitch to enable collecting funds to help pay for the maintenance fees. When we're done with this artificial pitch, this will be the first artificial pitch on Guam that we'll be able to paint the soccer field, American football field, and even rugby field on it. That way, I can do the

high school American football championships and rugby championships, because we have the lighting and the locker rooms. Now we have the facility that we don't need to worry about tearing up with heavy and strong play.

Senator ben pangelinan: Again, Richard, I certainly thank you for your testimony. I want to be very clear that the addition of the increase in the tax credit will allow for the development of the southern soccer facility.

Richard Lai: Yes. I promised Mayor Tayama that at the Agat facility, we'll be able to do ribbon cutting at the same time with the artificial pitch.

Senator ben pangelinan: All right, thank you very much. Si Yu'os Ma'ase'. I'd like to now call on Mr. Tony Ada, Ms. Jane Flores, Mr. Francisco Roberto, and I have Matao Pâgat. Mr. Ada, you may proceed.

Panel Comments and Questions

None

8. Tony Ada – Director, Department of Youth Affairs

Tony Ada: Good afternoon, Mr. Chairman... Committee Members. I'd like to thank you for the opportunity for being here today. My name is Tony Ada, I'm the director for the Department of Youth Affairs. And I come before you today; as many of you in the Committee are aware, youth incarceration has grown steadily over the past years. Throughout this growth, the Department of Youth Affairs has remained physically lean and highly accountable to parents and community members. We strive to maintain a solid example of financial stewardship and at the same token, ensuring that our youths are properly cared for. The mission of the department is to uniformly and consistently serve the community's need for security and safety, as well as to address the rehabilitation needs of our youth in our custody. In order to accomplish our mission, we believe in providing our youth with the knowledge to make lifelong choices of change. We seek to guide the individual towards fulfilling his/her growth within the community by respecting and complying with its values, laws, and codes of behavior for the greater good of our island and by acknowledging the strength and the sacredness of the family and our cultural bonds. As you know, we, at the department face shortages in staff, equipment, and training that has a great effect on our desire to completely fulfill our mission. In addition, we are also faced with the growing number of children with mental illnesses, thus placing additional demands on our department. Our correctional officers are often overwhelmed by trying to serve a population. They have few resources and little training to help. When officers restrain children for fear that they will hurt themselves or assault others, the children as well as the staff are at-risk for receiving needless injury. Attention paid to youth with serious mental health needs diverts resources from monitoring the other juveniles in the facility. Mr. Chairman, Senators, it is truly taking a toll on our staff... our psychologists, our therapists... and I'm asking you to help us. These children, languishing in our facilities may have been forgotten. But they will be tomorrow's adults. And we must ensure that we afford them every opportunity to succeed in life. In order to accomplish that, I humbly ask for your consideration and amend the bill to include

DYA and appropriate funding to provide us with the staff and the training needed to properly care for these children. Thank you, Sir.

Senator ben pangelinan: Thank you very much, Mr. Ada. Jane?

9. Jane Flores – Director, Guam Memorial Hospital

Jane Flores: *(read written testimony; see attach)*

Senator ben pangelinan: Thank you very much, Ms. Flores. Mr. Roberto?

Panel Comments and Questions

None

10. Francisco C. Roberto – President, Guam Masters Basketball Association

Francisco Roberto: Good afternoon. My name is Francisco C. Roberto; I'm from the south—from Merizo. My date of birth is August 13, 1938, and there's a reason why I put that down. I'm very competitive in sports. I have a son in the room, here, as soon as he beat me in basketball, I kind of retired. We went to Australia last year; I played in the age group 70... we got the gold. I played in the 65... we got the silver. And I didn't play in the 55, because that's where Bill Naputi and the rest of the guys got the bronze. Basketball is something that we perceive to see that we have a competitive issue; we don't have to go to the Olympics. We go to Australia for the World Masters, and that's where we compete. I am supporting the number 5, which is \$85,000 for the mayor of Agana Heights, because we chose Agana Heights as our home court, but the facility is in dire need of repairs. I am also a safety inspector by profession, and what I did was I broke down what needs to be done. And actually, we should have a new gym, but to repair it, we're looking at between seventy five thousand up to a hundred and twenty three thousand dollars according to the engineers at DPW. But seventy five to eighty five thousand will probably a good price for us to look for a contractor to do the repairs. The roof is leaking, and we have twenty eight teams right now. The Chuukese Basketball Association has twenty eight teams, and we're playing them Monday, Wednesday, Friday, and Saturday. When it rains, we have to stop the game, sweep the floor, dry it up, and commence with the games. The bathrooms need to be fixed—they're locked up, and the sewer line is under the basketball court. It has to be rerouted. The floor needs to be redone, and that's where the money is. We have to redo that, and we have to make sure that we provide our kids with the facility that we can have them play in, safely, and to provide them with a good sports facility. It's something that I am very concerned with. We need to do this for all of the facilities. Not only in Agana Heights but in Talofofo too. Agat also. Even Yona; I tried going to Yona, but for some reason they wouldn't let us go there to practice. But that's between the mayors and us. I thank you for the opportunity, and I'm going to say that I am here to testify in favor of Bill three one seven dash thirty. And I support the COLA people, and I also support Richard Lai, because my son—a fifteen year old—is a soccer player, a rugby player, and a football player. I'm working him to earn his money so he can go for a scholarship. Thank you very much for the time.

Senator ben pangelinan: Thank you very much, Mr. Roberto. Matao?

Panel Comments and Questions

None

11. Danny “Matao Pāgat” Jackson

Matao Pāgat Danny Jackson: Good day, Senator, and thank you for offering this public hearing. I am Matao Pāgat Danny Jackson. There’s really no reason for me to speak since I’ve already signed up and indicated that I support the COLA payments. It’s already been sixteen years since they’ve been waiting for this, and it’s already been way too long for them. Many of them have passed away already. Please, please, please let’s not play with their minds and give them their COLA—what they deserve. Thank you, yan Saina Ma’āse’.

Senator ben pangelinan: Si Yu’os Ma’āse’ lökkue’. Speaker Won Pat did you have any questions? Vice Speaker Cruz?

Panel Comments and Questions

Vice Speaker Cruz: Thank you very much, Mr. Chairman. Tony? I think Senator Taitague was the only one that was with us last week, and I need to get on the record a couple of things. I think in trying to find the money that you’re asking... how much are you paying in utilities currently? Your appropriation is a hundred sixty—is that correct? Or a hundred thirty.

Ada: On our water category, we have a hundred and thirty that’s appropriated to that category.

Vice Speaker Cruz: And how much are you actually paying per month?

Tony Ada: Twenty four thousand.

Vice Speaker Cruz: So you have a difference of about a hundred and six?

Tony Ada: Yes, we do, Senator.

Vice Speaker Cruz: If the Committee could reprogram that to operations, would that assist in some of the needs that you have listed on this page?

Tony Ada: If we can re-appropriate that into salaries and benefits...

Vice Speaker Cruz: I really think it’s imperative that this committee understand the exigency and the situation up at your department. DYA not only handles a detention facility, but it also has a cottage home in Talofofa, is that correct?

Tony Ada: Yes, yes we do.

Vice Speaker Cruz: And what’s the maximum population at Cottage?

Tony Ada: The maximum population at Cottage Homes is 18.

Vice Speaker Cruz: And what was your population last week?

Tony Ada: We had over 18.

Senator ben pangelinan: How many over?

Tony Ada: We had about 19 kids.

Senator ben pangelinan: Nineteen?

Tony Ada: Yes.

Vice Speaker Cruz: Do I also understand—especially out of Cottage—since these are juvenile special proceeding cases, these aren't kids that have committed crimes but are suffering from various mental issues?

Tony Ada: Well, when they were first brought into our facilities, it's because of truancy or beyond control and then later determined that they do have some type of mental disabilities.

Vice Speaker Cruz: Are some of them on medication?

Tony Ada: Yes; last week—out of 18 there—we had about 14 on medication.

Vice Speaker Cruz: And the kind of medication they take is not Aspirin or Tylenol...

Tony Ada: It's between antipsychotic medication and antidepressants.

Vice Speaker Cruz: And these are... who dispenses these?

Tony Ada: The staff of the Cottage Homes.

Vice Speaker Cruz: Are any of the staff medically trained?

Tony Ada: No; none of them are.

Vice Speaker Cruz: You don't have a registered or a licensed professional nurse up there?

Tony Ada: No we don't.

Vice Speaker Cruz: Do you have a doctor on staff except for your psychologist that works up in Mangilao?

Tony Ada: No we don't.

Vice Speaker Cruz: Even he doesn't have the authority to be able to dispense or prescribe medicine?

Tony Ada: No, he doesn't have the authority to prescribe.

Vice Speaker Cruz: How often do these kids take their medication?

Tony Ada: Daily, sometimes three times a day.

Vice Speaker Cruz: Even if we were to hire a nurse to come once a day, that wouldn't satisfy the need, because a number of the kids are on a regimen of two to three times a day?

Tony Ada: Yes.

Vice Speaker Cruz: How many Social Workers do you have? You recently made a request of the Governor's Office to use the hundred and six thousand for personnel, correct?

Tony Ada: Yes.

Vice Speaker Cruz: And what were you asking for with that hundred and six?

Tony Ada: Youth Correctional Workers and Social Workers.

Vice Speaker Cruz: The Social Worker that you're asking for, that's not a huge salary is it?

Tony Ada: No, I don't believe so.

Vice Speaker Cruz: If I remember correctly, it's 24. I'm just trying to get the committee to understand the needs up there. What is your current budget?

Tony Ada: A little over three million, I believe.

Vice Speaker Cruz: During last week's hearing, what was the highest budget that DYA had at one time?

Tony Ada: I believe it was seven million.

Vice Speaker Cruz: And you're currently at three million?

Tony Ada: A little over three—closer to four.

Vice Speaker Cruz: But it's still down considerably. You're almost at 50 or 60% of what the department used to be?

Tony Ada: Yes, at one point.

Vice Speaker Cruz: How many people were employed by DYA?

Tony Ada: At the height, they were at 102; currently at 70.

Vice Speaker Cruz: You're short about 30 from the height? Thank you very much; I just wanted to point that out for the committee. I didn't want to take up too much time. We had a full-on hearing last week, but I just thought that I could get that on record. Thank you very much.

Senator ben pangelinan: Thank you very much. Senator Taitague?

Senator Taitague: Thank you very much, Mr. Chair. Tony, you mentioned that you made this request for \$106,000 for salaries for Social Workers and...

Tony Ada: Youth Correctional Workers. We're in dire need of Youth Correctional Workers; those are also at the Cottage Homes.

Taitague: Do you think that's more important than having a nurse on staff to administer the drugs than to have the other positions filled?

