

*I Mina'Trentai Dos Na Liheslaturan Guahan*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>209-32 (COR), P.L. 32-104</b>	Judith T. Won Pat, Ed.D., Vicente (ben) C. Pangelinan, T.R. Muña Barnes, Aline A. Yamashita, Ph.D.	AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.	10/15/13 3:34 p.m.	10/17/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	11/22/13 2:00 p.m.	11/26/13 1:29 p.m.	Fiscal Note Requested 10/21/13  Fiscal Note Received 11/22/13
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LAHEN GUAHAN	PUBLIC LAW NO.	NOTES
	11/26/2013	AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-40, AS AMENDED BY PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.	11/26/13	7:46 p.m	12/07/13	12/02/13	32-104	As amended by the Committee and further amended on the Floor.

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

DEC 03 2013

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

32-13-1061  
Office of the Speaker  
Judith T. Won Pat, Ed.D.  
Date: 12/4/13  
Time: 1:31 PM  
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 209-32 (COR) "AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-40, AS AMENDED BY PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS" which I signed into law on December 2, 2013 as Public Law 32-104.

*Senseramente,*

  
EDDIE BAZA CALVO

2013 DEC -4 PM 1:56

1061



*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

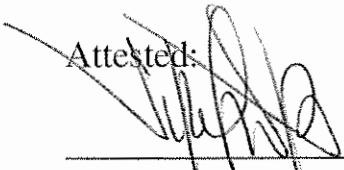
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 209-32 (COR)**, "AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-40, AS AMENDED BY PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS", was on the 26<sup>th</sup> day of November 2013, 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'lahen Guåhan* this \_\_\_\_\_ day of \_\_\_\_\_, 2013, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.

Assistant Staff Officer  
*Maga'lahi's Office*

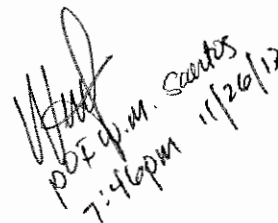
APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahen Guåhan*

Date: DEC 02 2013

Public Law No. 32-104



10:54 a.m. Santos  
7:46pm 11/26/13

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2013 (FIRST) Regular Session**

**Bill No. 209-32 (COR)**

As amended by the Committee on Appropriations,  
Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation, and Land; and  
further amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed.D  
Vicente (ben) C. Pangelinan  
T. R. Muña Barnes  
Aline A. Yamashita, Ph.D  
T. C. Ada  
V. Anthony Ada  
Frank B. Aguon, Jr.  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F. Q. San Nicolas

**AN ACT TO *AMEND* SECTION 3 OF PUBLIC LAW 31-40, AS  
*AMENDED* BY PUBLIC LAW 31-234, RELATIVE TO  
EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND  
AMERICAN RECOVERY AND REINVESTMENT FUNDS.**

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

2        **Section 1.** Section 3 of Public Law 31-40, as *amended* by Public Law 31-  
3        234, is hereby *amended* to read as follows:

4                **“Section 3. Appropriation.** Upon USDOE approval to amend the  
5        Phase I and Phase II ARRA SFSF grant application, whereby, the amount of

1           **“Section 3. Appropriation.** Upon USDOE approval to amend the  
2 Phase I and Phase II ARRA SFSF grant application, whereby, the amount of  
3 Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars  
4 (\$60,088,935) of federal funds originally allocated for Capital Improvement  
5 Projects (CIPs), Technology Upgrades and Science, Technology,  
6 Engineering and Math (STEM) CIPs and Equipment is reprogrammed to  
7 Salaries and Benefits resulting in a reimbursement of funds appropriated and  
8 expended in Section 2 of Chapter II, Part I of Public Law 30-196, the  
9 reimbursement of Sixty Million Eighty-Eight Thousand Nine Hundred  
10 Thirty-Five Dollars (\$60,088,935) from the SFSF grant authorized by the  
11 USDOE pursuant to the expenditure of local funds and certified by the  
12 TPFA *shall* be deposited to the Trust Account. The use of the reimbursed  
13 funds in the Trust Account *shall* be pursuant to the following amounts and  
14 requirements:

15           (a) Sixty Million Eighty-Eight Thousand Nine Hundred  
16 Thirty-Five Dollars (\$60,088,935) is appropriated from the Adequate  
17 Education Act Trust Account to the Guam Department of Education  
18 in Object Classes 230, 250 and 450 as follows: Object Class 230  
19 (Contracts) – Thirty-Five Thousand Dollars (\$35,000); Object Class  
20 250 (Equipment) – Three Million Fifty Thousand Dollars  
21 (\$3,050,000); and Object Class 450 (Capital Outlay) – Fifty-Seven  
22 Million Three Thousand Nine Hundred Thirty-Five Dollars  
23 (\$57,003,935).

24           (b) The appropriation to Object Classes 230, 250 and 450 in  
25 this Section *shall* be continuing appropriations for the GDOE and  
26 *shall* be earmarked for Capital Improvement Projects and for the  
27 renovation, rehabilitation, and repair of Untalan Middle School and

1 Simon Sanchez High School, Technology Upgrades and Science,  
2 Technology, Engineering and Math (STEM) CIPs and Equipment  
3 approved by USDOE contained in the ARRA SFSF Phase I and Phase  
4 II grant application, including any subsequent amendments approved  
5 by USDOE; *provided*, that all these appropriations *shall* expire if *not*  
6 obligated by January 31, 2014.

7 (c) *Up to* the sum of Two Hundred Twenty-Six Thousand  
8 Dollars (\$226,000) from the appropriation in Subsection (a), Object  
9 Class 250 may be transferred to Personnel Object Classes 112 to fund  
10 overtime for GDOE employees for the implementation of GDOE's  
11 Financial Management Information System.

12 (d) All interest and investment earnings from the Trust  
13 Account is hereby appropriated to the GDOE and *shall* be expended  
14 by the GDOE for the projects associated with the appropriation herein  
15 and *shall* only be expended for Object Classes 230, 250 and 450.

16 (e) GDOE *shall* report to *I Maga'lahi* and *I Liheslatura* on a  
17 monthly basis as to the obligation and expenditure of the funds from  
18 the Trust Fund and the completion of the ARRA/SFSF projects."



FILE COPY

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***

THIRTY-SECOND GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

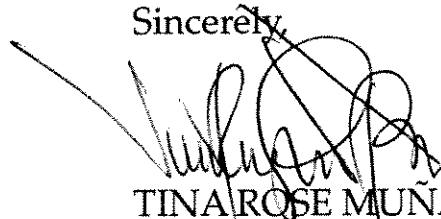
November 26, 2013

The Honorable Edward J.B. Calvo  
*I Maga'laken Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

Dear *Maga'lahi* Calvo:


Transmitted herewith are Bill Nos. 209-32(COR) and 223-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on November 26, 2013.

Sincerely,



TINA ROSE MUÑA BARNES  
Legislative Secretary

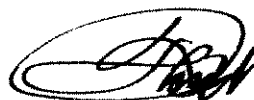
Enclosures (2)

  
PDS W.M. Santos  
7:46 pm - 11/26/13

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2013 (FIRST) Regular Session**

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

This is to certify that **Bill No. 209-32 (COR)**, "**AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-40, AS AMENDED BY PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS**", was on the 26<sup>th</sup> day of November 2013, 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'lahen Guåhan* this \_\_\_\_\_ day of \_\_\_\_\_, 2013, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.


\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

\_\_\_\_\_  
**EDWARD J.B. CALVO**  
*I Maga'lahen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

  
DEC 11/26/13  
7:46pm  
PER Wm. Santos



***I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN***  
**2013 (FIRST) Regular Session**

**Bill No. 209-32 (COR)**

As amended by the Committee on Appropriations,  
Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation, and Land; and  
further amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed.D  
Vicente (ben) C. Pangelinan  
T. R. Muña Barnes  
Aline A. Yamashita, Ph.D  
T. C. Ada  
V. Anthony Ada  
Frank B. Aguon, Jr.  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F. Q. San Nicolas

**AN ACT TO *AMEND* SECTION 3 OF PUBLIC