Tony Ada: Well, if I'd like, I'd like to have both positions filled. We need a nurse, but we also need the Youth Correctional Workers. Without them—we're running on a short staff. We have four shifts of nine people. Recently, we had some staff that were injured during an incident with our clients there. One is still out; she'll be out for a little bit. And we don't have anyone to replace her, because that's how short-staffed we are.

Taitague: Thank you. Thank you very much, Mr. Chair.

Senator ben pangelinan: Thank you. Senator Barnes?

Senator Muna-Barnes: Si Yu'os Ma'ase', Mr. Chair. I just wanted to ask Jane from GMH... you asked this body, in reference to repealing Public Law 26-35 in reference to the COLA payments. Are you current with the COLA payments for all the retirees?

Jane Flores: Every year, we are excluded from the autonomous agencies to making that payment—it was just that one public law where the hospital was cited to make the COLA payments. So every year, we are excluded.

Senator Muna-Barnes: Excluded from paying which means that the funds that are due to the retirees would come from the General Fund?

Jane Flores: Correct.

Senator Muna-Barnes: That year left you with a liability of?

Jane Flores: One point five.

Senator Muna-Barnes: One point five and you're asking that that be erased from the hospital?

Jane Flores: Erased and put back into the General Fund as it has been for every single annual budget, yes.

Senator Muna-Barnes: Okay, thank you.

Senator ben pangelinan: Senator Ada? Tony, what else have you done with regards with trying to find services for the youth there in terms of coordinating with any other department or agency of the government?

Tony Ada: We were able to find funding through USDA to get transportation vehicles to transport our clients to and from the facilities to the hospital to court. We also sat down with Mental Health to figure out what to do to get medical technician assistance to have their staff train our staff for training on handling the youth who are on medication so we can approach them and have them—if need be—to understand how to handle the kids.

Senator ben pangelinan: And where are you on that training?

Tony Ada: We were just talking with them. We still haven't gotten back with Mental Health; they haven't gotten back with us.

Senator ben pangelinan: Isn't it so critical that you can't just wait for each other—somebody's got to do...?

Tony Ada: Last week, I believe they were with people from off-island from Mental Health department off-island. Hopefully, they'll be able to get back to us as soon as possible to get this training.

Senator ben pangelinan: Anything else you've done?

Tony Ada: We're taking up our shortages through bringing in additional staff and still, they're not getting paid overtime. We've run short on our overtime so we have to give them comp time. We've done everything that we can possibly do to run our facilities to the best of our abilities with what we do have.

Senator ben pangelinan: How did a child in your custody go missing for one whole week and not... we read that thing in the front page. How did...

Tony Ada: The boys in question walked out of our facilities. You have to remember, Cottage Homes is a non-secured facility.

Senator ben pangelinan: Okay, but were they signed in at one point?

Tony Ada: No.

Senator ben pangelinan: So they were never on the record as being in DYA?

Tony Ada: Yes. They are on record as being at DYA, but they're at our Cottage facilities which are there for children who are remanded to us for truancy or beyond control. They're non criminal. These kids are at a facility without gates, no locked doors.

Senator ben pangelinan: But do you count the people at night that were there in the morning?

Tony Ada: Yes. They walked out in the afternoon during outdoor activities.

Senator ben pangelinan: Okay, so did you count the kids there that night? Or the next night?

Tony Ada: Immediately, when they walked out, the proper authorities were called—the police was called, and I was called—that the children walked out.

Senator ben pangelinan: And nobody knew where they were for a week.

Tony Ada: They went for 9 days or 12 days.

Senator ben pangelinan: Okay. Senator Cruz, any final questions?

Vice Speaker Cruz: Yes, I'd just like to follow-up on that question that the senator was asking on the issue of trying to work with some of the agencies. These young people that you have in your custody at Cottage... at one point you had about six of the kids that should've been under Mental Health's care and they were only with you because there was no other place to put them?

Tony Ada: Let me ask...

Vice Speaker Cruz: I thought I remember from last week's testimony that six of the kids were in line to go to Latte Treatment and were...

Tony Ada: They're awaiting placement to other facilities.

Vice Speaker Cruz: I just wanted the committee to hear that part of the testimony that I remembered from last week. And also the fact that in the relationship you have with Mental Health that you're considered better at taking care of these kids with these extreme mental disorders than they are, and they'd rather release them back to you, because they can't handle them up at Mental Health. Is that correct?

Tony Ada: Yes, it is.

Vice Speaker Cruz: There are two other miscellaneous things I'd like to have the committee address at some point. I need for you to point it out. There's medication on this listing. Would you describe to me what happened sometimes when you have to take these young people who are wards of DYA to pick up the psychotropic medications and their prescriptions?

Tony Ada: At times, because the staff is there, they have to pay out-of-pocket, but they get reimbursed by the department.

Vice Speaker Cruz: Is there an item in the budget for paying for medication for the children?

Tony Ada: No, we don't have that line item.

Vice Speaker Cruz: You take that out of Miscellaneous?

Tony Ada: We take that out of our auxiliary fund.

Vice Speaker Cruz: Auxiliary fund? The other thing that I noted in your list here is you were successful in getting USDA to get you two vans. Is that correct?

Tony Ada: That's correct.

Vice Speaker Cruz: A 15 and a 7 passenger...

Tony Ada: Yes.

Vice Speaker Cruz: But these vehicles are coming to you without a plexi-glass divider between the driver and the children. Would you explain the dangers to your employees are in?

Tony Ada: What it does is because there is no barrier between the passenger compartment and the driver cab they have the ability to overtake our correctional officers thereby either immobilizing the vehicle or injuring our staff as well. Without the protection barrier, our staff is liable to get hurt or injured by our clients being transported. Because we do transport them to the court, being short staffed, a lot of times, I only have two officers going down there at any one time to handle 12 to 15 kids.

Senator ben pangelinan: Mr. Ada, can you send me all the documents and letters that you've sent, outlining these problems to the Governor, asking for transfer authority, asking for training? Send me some letters that you've done to bring this to the attention of the Governor asking for these new staff, the GG1s that you submitted for recruitment that you need. Can you send me those documents please? Do you have any?

Tony Ada: Yes. I believe we have some documents.

Senator ben pangelinan: Okay, great.

Senator Muna-Barnes: As I was looking over your priority issues, I'm noting Division of Vocational Rehabilitation and Support Services and the amount thereof. Is there a relationship with interagency collaboration with the government agencies with this kind of support from DISID to you guys? Or is this completely different?

Tony Ada: That's completely different—that's within our facilities.

Senator Muna-Barnes: Based on the services that Voc Rehab has and Support Services within the Department of Integrated Services for Individuals with Disabilities there is no collaboration there?

Tony Ada: None.

Senator Muna-Barnes: What would this division entail for vocational rehabilitation and support services?

Ed Taitano: The collaboration that we do work with a lot is the Department of Mental Health through the project I Famagu'on-ta, we have that. Our focuses are both with children. So in terms of the collaboration with other agencies we try to work with other agencies like the Department of Mental Health—that's what prompted that meeting. And that was through our director. Because a lot of the kids that are confined at Cottage are on medication and a lot of them are with Project I Famagu'on-ta. But we felt that Mental Health needed to step up with a lot of the lead in terms of placement. A lot of these kids don't need to be confined. These are status offenders, and because a lack of placement... number one and number two. Because of psychological, psychiatric issues, we met with the acting director and the psychiatrist who also agreed that they needed to step up to the plate and take the lead in terms of possibly placement and looking at placement issues. We have been trying to work very hard in terms of collaborative efforts. In terms of other things we do and counseling, we work very closely with the courts with trying to make sure the kids do get counseling. Not all the kids are receiving counseling services through the court. What we try to do is we try to supplement, and we do—we have three licensed therapists including myself. Dr. Rapadas and Mr. Carlos Perez, and that goes out throughout all three resource centers as well as Cottage Homes as well as the Youth Correctional Facility. We try to work with the community as a whole and collaborate.

Senator ben pangelinan: Thank you very much, Si Yu'os Ma'ase. Next on the testimony list is Ofing Jackson, Fiet Ben Garrido, Mayor McDonald, and Mayor Chargualaf. You're coming up, Mr. Mayor. Mrs. Jackson?

12. Ofing Jackson

Ofing Jackson: Buenas. It's a beautiful afternoon, right? Thank you very much for being up there. Yes, I support this Lola COLA bill, but even though my husband and I are not retired, we support the manamko', because it's too much to go back-and-forth already just as the other speaker said, there's too much going back-and-forth. And already many of the manamko' have passed away. Please give the elderly the COLA, because they need it for medication, to pay the

raised utilities. Pretty soon, they won't be able to pay their bills! The elderly need our help, because they are our elders, and we need them to look up to. Thank you.

Senator ben pangelinan: Thank you. Mr. Garrido?

Panel Comments and Questions

None

13. Vicente Garrido

Vicente Garrido: I am Vicente Garrido. I, too, support this bill 317-30. This is a big help for the retirees and their survivors who have been waiting for the COLA interest. We already see in the daily newspaper that the retirees are dying, or they're at St. Dominic's and at GMH. The Governor needs to make a move and quit playing around with this, because there is plenty money. There is plenty money for us. If they can give raises to their employees, then there's plenty for COLA. There's plenty for the interest. Let's stop the nonsense that we continue to play around with this. This is hurtful for us to keep coming back to see you about the retirees. There's no reason anymore, no excuse anymore. This is something that has to be done to give the retirees the COLA payments. And if the governor is listening, then please wake up, Mr. Governor, and pay the retirees their COLA. Thank you.

Senator ben pangelinan: Thank you, Sir. Mayor McDonald?

Panel Comments and Questions

None

14. Paul McDonald – Mayor, Agana Heights

Paul McDonald: Good afternoon, Mr. Chair, and Committee members. I'm actually here in support of the bill that is written for the Agana Heights gymnasium, but after going over the entire bill I support its entirety. I was impressed with Richard's testimony earlier, and I'd also like to make the committee realize that the baseball organization in Guam is also very big. The basketball organization... and if we were given the opportunity the way the football organization was given that we would be as big. Just to give you an example of what we have in Agana Heights... Agana Heights is such a small community, but we have ten solid teams every year. That's baseball teams. The gymnasium, the baseball field is the most used facilities on the island for the past ten years. We open it up seven days a week and 12 hours a day—at times it goes over. And the funding that we received in the past 10 years is pennies compared to any facility on the island. The last time we had an appropriation was the 10% we needed for the repairs of the typhoon in 2002... 2001. Eighty five thousand dollars for the Agana Heights gymnasium is pennies compared to what we should get in comparison to the usage of our facilities. We don't have Agana Heights patrons using the facilities—it's all over the island. The testimony earlier from Frank Roberto... the Guam Masters use the Agana Heights gym for their home for the past 15 years as I can remember, and they have a membership of over 800 for many, many years. I know Senator Espaldon comes up there regularly and some other senators. Again, we've been shortchanged a long time for the repair of the gym. It's basically just wear-and-tear. It's not

because it's abused. Wear-and-tear and the lack of funding to properly repair the baseball field that we lack in Agana Heights, and again I support the bill in its entirety, not only for Agana Heights but for everybody. Thank you.

Senator ben pangelinan: Thank you, Mr. Mayor. Mayor Chargualaf?

Panel Comments and Questions

None

15. Ernest Chargualaf – Mayor, Merizo

Mayor Ernest Chargualaf: Good afternoon, Speaker, Mr. Chairman, Senator Ada, Senator Barnes, Senator Telo Taitague, Judge Senator Cruz. My name Ernest Chargualaf—I'm the Merizo mayor, and I support Bill 317-30, and I see all the programs, all the facilities that were being appropriated for; however, I came here out of concern, because I believe I have a bill to address the mayor's office and community center. A while back I said that I have a restroom that when you flush, they roar like lions but they don't flush like toilets. So my staff and I have to constantly go to the Senior Citizens center to use the restroom there, because sometimes it works, sometimes it doesn't. I don't know if there's taotaomo'na over there. But I was asking \$25,000 to repair and make the restroom facility user-friendly. I cannot have the community use that center, because it's defective. Even the kitchen facility is deplorable. It's cockroach infested; I'm taking care of that problem. The cabinets are broken, the shelves are all dilapidated. And I believe the amount I requested from Senator Barnes, I believe that's an appropriated amount. In October when I had an on-site visit by the Speaker, she asked me, "Mayor, what do you need to take care of your village." I said, "I need only one of two things: give me a lot of money, or give me a magic wand." Maybe I need to amend my wish list—maybe give me a genie in a bottle that way I can have three wishes for each fiscal year. I support everything here, because I see that my colleagues are getting their village's concerns addressed. And I realize that this job is a four-year job, but I have to live from fiscal year to fiscal year and make the monies appropriated to me and put it to good use according to my priorities. I don't think I have that much money to—if I had enough money, I would've taken care of the problem already. If you're able to identify another source, and if it's not enough to put it here, I'd like it to have amended to include my bill. If for some reason that you're able to find funding from other sources that my bill be included in there to take care of my problems at the mayor's office slash community center. But I am in support of this bill, and I congratulate my colleagues if they get their money. Hopefully, I'll get mine later on. Thank you.

Senator ben pangelinan: Thank you very much, Mr. Mayor. Any questions? If not, thank you, Si Yu'os Ma'ase'. We'll then proceed with Frank Roberto, Jr., Rick Agustin, Mr. Jose Guevara, and Mr. Kin Flores. Mr. Roberto, we'll start with you.

Panel Comments and Questions

None

16. Frank Roberto, Jr. – Vice President, Masters Basketball Association

Frank Roberto, Jr.: Hello, my name is Frank C. Roberto, Jr. for the people that know me as family, it's "Frankie," because my dad will ask me later on, "How come you don't use your given name?" I'm here in support of this whole bill, most especially to support the Agana Heights gymnasium. We can make money, Senators, at the Agana Heights gym if we can get all the kids from elementary to come and see what a reef looks like. Because if you come up to the gym and look at the floor; that's one thing you wouldn't want to do is to fall down, because there's spots there from the previous flooring that are really rough. And I always joke around with my fellow basketball teammates that it really looks like a terrarium. Or we can have the kids come down and see what the Save the Reef project looks like. But more importantly is having the number of people that come up there daily and weekly. And like my dad said, we know there are about 700 to 1000 people on a weekly basis that show up. The gym is actually producing productive brothers and sisters out of the Micronesian islands. In the next few years, we're going to have the best basketball teams, and that's to include the Chuukese basketball players that are up there today. And one of our visions—my dad and I—because we just got voted in, he's the president, and I'm the vice president of the Masters. I was supposed to be the president, but I humbled myself and got the vice president. But we're going to start up—we have visions of having the children's programs and collaborate with GPD to bring the kids in and show the life skills first to build them up. We want to show them a healthy mind, healthy body, and a healthy relationship with our parents. I want to thank my dad, today, for where I'm at. I have an 11-month-old son, and I'd like to pave the way for him to have that healthy mind, go to school, to respect parents, have high standards in life, and to always honor your parents and the true word of *rispetu*. Again, I'm here in support and thank you, Senators for all the great work that you do. Thank you very much.

Senator ben pangelinan: Si Yu'os Ma'ãse', Mr. Roberto. Mr. Agustin?

Panel Comments and Questions

None

17. Rick Agustin – General Manager, Port Authority of Guam

Rick Agustin: Thank you, Senator pangelinan and Members of the Committee. I'm Rick Agustin, the Deputy General Manager for the Port Authority. I have a written testimony by my board member chairman, Monte Mesa, and I'd like to read it for the listening audience with your permission, please?

Senator ben pangelinan: Yes.

Rick Agustin: (Orally delivers written testimony on behalf of Monte Mesa.) I have Mr. Joe Guevara with me, Controller, so if you have any questions we're ready to field your questions.

Senator ben pangelinan: Thank you very much. We'll go ahead and hear testimony from Mr. Flores.

18. Joaquin Flores – General Manager, Guam Power Authority

Joaquin Flores: Chairman pangelinan, honorable senators, distinguished citizens. I'd like to offer my warmest hafa adai to everybody, thanking you for this opportunity to testify on Bill 317. My name is Joaquin C. Flores, I'm the General Manager for the Guam Power Authority, and I'm testifying in my capacity as the GM. I want to read a rough outline of the testimony that we will submit at a later date. We've only had a brief period of time to review the bill—I only knew about this bill this weekend when GCC mentioned that there was mention that GCC was preparing a testimony on this bill. We were hustling for the last two days to prepare this so please, I apologize, I don't have a written testimony to submit today, but we will within the ten day period for forwarding. First, I'd like to state that I agree with the intent and the spirit of the proposed legislation, and I sympathize with the challenge this matter poses to the Guam Legislature; however, when reading the bill, I can't help but conclude that the assignment of cost to GPA is seen as a magic bullet that will make the problem go away without causing any pain. In the same way that the legislature has challenges absorbing these costs, so too does the Guam Power Authority. GPA budget process is conducted in a very similar way as any other government entity. We strive to ensure that the dollars that come in match dollars that go out. For every dollar we collect in revenue, we have corresponding expenditures for operating expenses, our debt payments, capital expenditures, etc. The Public Utilities Commission monitors our expenditures very closely to ensure all our costs are prudent and reasonable and that there are no excess funds accumulated other than what is necessary for maintenance of an optimum credit profile. In fact, we are going through our second base rate increase since 13 years ago. I'm going through the same scrutiny that the PUC is enduring today. Each time we are faced with a new assessment, our only options are to reduce an operating expense or a capital improvement project which has been deemed prudent and necessary for the proper upkeep of our equipment by the PUC or to seek relief from the PUC in the form of higher rates. There is no magic bullet for GPA. We have to generate enough revenue to cover all our expenses. Because the way GPA is regulated, all operating costs eventually impact the bills of the authority. If we attempt to not pass this on through rates, it will be passed on to ratepayers that will decrease efficiency or reliability. Some of the members of the Consolidated Commission on Utilities have entertained the idea of creating a surcharge for such costs. I struggle with the idea of a surcharge, because do you consider this expense for almost 1.2 million dollars to be paid in the next seven months as a flat fee for all our ratepayers at 46,000 customers, or do you consider it a surcharge based on energy consumption. The latter being an unfair charge. Why should a consumer entity who consumes more pay more towards this liability? Nonetheless it has to be considered as a pass-through. It has no merit towards our cost of service to produce, to transmit, to generate, and to deliver our power to our ratepayers. There are many factors which GPA faces which lead to higher rates: our dependence on fossil fuels, the inability to receive back-up power from a neighboring grid, the heavily air conditioning load demands from our customers. Retiree burdens in the form of health insurance and supplemental payments. By the way, we obey, and we honor the wishes of the legislature every year by these budget bills that are passed every year. Only because the budget bills since 2007 did not require GPA to pay the \$1100 COLA payments, it would come out of the General Fund. We are very concerned that now this is a retroactive compensation for something that the budget bill, by law, allowed us not to pay. We pay the health insurance expenses for all our retirees, and we also pay the actuarial requirements for active employees in the plan that we pay close to \$2.2 million a year. We absorb in base rates; we do not pass that on and we do not call that on in your power bill with a surcharge. So the

annual cost to all ratepayers, regardless if they're retirees or not, is about 2.2 million a year. The concern I have is it's so difficult to predict future liabilities much less any past retroactive requirements such as this to be somehow paid by GPA. Section 15 of the bill states that each autonomous agency, except the GMH, has the capacity to fund the annual cost of living adjustments of its retired employees. This is just a housekeeping issue... the senators well know that the GPA is a public corporation, not an autonomous agency. I just want to state that for the record. Also, I'd like to dispute the finding that GPA has the capacity to make annual cost of living adjustments of its retired employees. I share with you that our audited finances for the last five years show that we've never met four major criteria in our metrics to show either the rating agencies or to our ratepayers that we're healthy. We've never met our debt-service ratio that have been set by the PUC. We have never funded our surplus fund fully. We've never funded our working capital reserve fund. And secondly, we've also cut and gone through austerity measures for the last four years, because our net income has been negative for the last four years. So our actual expenditures in capital investments in operating expenses have been severely cut. Capital improvements are less than 50% to what is budgeted. GPA's bond indenture requires all GPA revenues to be deposited to a revenue fund. It's a waterfall effect... we, first, must pay off all operating expenses, bond debt, fund the surplus fund before we can even spend for any capital improvements. The indenture allows withdrawals from the revenue fund only for the purposes of paying operating expenses and for the monthly sweep into our bond funds. The only fund which a payment such as this could be made is from the surplus fund. The GPA surplus fund has been empty for much of the last four to five years. GPA is currently in the middle of a rate case partly to address these deficiencies. Thus we question the conclusion that GPA has the capacity to make these payments. We can make these payments, honor the wishes of the legislature, but it's going to come at some cost. I just want to emphasize, Senator pangelinan, that it's not an easy task to absorb this additional cost. Increasing fuel costs, increasing construction costs, increasing operating and maintenance efficiencies... have placed significant financial pressures on the authority and have forced GPA to petition the PUC with a rate case that will be settled this month. Finally, the legislation as written requires GPA to pay a flat amount. There is no requirement to provide a detailed listing of the authority or its provision allowing GPA to question the accuracy or the detailed listing of this amount. We would like to at least have an opportunity to audit the details and the cost should the legislature proceed in adopting this legislation. The authority would like to ensure that that cost, expense, would be properly paid for and actually pertains to GPA retirees that are eligible for this cost since 2007. GPA understands the pressure the legislature is under to address the funding need. We ask that the legislature understand the pressure that GPA is under to improve services to our customers while keeping rates as low as possible. Again, I thank you; I appreciate this opportunity to testify. I apologize for having such a rough draft. We've only had such a short time to prepare. I also want to share with you that if there is a requirement, there would be a seven-month compression of rates that will be needed to fund 1.2 million by September 30th of this year. It will cost approximately 1 and a half percent increase in rates so we would honor your wishes. We understand the challenges the legislature faces to pay the COLA, but it comes at some expense whether it comes out of the general fund or GPA. There would be a consequence to that in terms of rates. I want to emphasize that, and thank you very for the opportunity to testify.

Senator ben pangelinan: Thank you very much. Just a couple of questions. When legislation required the Port Authority to make these payments—because they're actually

making these payments—and when GPA makes this \$1100 COLA payment and the supplemental payment. How was it able to do that?

Joaquin Flores: We absorb it. So it's now a legal obligation. It's listed as a line-item in our budgets. And it's called out in our budgets, and it has to be funded through revenues in our authority as in the non-fuel portion. This now is a new requirement; we did not budget for \$1.2 million. We did budget for the supplement—the health insurance expenses and the actuarial requirements that is a shortfall. I don't know how that's calculated, but we fund that every year. We know about those expenses in advance, and we prioritize in advance. And we know that that legal obligation is paid. We had no idea that we were going to be assessed a three-year requirement for the \$1100 COLA. That was very clear in the budget bill that we weren't required to pay.

Senator ben pangelinan: Okay, Mr. Guevara, the same way?

19. Jose Guevara – Controller, Port Authority of Guam

Jose Guevara: The same thing, Senator. As far as the budget for FY 2010 we were aware that the cost of living allowance for 2010 will be assessed to us so we included it in our line item... included it in our supplemental and medical, dental which prior to that we were paying around 1.7 million. Adding the assessed cost of living allowance for 2010, it became around 2.1, but we did not anticipate this prior year.

Senator ben pangelinan: Any other questions? Senator Ada?

Senator Ada: So then if push came to shove, and you had to pay for this back-billing it would reflect itself in an increase in the rates of GPAs customers. It may trigger the Port Authority to go back to the PUC to ask for an increase in the tariffs. It just keeps rolling out. In essence it's not a free ride; it's going to come back to the consumers to have to pay for this back-billing. Is that the way you understand it?

Rick Agustin: That's the way we understand it for the Port Authority.

Joaquin Flores: That's correct for GPA.

Senator Ada: Okay, thank you.

Senator ben pangelinan: Thank you very much. Thank you, Gentlemen. Si Yu'os Ma'ase'. I'd like to call up Mayor Franklin Taitague, Ms. Bertha Duenas, Mr. John Benavente, and if Carmen Santos is still here? I know they submitted a written testimony from GCC. Mayor Taitague? If Ms. Santos is not here, then I'd like to call up Tom Diego, if he's still here. And if Mr. Diego's not here, then Mr. Fred Gofigan. We'll start with Mayor Taitague.

Panel Comments and Questions

None

20. Franklin Taitague – Mayor, Inarajan

Mayor Franklin Taitague: Good afternoon, Honorable Chairman and honorable senators, members of the panel. On behalf of the Inarajan Municipal Planning Council that submitted earlier the funding need of our sports facilities, I want to commend Senator Palacios for introducing a bill earlier that is now included in Bill 317. Earlier my focus was on Section 4, D3 for Inarajan. But looking at my colleagues needs also, I understand that we are all responsible for our community members for having good sports facilities. And after hearing DYA's testimony and some of the questions that were asked regarding our youth, I want to emphasize that Bill 317-30 for the repair of our facilities, island-wide, is an integral part in helping our youth. We are responsible, as we all know, for our youth in keeping them away from problems so they don't go to DYA. And one of the most important activities is to keep them busy with sports. As we speak, the facilities of Inarajan can not be used at night because of electrical problems—whether it's power source, power provisions, light fixtures, they're all in a bad state. Hopefully the consideration for \$50,000 will be considered by the 30th Guam Legislature as a whole. My focus was just on that section, but realizing as a retiree and perhaps a recipient and noticing the other agencies that have important programs and projects that are important for our community leads me to emphasize that on behalf of the people of Guam; certainly Bill 317-30 will assist our community members. Si Yu'os Ma'ase'.

Senator ben pangelinan: Thank you very much, Mr. Mayor. Ms. Duenas?

Panel Comments and Questions

None

21. Bertha Duenas – Director, Bureau of Budget and Management Research (BBMR)

Bertha Duenas: Thank you very much, Mr. Chairman... other members of the committee (Senators) and to the general public who are here, especially the manamko'. I'm here to support Bill 317 in its entirety. But I also, especially the part where it provides for the reimbursement to the general fund. I'm going to keep it very short, because JB is next to me. In the environment that we're in; it's really a vicious cycle—it's a dog-eat-dog with resources. Everyone is out to hang on to whatever they have. The long and short is for many years the General Fund has really been the source for this. For the most part, in recent years, there have been amendments to the law that provided that certain autonomous agencies were not compelled to reimburse the General Fund, and I think the Chairman is aware that I have been working and lobbying for the eventual reimbursement from all of the autonomous agencies. And I understand that perhaps a retroactive provision may not be acceptable or retroactive provision of something may not be operable. I do support the concept going forward. For the most part, I also want to provide information which is my duty as BBMR director to the committee on the status of special funds to support certain sections of this bill. I did a quick review; the office provided the required fiscal note to the committee. Seventeen of the provisions are either revenue-neutral or have no significant impact on the General Fund or any special fund for that matter. The COLA provisions are revenue-neutral. I want to share that as of the closing of the preliminary financials for Fiscal Year 09 there are two special fund sources that have an unreserved fund balance in the negative and are

being used as funding sources in this bill. Those two fund sources are the Guam Highway Fund and the Healthy Futures Fund. The Guam Highway Fund has a negative balance of \$1,046, 846, and should the bill pass in its present form, that shortfall will climb to \$2,796,846. The Healthy Futures Fund sits at a deficit \$182,879, and should the bill pass, the shortfall will rise to \$682,879. I'm offering that as information to the committee for your processing as far as the considerations that would be taken into account when the bill arrives for the governor's action. I am here to provide that information and to take any questions that you may have.

Senator ben pangelinan: Thank you very much, Ms. Duenas. We'll go ahead and hear from Mr. Benavente. Then we'll come back for questions.

22. John Benavente – General Manager, Consolidated Utilities & Services (GWA)

John Benavente: Thank you, Mr. Chairman, Members of the Committee on Appropriations, Taxing, Banking, Insurance, Retirement, and Land and Ladies and Gentlemen. Thank you for the opportunity to testify on Bill 317-30. My name is John Benavente, the General Manager of the Consolidated Utilities Services, and I'm here on behalf of the Guam Waterworks Authority to provide testimony on Bill 317-30, specifically Sections 15 and 16 that will mandate the Guam Waterworks Authority to reimburse the General Fund for COLA payments made by the General Fund in Fiscal Years 2007, 8, and 9 and to GWA's eligible retirees by September 30, 2010. While we understand the intent of this bill, I would like to point out what the impact passage of this bill will cost to our ratepayers. Bill 317-30, if signed into law and made effective April 2010 will require GWA to seek CCU and PUC approval in order to absorb the additional expense. This will mean GWA will be seeking approval of 4.61% rate increase in the form of a monthly surcharge on water and wastewater revenues from all its customers. This surcharge will be in addition to the current 3.49% surcharge already imposed on existing ratepayers to pay for annual annuities of GWA retirees. Unfortunately, GWA's FY2010 has little room to incur the additional expense this bill proposes, especially in light of the unfunded \$295 thousand mandate that was imposed upon GWA when Public Law 30-55, the FY2010 budget bill was signed into law and required GWA to pay for the FY2010 COLA obligation. This public law, alone, is estimated to require another 1.51% rate adjustment which will require GWA to petition the CCU's and PUC's approval in order to comply with the mandate. Taking this into account and the proposed obligation of Bill 317-30 translates to a potential 6.11% rate increase in a matter of months. Respectfully, we are asking that you give careful consideration on the impact of this bill to our ratepayers. I know it's a policy call of the legislature, and we can appreciate the difficulty of making this decision. However, we have a responsibility to advise the legislature the rate impact that will impose having to absorb the expenses. If I may deviate a little bit, I'd like to support the Agana Heights gym, because I, too, am a part of the Guam Masters, and I can attest to the people and the success of the basketball program.

Senator ben pangelinan: Thank you very much, Mr. Benavente. Mr. Gofigan...

23. Fred Gofigan – Administrator, Guam Veterans Affairs Office

Fred Gofigan: Good afternoon, Mr. Chair and Members of the committee. My name is Fred Gofigan, and I'm the administrator for the Guam Veterans Affairs Office, and I'm here to

testify in support of Section 10 of Bill 317 (the appropriations for the Veterans Affairs Office for the Veterans Cemetery). On July 2009, a triennial assessment was conducted by the U.S. Department of Veterans Affairs National Cemeteries Administration. The report cited many deficiencies from sunken grave markers, trash receptacles, and the lack of enforcement of cemetery rules and regs. The funds are needed to address these deficiencies. In addition to that, we have to prepare for Memorial Day which is coming up on May 31st; we need supplies and equipment to address that issue. In one of the long-term goals is to use the money to create a database and a grave locator for those laid to rest in our cemetery. Right now, there's no system set up; everything is just in folders. To do that, if someone wants to create a kiosk to key in an individual's name who was laid to rest in an approximate year, it would locate and show where it's at in our cemetery. That's one of our long-term goals that could be done within this year. Your processes of laying someone to rest; right now we're not following the standards set by National Cemeteries. When we lay someone to rest in the ground, we fill the gravesite and let nature take its course and do the settlement. But with National Cemeteries, that is compacted and practically evened out; the next day it looks like a burial didn't occur, and that's the level we want to reach. Also in the way we present laying our fallen heroes and loved ones to rest is to with a little more dignity than what's going on now. Last week, something occurred, and we filed a police report. It was pretty embarrassing. Parks and Rec does the work for us. What they did was at a burial up at Tiguac. They went to the cemetery to set up for the burial that day. They went to Tiguac, when they came back, the chairs that were set up for the burial to take place were stolen. People are now using the cemetery for illegal dumping so we're looking at contracting a security agency to open the gates at 7 o'clock and close it at 6:30. We're working on the staff, and Senator Ada is working with us in getting those things done, but these are challenges that we're faced with. There's so much for me to say about what's being conducted. I believe that with these additional funds we could reach that level. Thank you.

Senator ben pangelinan: Thank you very much, Mr. Gofigan. Just a couple quick questions before I ask the other members of the panel. Mr. Benavente, you said you would have to put a surcharge to make this payment... how long would that surcharge last?

Panel Comments and Questions

John Benavente: The surcharge usually applies for the length that's required to recover debt and then goes away.

Senator ben pangelinan: I know, so how much did you amortize that?

John Benavente: Seven months.

Senator ben pangelinan: So if you did it for five years, how much?

John Benavente: Of course, that will be a lower surcharge, but again—

Senator ben pangelinan: So the increases you're citing is all to recover within a seven month period.

John Benavente: That's correct, and there was no plan for this. The recurring rates and all its needs are—like Kin was mentioning earlier—it's tight for us. If it's going to be done, the process gets mixed in and looked at the needed rates to address it and address it once and for all.

Senator ben pangelinan: One of the requests you have is to ask the General Fund to help you out and to guarantee a loan that you want to enter into if you included this cost in that loan. And what would be the impact to the rates?

John Benavente: That loan is actually over five years so the surcharge portion—the recovery will be over five years.

Senator ben pangelinan: So seven months at 4% versus five years at 0.001%?

John Benavente: I don't think that low, but you are correct... it does come down.

Senator ben pangelinan: It would be less than half percent.

John Benavente: If it's amortized over a long period of time, maybe. If you do it all in this Fiscal Year, when all the funds are committed, and we still have obligations that we really didn't get enough for, that's where the impact is. Again, if you take it over time the answer to that is yes.

Senator ben pangelinan: Ms. Duenas you mentioned that at the preliminary closing of the FY2009 financial statements shows an unreserved balance—deficit of \$1.04 million for the Guam Highway Fund. Is that because of actual closing of the books of obligations, or is it because you're reserving authorizations to pay prior year obligations and accounting for that and booking that as part of the deficit in the fund?

Bertha Duenas: No, Sir. It's a true shortfall in the fund, meaning there were payments made out of the fund in the comingled system that we have. It incurred a shortfall of one million. The specific reason for that has to do with a 2-year-old problem at the Department of Public Works. If I'm not mistaken, about two years, the Federal Highway Administration suspended reimbursement to the Highway Division of Department of Public Works because of overtime abuse and other things. That stands out as one of the major contentions. Payroll for the employees for that were paid at the time continued, because they're classified employees. So they were paid out of a deficit situation with the fund. At the closing of FY09, it showed up in their financials. That's the reason for the deficit status.

Senator ben pangelinan: Is there any due to?

Bertha Duenas: BBMR imposed a reserve upon DPW this fiscal year to make up for that one million, and they are operating with one million less. The budget gave them a certain level, and we imposed a reserve so they can make up for the shortfall that happened as a result of that. It's my understanding that they're doing well with living within what is left. And they should complete the fiscal year within budget and take care of the one million that was owed. But the one million is still a problem through 2010 until we recoup through the reserve process.

Senator ben pangelinan: Okay, because the source of the appropriations in this is not new; it's actually reprogramming a 2009 appropriation surplus in the unexpended appropriation to the Mayors Council from that Guam Highway Fund. The residual balance of the 1.6...

Bertha Duenas: You're correct. Section 3, there's no impact; it's revenue-neutral, because you're just doing an unexpended, unencumbered carry-forward authorization to spend. But Section 10 does have an impact, because 1.6 million which was appropriated in Public Law 30-38 was not netted in the financials when it closed. The 1.6 that was given to the Mayors in that public law has not been booked; we have to consider that with this proposal.

Senator ben pangelinan: Senator Cruz?

Vice Speaker Cruz: You mentioned earlier on the Healthy Futures Fund... would you please re-read that testimony to me again?

Bertha Duenas: The fiscal impact of Section 6 is a deficit of 182 when you consider the previous proposed appropriations. The impact of Section 7 is the appropriation to DMH from Healthy Futures for half a million; the deficit will increase 682,879 which is the number I gave last when you consider the previous proposed appropriations. And I apologize if I'm not very clear, and there was a fiscal note that was provided to the committee which I'm sure they'll be disseminating to all the senators, on this bill. It is very detailed—we even attached a separate spreadsheet reflecting the unreserved fund balance of all the funds that are impacted for this bill. If I made any mistakes from this oral testimony I would like the committee to take the fiscal note as the matter of record.

Vice Speaker Cruz: Our office also received this report for the special funds ending December 31st for the 1st quarter. The amount for the Healthy Futures Fund from Tobacco taxes increased about 300% for the 1st quarter over last year's. As of the end of December 31st, 09, the amount of tobacco tax collected in that first period is \$1,980,277.21, and the report for the previous entire fiscal year was \$4, 807,859.19. In the 1st quarter of the 2010 fiscal year, I haven't been able to figure it out. We tried to cut back on smoking, but it seemed like it increased three-fold during the 1st quarter, before we passed this legislation. Where did you get this number, because the numbers for the Healthy Futures Fund, my total for the 1st quarter was \$2,814,000 and for the entire year 09 it was \$8,206,853? We've exceeded the percentage so far this year.

Bertha Duenas: It depends on what report you're picking that up from. It's possible—

Vice Speaker Cruz: That's from your office, on the special funds that you send out—the last report that you sent out. Quarter-ending December 31, 2009.

Bertha Duenas: I cannot answer to what may have contributed to the 300% rise; we call it as we see it in the system making our report with what we see. We could go deeper into reading what specific areas have an increase.

Vice Speaker Cruz: I was trying to answer the press queries about how much we expect to receive from the tobacco tax request. I was unable to make a reasonable extrapolation, because it seemed like the numbers were such an aberration. The Healthy Futures Fund Tobacco tax was less than 400,000, but the 1st quarter of 2010 was 1.5 million.

Bertha Duenas: On the sin tax, your proposal, would increase it by whatever percentage you extrapolate it from.

Vice Speaker Cruz: It was a 300% increase, but I wasn't sure if it was an increase from 2009 or the 2010.

Bertha Duenas: You should take it from the annual results of FY09, and that would be better than any quarter. The FY09 has already closed, and we have preliminary numbers, you should peg it against that—that would be a truer representation.

Vice Speaker Cruz: If we tripled it, it would be about \$15 million. Has your office done any kind of calculation?

Bertha Duenas: Yes, we have.

Vice Speaker Cruz: You've already done an LRC note to the governor. What was the increase in the Healthy Futures Fund for the Tobacco tax?

Bertha Duenas: That's in the fiscal note, but I don't have it with me. We'll get it to you. We already did a fiscal note on the bill, and we've also submitted our LRC comments on the bill to the governor.

Vice Speaker Cruz: I would be intrigued in getting the numbers to answer the press, but I don't want to use the wrong...

Bertha Duenas: We couldn't determine the fiscal impact right now, because we can't really tell how much of a detriment for smoking this is going to result in. There hasn't been any collection experience for us to peg that; we'll have to give it some time—maybe a year before we can tell. You could assume no one quit smoking in spite of it; we can get you that number. But we can not make that assumption, because we'd like to achieve the goal of discouraging smoking for peoples' health. We won't be able to get a true analysis of what it would bring, but we can give you a number if everything stayed the same.

Senator ben pangelinan: Thank you very much. Speaker Won Pat?

Speaker Won Pat: Bertha, I know you didn't mention anything for the TEFF so you have no objections to Section 4 then?

Bertha Duenas: I have no objections to Section 4; I'm in complete support of Section 4 for education. And the TEFF is very solvent.

Senator ben pangelinan: Thank you very much. Senator Taitague?

Senator Taitague: With the negative balance does that mean we owe that into the highway fund or it's obligated somewhere else?

Bertha Duenas: It's like writing a check for an amount that's not available in the checking account.

Senator Taitague: It is the same thing then. You mentioned revenue-neutral...

Bertha Duenas: That means that it's in-and-out. This bill proposes reimbursements from autonomous agencies for the last few years. It turns around, and in a separate section, it says what is recouped by the General Fund shall be paid out to the retirees. That's revenue-neutral, meaning 500 in, we pay 500 out.

Senator Taitague: Even though it doesn't really have an impact, the only impact is that the cost will be incurred by the public in some way through that agency.

Bertha Duenas: That's correct... whatever the policy call turns out to be the rates will either be raised or the General Fund goes deeper in debt for whatever we continue to absorb in the financial environment that we're in. We have a billion-dollar budget, and a half a billion dollar deficit; we balance what comes in against. I expect the deficit to be significantly reduced when we finally receive the financials for FY09.

Senator Taitague: Do you see that happening with the current spending right now?

Bertha Duenas: Because of the bond, we paid down our debt. We paid COLA, tax refunds with the bond and were able to float in June 2009. The government got a very good deal with the deficit bond. The economy is regurgitating a little bit.

Senator Taitague: FY 2010 General Fund, are we on target?

Bertha Duenas: We're not on target.

Senator Taitague: How far behind are we?

Bertha Duenas: We're trending about 2.4% of estimates for the quarter compared to the estimates for the quarter.

Senator Taitague: We're 3% lower than what was predicted?

Bertha Duenas: Yes, between 8 and 12 million depending on who you talk to in terms of budget estimates.

Senator Taitague: We are falling short 12 million?

Bertha Duenas: We're under by about 8 million for our operational budget, but we're under by about 12 if you include the required set-aside for deficit elimination for all prior year appropriations that in FY 2010 there was a 2% spending cap so that we could start paying down prior year obligations that we haven't been able to.

Senator Taitague: Have we set aside any money to pay down the bond that we just got?

Bertha Duenas: Yes in debt service... it's included in the budget for fiscal year 2011; we begin to pay down the debt service.

Senator ben pangelinan: Senator Barnes? Senator Ada?

Senator Ada: In Section 3, under all unexpended and unencumbered funds, to be collected and used to fund all the village projects... if we're falling short in tax collections, is it realistic to think that there'll be leftover unexpended and unencumbered money to do these projects?

Bertha Duenas: We're behind our collections on the General Fund; we're coming under estimates as far as 1st quarter is concerned. But what supports Section 3 is the Guam Highway Fund. Certain appropriations expire depending on the language of the law. This one expired and is now making available whatever was not expended—already quantified in previous collections of the Guam Highway Fund. This is making available to the mayors what they didn't get to spend since the passage of 30-38. It's authorizing us to book it and make it available for the mayors. The General Fund is what we were discussing earlier as far as the decline.

Senator Ada: This section gives the authorization of an additional \$26,000 for the upgrade of the Piti Baseball Field, but until we get healthier in cash, it's just a paper authorization. So another fiscal year can go by us, and if you don't have that extra cash to meet this in addition to other requirements in the government, this is just a paper authorization?

Bertha Duenas: This is all a paper authorization.

Senator Ada: In the paper this morning, we just finished the 1st quarter, and we're already under collecting about \$12 million less than what we've projected to collect.

Bertha Duenas: I want to point out that 1st quarter is the lowest quarter of the fiscal year in terms of collections. To peg the performance based on 1st quarter collections is not accurate. In fiscal year 09, there's nothing unusual. We're still within the range of the margin of error. We've done poorer than in fiscal year 09. There's too much dwelling on something we shouldn't be concerned about. We still have to be cautious and watch... the projections that were made for the fiscal year 09 budget was based on certain expectations (i.e., the military buildup). Those things are made with the best estimates with the best information we have at that time. There are more uncertainties with fiscal year 2011 so we made a very cautious approach with those projections. These projections included projects that are going to proceed apart from the negotiations between Japan and the U.S. We based the budget on the discussion that the 1st quarter trending are lower than the estimates and the current projects. We're fooling ourselves into wiping out

any economic activity. There's a level of confidence that this economy is still going to take place no matter what. Thank you very much.

Senator Ada: Thank you for that assurance.

Senator ben pangelinan: Thank you, Senator Ada. Senator Ada this appropriation in Section 3 takes the prior appropriations that have not been expended the same as the veterans' portion of the bill that you introduced in terms of taking money that's been reverted to the highway fund. Thank you very much. Si Yu'os Ma'ãse', we'll continue now, we still have a couple of individuals... May I call on Mayor Nito Blas, Mayor Carol Tayama, Mayor Melissa Savares, and Mr. Sablan? We'll start with the president of the Mayors Council.

24. Melissa Savares – Mayor, Dededo & President of MCOG

Mayor Melissa Savares: Thank you Mr. Chair. For the record my name is Melissa Savares, Mayor of Dededo as well as the President of the Mayors Council. Today I'm here to testify in favor of Bill 317. Of course, in Dededo, there is an appropriation of \$100,000 for the repair and maintenance of the Hal's Angels Football Field; however, at this time, I would like to request that we don't limit it to just that recreational facility. There are other facilities within the community such as baseball fields and basketball courts that also need to get repaired. And if we limit it to strictly the Hal's Angels Football Field, I'll have parents and coaches and community members—children—who use the other fields frequently—in my office and pounding on the doors. If you're going to allow us to oversee the account, the appropriation, I would ask that it not be limited to just the Hal's Angels Field.

Senator ben pangelinan: Okay, thank you very much Mayor. Mayor Tayama?

Panel Comments and Questions

None

25. Carol Tayama – Mayor, Agat

Mayor Carol S. Tayama: Buenas and Hâfa Adai, Mr. Chairman and honorable senators. For the record, my name is Carol Tayama, and I am the mayor of Agat. I come here today to support the passage of Bill 317-30. Any bill that provides additional funding to the mayors and vice mayors for the use in enhancing their village projects and other programs will always get my full support. I applaud Senator ben pangelinan for introducing this bill and Senator Tina Muna-Barnes for asking for our amendments and thinking of our needs in our villages. There is something, though, that could be added to this bill that will make it even more important to pass. The village of Agat—just like Agana Heights—is in dire need of repairing and refurbishing its gym. We have, over the years, done the band-aid approach by fixing what we could with the limited funds that we have. The time to take total approach and repair the facility so that it will become a safe facility for our residents—especially our youth—to practice, play, and interact through sports activities has long been overdue. At this present time, there are five schools that are utilizing the gym on a daily basis: 1) Southern High, 2) Oceanview, 3) Marshall Sablan, 4) Mount Carmel, 5) Southern Christian. These schools do not have any gym facilities that are

operable in their schools so we have been accommodating them and having them use our gym. We also host to the Southern Guam Basketball Association, the FIFA, Soccer Association of Guam, the Håya Youth Center, and of course, our summer youth camp during the summer. So you can see that the gym has been fully utilized, and like I said, just like Agana Heights, it is in dire need of repairs. I did get an estimate from a reliable contractor, and the repairs are pegged at around \$132 thousand. So you can see that it requires a major surgery and the band-aid approach will not fix the problem anymore. Again, I fully support the bill; adding a section for the Agat gym will make 317-30 an even better bill. Thank you, Senators, for your support. I know that you're always support the mayors and vice mayors so that we could meet the needs of our constituents of our villages. And I'd like to applaud you and thank you so much. Si Yu'os Ma'åse'.

Senator ben pangelinan: Si Yu'os Ma'åse' Mayor Tayama. Mayor Blas?

Panel Comments and Questions

None

26. Nito Blas – Mayor, Mangilao

Mayor Nito Blas: Thank you, Mr. Chairman. For the record, my name is Nito Blas, the mayor of the Eagles Field which is in my district. I'm in support of Bill 317. When I went through the bill, I noticed the funding requested for thirteen thousand dollars for the Eagles Field. I'd just like to make it clear that the Eagles Field now is the property of the federal government. It used to be the U.S. Air Force, and now it's in the hands of the U.S. Navy when they took over the control of the real estate. I had that Eagles Field since 1989 when the 27th Squadron deactivated, and I noticed the open field so I requested it. Since Mangilao is improving, I requested to make use of the empty fields there, right by the back road (Route 15). Then with the efforts of the Municipal Planning Council and the former mayor, Nick Francisco, and the squadron commander at that time, we managed to get them to grant me my request. And since then, we've had a Memorandum of Understanding with a lease agreement. The fields there—not only the football field—we have two baseball fields: one little league and one for the bigger boys. I also have the GPD club in the back. They allow me to use the nine acres of that property. Back in 1999 the parents of the—the coaches that were concerned organized a team and called themselves the Mangilao Eagles. We managed to get the parents, coaches, and all interested people to develop the football field. Since then, the football field there now stands. I just wonder if I'm allowed to spend Government of Guam funding to develop the lights—that's the most needed thing there now. We need to light that field. At one time, I had about fifteen street lights there, and I was forced to remove them, because the people complained that they needed the street lights in the residential areas more than in the football field which were only used till about ten o'clock at night. We took them out, and since then, there have not been any lights. The Eagles Field is controlled under my jurisdiction. Now the Guam Youth Football League had a team called the Giants. And I authorized the Guam Youth Football League Giants to be using the field, allowing them to use it, not giving them direct authority there. Everything was okay until in 2009 when most of the coaches of the same team, the Guam Youth Football League, decided to break off of the field and formed another league, and they called themselves the Guam National Youth Football League. There are two teams now; since then they've been

fighting over the use of the field not knowing that I am the one to authorize the use of the field. They have to come to my office or me to be allowed to use the field. Just like the other baseball fields. I have the Bill Muna field; I have two fields there. The big field is the one with the lights, and next to it is the Little League field for those twelve years and under. We reserve with Little League and Babe Ruth leagues and softball organizations. I have no problems with them. They're not fighting, because they respect my way of allowing them to use the fields through reservations. The Guam Youth Football League has been using it, but I made them undertake taking care of the field if they use it. And the Guam National Football League also wants to use it so they're fighting. All I want is for them to share the field. I think the Guam National Football League wants to control it, and so does the Guam Youth Football League. I'll take care of that, and I'll just kick them out all together. The youth use that. I just want them to share it equally to continue for the youth. The lights... the thirteen thousand dollars that are being requested for the Eagles Field only. I have other fields that I'd like to add lights to. If you pass this bill, I'll be more than glad to accept it and put the lights in the Eagles Field. My only thing is that I have to find out from the Navy, because at the Memorandum of Understanding—I leased that field from the Navy for five years. My lease agreement was just signed in November so I have it for another five years with the stipulation that I can not dig more than 5 feet; I can not put permanent structures there or build a restroom or any structures. They allow me to use the canopies with tarps for temporary use. I have three sets of thirty by forty canopies sitting there. Since the Navy took over, the engineering commander, Captain Lynch... I've discussed with him, and I'm asking him if I can add lights or to develop. I need to develop another football field so I can give the two fields for use. Football teams are not the only ones using the field; there are rugby teams. There's a girls rugby team, and the high school football teams are using it. And it's also a soccer field. But the rugby teams and football teams are using it now during the season which is now up to... I think the football teams start practicing in September. In September, rugby and soccer is done. And from September up to December, football comes in. An adult football league has just been formed, and they want to use the field also, at night time. And if I have the lights there, then the adult teams can use it at night time. I appreciate your support and for the passing of this entire bill, including the thirteen thousand. And also maybe you'll add more—another fifteen—for my other field. (Thirty thousand.) Amend the bill to change it from the "Eagles Field" and instead appropriate it to the Mangilao Mayor's Office rather than assigning it to someone. Make it payable to the Mangilao Mayor's Office, and that would be more appropriate. Thank you again. I hope you think of the thirty thousand dollars that you're going to give us for my other facilities. And by the way, I'm developing another field across from the Pãgat Mangilao Golf Course. The Chamorro Land Trust gave me an authorization to develop a recreational field for the people in the Pãgat area, because I feel sorry for the people in the Pãgat area. They have to go all the way to Bill Muna to practice. I'll be asking for your kind donation for those facilities there. The basketball court there will be completed by March 7th. That's from other sources; we did fundraising for the basketball court there. The lights there are also being developed. I'll have a total of eight fields in Mangilao. They're asking for more; I'm only asking for thirty thousand.

Senator ben pangelinan: We're going to have you stop before you ask for more. We'll ask Mr. Sablan to see if he can find the money if it's still there.

Panel Comments and Questions

None

27. Angel Sablan – Executive Director, Mayors Council of Guam

Angel Sablan: Good evening, Mr. Chair, and Members of the committee. I'm Angel Sablan, Executive Director of the Mayors Council of Guam, and I come in support of Bill 317-30 with the amendments that the mayors are asking for. On all those provisions, all the appropriations are made to the mayors' offices except for Mangilao where it goes to an organization. We're asking that that be changed and amended to have that go to the Mangilao Mayor's Office instead of an organization, because the field is leased by the mayor's office and not by any organization. We're still using the appropriation from Public Law 30-38 so the funds that are available may be less than to fund all the authorizations we're seeking so we may need to amend Section 9 where we are authorized to reallocate the funds; we've been asking for this since October when we knew we had problems spending our appropriations. We were using our carryover from the \$1.6 million. If we can amend Section 9 to use whatever is available here to fund some of the appropriations authorized in Section 3 since it's revenue-neutral. The other amendment that I'd like to suggest if it's germane to this bill has to do with the per diem of the mayors and vice mayors. I don't know whether legislatures before have never believed that mayors and vice mayors do any traveling. In the per diem law they're not mentioned; the mayors and vice mayors have never questioned this and have signed off on per diem based on what they're given. Every January, the federal government reviews their per diem rates, and ours are based on the federal rates. The rates have gone up, but they don't apply to the mayors and vice mayors unlike other officials and employees. Mayors and vice mayors are considered regular employees for per diem rates, and I can not give them 125% or 130% which is allowed other elected officials. They're considered regular employees. I did that in this last travel authorize for the conference sponsored by the Association of Pacific Island Local Government which the Mayors Council is involved in. The answer from the Travel Office is that I'm not authorized to give that rate, above an employee's rate. According to the Travel Office, I can not legally give them the 125% that applies to mayors and vice mayors. I'm sure that's not the intent of the legislation; it's probably just an oversight. I'm going to ask that a simple section be added to this bill to add on mayors and vice mayors for per diem rates. I don't feel comfortable to be getting a per diem that's higher than my bosses—that's not morally right. It's not going to be an appropriation as much as it'll be correcting an oversight.

Senator ben pangelinan: Speaker Won Pat? Senator Taitague? Senator Barnes?

Panel Comments and Questions

Senator Barnes: Mayor Savares, do you have a list of fields and facilities that need repairs to date that you can provide to the committee of all the fields and facilities that need refurbishment?

Mayor Savares: There are several basketball facilities; however, I do have the buffer strip account that we will work with for the basketball facilities. With the limited resources for baseball fields—next to the Hal's Angels football field is a baseball field that has been run-down. We can cut the grass every week, but you need to grade and get the rocks off the field to make it safe for the players. I don't have the funding for that, but our service workers and maintenance

staff have been working with the resources we have in the community to repair the fields. We're trying to do the same thing in As Tum Bo and the construction of the baseball fields at the Sports Complex facility; I was hoping that one of the Little League teams could use those facilities for these practices. I was informed, however that it's utilized for only the games. When construction of Liguana Elementary school was planned, it took our baseball field away in that area. Paradise estates took away the baseball field in the Ipaopao Estates. We will provide the list.

Senator Muna-Barnes: We've worked together with GHURA in the past with their community block grant, the CBDG, have we ascertained any of the programs they have to have them help us with the facilities there?

Mayor Savares: Yes, and it's a partnership between GHURA, the Mayor's Office, and Parks and Rec; because it's a partnership, I can't restrict usage or access to only residents of Dededo. I know that several of our villages do not qualify for CBDG but some could. The problems have to do with finding properties for these facilities.

Senator Muna-Barnes: Can there be funds from the CBDG to help with the upgrade or refurbishment or are these just to build the new facilities?

Mayor Savares: We can work on something to refurbish and to include restrooms. With upcoming census other villages may qualify.

Senator ben pangelinan: Thank you very much, thank you Mayors. We have one final witness who signed up: former Vice Speaker Ted Nelson.

28. Ted Nelson

Ted Nelson: Senators, I love what you guys are doing. My name is Ted Nelson. I graduated from Ohio State with a major in physical education, and I taught P.E. for years. I am very comfortable with what you're doing to support the mayors, and I feel that it's long overdue. Our government has neglected these mayors who've been crying for help. I remember Mayor Portusach's fight for the gym. Hal's Angels field was built by Harold Shiroma, himself. It was all done by the parents and the community. We've got sports leagues without compensation and our help. I hope we can one day give money to help with equipment and uniforms. By giving the mayors the resources... they need recreational staff. The mayors can't do this all by themselves; I hope you can find the money to hire recreational, part-time staff in these villages. It's the Hawai'ian community who brought in football to Guam, but they're hardly mentioned at all as pioneers for football in Guam and did a lot without compensation. They were never paid. Now the families are the ones organizing the football leagues by themselves and should be recognized by Parks and Rec. Thank you to the Shiromas for what Hal has done for the island. These are the people we owe our recognition to. I support the Mayor of Dededo in funding the lights and the bleachers, and in honor to Harold Shiroma and his kids let's put the lights up and the bleachers to be proud. Please consider all the dedication of the people.

Panel Comments and Questions

None


III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriation, Taxation, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 230-30 (COR), whereas the language in Bill No. 230-30 was included in Bill No. 317-30 and subsequently removed in the substituted version of Bill No. 317-30. Therefore, the committee hereby recommends, TO PASS.

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 230-30(COR)

Introduced by:

Judith T. Won Pat, Ed.D. 

SEP 15 AM 11:08 AM

AN ACT TO APPROPRIATE FUNDS FROM THE
BALANCE OF THE 2008 TERRITORIAL
EDUCATION FACILITIES FUND TO THE
DEPARTMENT OF EDUCATION

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

2 **Section 1.** Notwithstanding any other provision of law, *I Liheslaturan Guahan*
3 hereby appropriates the total sum of Four Million Six Hundred Fifty
4 Thousand Dollars (\$4,650,000.00) from the balance of the 2008 Territorial
5 Education Facilities Fund to the Department of Education as follows;

- 6 a.) \$2,800,000 - CIP Reimbursement
7 b.) \$1,600,000 - Textbooks
8 b.) \$150,000 - Vehicles for DOE Maintenance
9 c.) \$100,000 - Vehicles for DOE Warehouse

10 **Section 2. Repeal of Section 33(a) and 33(b) of P.L. 29-113.** Section 33(a) and
11 33(b) of Chapter V, Part 2, in P.L. 29-113 is hereby repealed.



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator vicente "ben" c. pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
PUBLIC HEARING
 Wednesday, February 3, 2010
BILL NO. 317-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
7 (COLA) Mrs. Gloria Nelson	P.O. Box 10513 Tam Gu 96931	649-2451	tblhanna@guam.net		✓	Yes/No
10.3 (COLA) Miss Mayra Soledad Rivera	UOG Monqilous 96913	735-2942	2rivera@guam.net			No
Major Ben	11470 E SANTA ANITA PR 1115	472 1232	BT: +1735-2942	- No	✓	Yes

①



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
 Senator vicente "ben" c. pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
✓ Frank Hill (COR)	Biscuit Aveo	7340735			✓	YES
✓ Barbara DeKly (COR)	Charles Page	4726147			✓	
+ Taitaño Mayer	Taitaño	782-2134		✓		yes

324 W. Soledad Ave. Hagatna, Guam 96910
 Ph. 473-4236 Fax. 473-4238
 Email: senbenp@guam.net



Mina' Trenta Na Liheslaturan Guahan
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 Senator vicente "ben" c. pangelinan

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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
+ RICHARD LAI	BAKICADA	788-0999	RichardLai@nolds		X	YES
+ VALBUTINO SAN GIL	Forbes				X	YES
+ Tony ADA	Maryland				X	YES

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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
+ Jane Ferris (ENH)		647-2934	jane.ferris@guam.gov	✓	✓	Yes
T FRANCISCO L. ROBERTO		482-3866	francisco@partyin.com	✓	✓	✓
+ Steve Ferris	DOE	700-1550	frutatanoe@net			✓
+ Steve Ferris	DOE					✓

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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
+ Matao Pagut	Mangilao	633-5894				Yes
+ Ofing Jackson	" "	" "				Yes
X Faet Ben Carrido	Tamuning	646-1939			✓	Yes
X Myagar M'Donald	AGANA HTS	472-9285		X		Yes

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						Yes	No
+ Ernest Changuelaf	Merizo	828-8372			✓		
+ FRANK E. ROBERTO JR.	Salt Lake	575-2467			✓		
+ Rick Augustin	PAS				✓		
+ JOSE CUEVATA	PAS						

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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Joaquin Flores	G-10A	645-380			✓	
Franklin Torres		482-4666	mayor@cysham.com		✓	Yes
Betha Suarez		475-9318			✓	Yes
John Bernard	GWA	647-260		✓	✓	

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**Mina' Trenta Na Liheslaturan Guahan
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Senator vicente "ben" c. pangelinan**

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PUBLIC HEARING
Wednesday, February 3, 2010
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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
1/ Carmen Santos	GCC		Carmen.kwet santos@guamcc.edu	✓		No
2/ Tom Diego	Inaragan		Tomdiego-guam @yahoo.com			Yes
3/ Fred Infinger	GVAO		Fred.infinger@gva.gov	✓		Yes

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
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						Yes	No
Nito C. VILAS	M. M. Villalva	736-8112			✓	✓	
PAROL S. TAYANNA	AGAT	888-1492			✓	✓	
Melissa Savanes	Dededo				✓	✓	

324 W. Soledad Ave. Hagana, Guam 96910
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Mina' Trenta Na Liheslaturan Guahan
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 Senator vicente "ben" c. pangelinan

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Victor Duens	Inumun	728-0001			✓	

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Senator vicente "ben" c. pangelinan

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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Angel Sablan	PCOG	4726946			✓	✓
Magnus Nido Nolas PCOG					✓	✓

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Senator vicente "ben" c. pangelinan

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NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Melissa	1475	653 4773			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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**DEPARTMENT OF EDUCATION
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Telephone: (671)475-0457 or 300-1547/1536 • Fax: (671)472-5003
Email: nbunderwood@gdoe.net

Nerissa Bretania Underwood, Ph.D.
Superintendent of Education

February 5, 2010

Honorable Vicente "ben" C Pangelinan
Chairman
Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land
I Mina Trenta Na Liheslaturan Guahan
Suite 101 Quan Building, 324 W Soledad Avenue
Hagatna, Guam 96910

Re: Bill 317-30 (COR) AN ACT TO REPROGRAM AND APPROPRIATE FUNDS FOR VARIOUS PROGRAMS AND PROJECTS AND OTHER PURPOSES FOR FISCAL YEAR 2010

Hafa Adai Senator Pangelinan:

Thank you for the opportunity to provide testimony on Bill 317-30 (COR) AN ACT TO REPROGRAM AND APPROPRIATE FUNDS FOR VARIOUS PROGRAMS AND PROJECTS AND OTHER PURPOSES FOR FISCAL YEAR 2010.

The Department of Education (DOE) supports of Section 4, which appropriates \$4,650,000.00 from the Territorial Education Facilities Fund for the following purposes:

Purpose	Amount
CIP Reimbursement	\$2,800,000.00
Textbooks	\$1,600,000.00
Vehicles for DOE Maintenance	\$ 150,000.00
Vehicles for DOE Warehouse	\$ 100,000.00
TOTAL	\$4,650,000.00

The appropriation will certainly provide much needed funds for maintaining facilities, textbooks and provide safe vehicles for our maintenance and warehouse staff. The balances for our bond fund used to address inspection deficiencies and CIP (capital improvement projects) requirements has been fully allocated by expenditures and encumbrances, which consequently makes it difficult to address maintenance needs of our aging facilities. We continue to address the need to update our textbooks and when there is a shortage, we try to ensure that each classroom has at least one class set. The need for vehicles for the DOE maintenance and warehouse will significantly facilitate our effort to provide timely services to schools.

We are requesting, however, the flexibility to use the \$4.6 million appropriation to temporarily fund programs under the Consolidated Grant until the third party fiduciary agent is hired. The amount is reimbursable.

The swift approval of this Bill 317-30 will strengthen the services provided to our students. Thank you for your continuing support of our schools.

Sincerely,


NERISSA BRETANIA UNDERWOOD, Ph.D.
Superintendent of Education

Cc: Chairman and Members, Guam Education Policy Board



COMMITTEE ON RULES

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

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September 17, 2009

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

**Attorney Therese M. Terlaje
*Legislative Legal Counsel***

From: Senator Rory J. Respicio 
Chairperson, Committee on Rules

Subject: Referral of Bills No. 228-30(COR) – 231-30 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 228-30(COR) – 231-30 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2009 SEP 18 PM 2:45 me

I Mina' Trenta Na Liheslaturan Guåhan
Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Intro	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B228-30 (COR)	Judith T. Won Pat, Ed. D., T. R. Muna- Barnes	An Act To Add Article 13 To Chapter 15 Of Title 17 Of The Guam Code Annotated, Relative To Community Service Requirements For Recipients Of The Student Financial Assistance Programs.	09/15/09 11:04 a.m.	9/17/09	Committee on Education			
B229-30 (COR)	Judith T. Won Pat, Ed. D., T. R. Muna- Barnes	An. Act To Add Article 13 To Chapter 15 And To Add Article 7 To Chapter 18 Both Of Title 17 Of The Guam Code Annotated, Relative To The Dr. Antonio C. Yamashita Teacher Corps.	09/15/09 11:04 a.m.	9/17/09	Committee on Education			
B230-30 (COR)	Judith T. Won Pat, Ed. D.	An Act To Appropriate Funds From The Balance Of The 2008 Territorial Education Facilities Fund To The Department Of Education.	09/15/09 11:08 a.m.	9/17/09	Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			
B231-30 (COR)	Judith T. Won Pat, Ed.D., T.R. Muña- Barnes, A. B. Palacios	An Act to Amend Chapter 15 of Title 17 of the Guam Code Annotated; Relative to Scholarship Programs within the Student Financial Assistance Program.	9/15/09 4:32 p.m.		Committee on Education			



Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

January 27, 2010

Memorandum

To" All Senators

From: Senator ben pangelinan

Re: Public Hearing – FIRST NOTICE

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation


Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will be conducting a public hearing at **3:00pm on Wednesday, February 3, 2010** at the Guam Legislature's Public Hearing Room. The following bill is on the agenda:

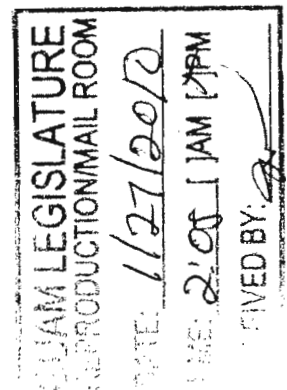
Bill No. 317-30 (COR): Senator ben pangelinan
AN ACT TO REPROGRAM AND APPROPRIATE FUNDS
FOR VARIOUS PROGRAMS AND PROJECTS AND OTHER
PURPOSES FOR FISCAL YEAR 2010

For copies of the bill, you can log onto www.guamlegislature.com

Si Yu'os Ma'ase,


ben c. pangelinan
Senator

Cc: Therese Terlaje, Legal Counsel
Clerk's Office
Protocol
Audio
Sergeant-at-Arms
MIS
Stephanie Mendiola, Office of Senator Respicio



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Lisa Cipollone

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Tom Ada <tom@senatorada.org>, fbaguon.guam@hotmail.com, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Edward J.B. Calvo" <senecalvo@gmail.com>, BJ Cruz <senadotbjcruz@aol.com>, Jimmy Espaldon <senator@espaldon.com>, Senator Judi Guthertz <judiguthertz@pticom.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, ABPalacios@gmail.com, "Rory J. Respicio" <roryforguam@gmail.com>, Ray Tenorio <ray@raytenorio.com>, Telo Taitague <senatortelo@gmail.com>, Judi Won Pat <info@judiwonpat.com> Stephanie Mendiola <sem@guamlegislature.org>, Therese Terlaje <tterlaje@guam.net>, sgtarms@guamlegislature.org, psantos@guamlegislature.org, Yong Pak <yong@guamlegislature.org>, Bill Phillips <phillipsguam@gmail.com>, fbtorres@yahoo.com, fred@mattrector.com, jamespcastro@gmail.com, Laurie Manibusan <laurielista@gmail.com>, martinbenavente@yahoo.com, patrick cepeda <patrickcepeda@hotmail.com>, rjquitugua@gmail.com, mona.duenas@gmail.com, phill@raytenorio.com, epgogue@hotmail.com, roberto.phil@gmail.com

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Please see attached.

--
Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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
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From: "Lisa Cipollone" <cipo@guamlegislature.org>
Subject: Fwd: Public Hearing - Senator pangelinan - FIRST NOTICE
Date: Fri, February 5, 2010 3:26 pm
To: "Toby Castro" <tcastro@guam.net>

This is the first notice. Just print.

----- Forwarded message -----
From: Lisa Cipollone <cipo@quamlegislature.org>
Date: Wed, Jan 27, 2010 at 12:02 PM
Subject: Public Hearing - Senator pangelinan - FIRST NOTICE
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Please see attached agenda.

--
Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@quamlegislature.org

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Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
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Attachments:

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Agenda020310.doc	
Size:	56 k
Type:	application/msword

Masters bill endorsed

By Zita Y. Taitano
zita@mvguam.com
Variety News Staff

THE Masters Award legislation authored by vice speaker BJ Cruz had a public hearing yesterday at the legislature.

Cruz's measure is geared at reviving the Masters Award program at the Guam Council on the Arts and Humanities Agency following 13 years of inactivity. The last time an award was presented was in 1997.

The masters award would recognize island residents notable for their excellence and expertise in the fields of visual arts, music, folklore and storytelling, dance and native craftsmanship.

The CAHA executive director, and board member Monica Guzman, both expressed their support of the bill.

"The intent to reinstate the Masters program is to give due recognition to those practitioners and to safeguard and support the continuing transmission of the knowledge and skill related with traditional artistry through continued practice of the craft

within the community," said Bamba.

Guzman said the bill would establish "a policy that will enhance and preserve our cultural and traditional art-forms and our heritage."

But Bamba said protecting the traditional craftsmanship should not just focus on the products but also efforts should be made to create conditions that would encourage traditional artists and craftsmen and women in continuing their practice and pass on their knowledge to others.

Noting the passing of many master craftsmen and women of Guam, Guzman said there are only 24 previous awardees, 17 of whom have passed away already.

"We have also lost many of the artistic nuances, traditional processes and a wealth of cultural histories," said Guzman. Among the surviving master award recipients is blacksmith Tun Jack Lujan, of Mangilao.

Guzman said the next award nomination process begins in March, designated as Chamorro month.

Maria Velasco / Variety



CAHA executive director Patrick Bamba, foreground, and board member Monica Guzman testify before the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting on Tuesday, endorsing the Masters Award bill.



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator vicente "ben" c. pangelinan

Public Hearing Notice

Committee on Appropriations, Taxation, Banking Insurance and Land
Wednesday, February 3, 2010
3:00pm

Guam Legislature Public Hearing Room

Agenda

Bill No. 317-30 (COR)

AN ACT TO REPROGRAM AND APPROPRIATE FUNDS FOR VARIOUS PROGRAMS AND PROJECTS AND OTHER PURPOSES FOR FISCAL YEAR 2010.

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If you require any special accommodations, please contact the Office of Senator
ben pangelinan at 473-4236 or email at benpangelinan@guam.gu
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Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

February 1, 2010

Memorandum

To" All Senators

From: Senator ben pangelinan

Re: Public Hearing – SECOND NOTICE

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will be conducting a public hearing at **3:00pm on Wednesday, February 3, 2010** at the Guam Legislature's Public Hearing Room. The following bill is on the agenda:

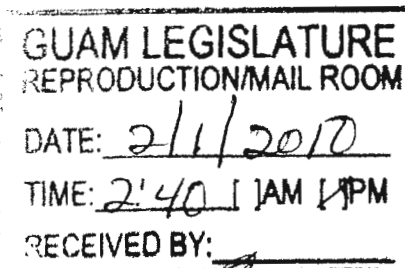
**Bill No. 317-30 (COR): Senator ben pangelinan
AN ACT TO REPROGRAM AND APPROPRIATE FUNDS
FOR VARIOUS PROGRAMS AND PROJECTS AND OTHER
PURPOSES FOR FISCAL YEAR 2010**

For copies of the bill, you can log onto www.guamlegislature.com

Si Yu'os Ma'ase,

ben c. pangelinan
Senator

Cc: Therese Terlaje, Legal Counsel
Clerk's Office
Protocol
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Sergeant-at-Arms
MIS
Stephanie Mendiola, Office of Senator Respicio



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--
 Lisa Cipollone
 Chief of Staff
 Office of Senator ben c. pangelinan
 (671) 473-4236
cipo@guamlegislature.org

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
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Ugum plant partially shut down

(GWA) – The Guam Waterworks Authority will shut down 50 percent of the operations of Ugum water treatment plant in Talofofo while GWA's contractor finishes up the \$8.2 million upgrade to the facility.

“We want to ask residents in the villages of Talofofo, Inarajan, Merizo and Umatac to conserve water for the next 6 weeks,” said Heidi Ballendorf communications manager for GWA.


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195/75R14	\$68.00	\$134.00	31-1050R15	\$125.00	\$248.00
195/50R15	\$64.00	\$126.00	265/70R16	\$134.00	\$266.00
195/60R15	\$65.00	\$128.00	265/70R17	\$152.00	\$302.00
205/60R15	\$66.00	\$130.00			
185/65R15	\$64.00	\$126.00			
195/65R15	\$70.00	\$138.00			
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Mina' Trenta Na Liheslaturan Guahan
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THIRTIETH GUAM LEGISLATURE

Office of the People
Senator vicente "Deit" C. pangellhan

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**Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE**

**Office of the People
Senator vicente "ben" c. pangelinan**

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**AN ACT TO REPROGRAM AND APPROPRIATE
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AND OTHER PURPOSES FOR FISCAL YEAR 2010.**

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 230-30 (COR)

Introduced by:

Judith T. Won Pat, Ed.D. 

SEP 15 AM 11:08 AM

AN ACT TO APPROPRIATE FUNDS FROM THE
BALANCE OF THE 2008 TERRITORIAL
EDUCATION FACILITIES FUND TO THE
DEPARTMENT OF EDUCATION

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

2 **Section 1.** Notwithstanding any other provision of law, *I Liheslaturan Guahan*
3 hereby appropriates the total sum of Four Million Six Hundred Fifty
4 Thousand Dollars (\$4,650,000.00) from the balance of the 2008 Territorial
5 Education Facilities Fund to the Department of Education as follows;

- 6 a.) \$2,800,000 - CIP Reimbursement
7 b.) \$1,600,000 - Textbooks
8 b.) \$150,000 - Vehicles for DOE Maintenance
9 c.) \$100,000 - Vehicles for DOE Warehouse

10 **Section 2. Repeal of Section 33(a) and 33(b) of P.L. 29-113.** Section 33(a) and
11 33(b) of Chapter V, Part 2, in P.L. 29-113 is hereby repealed.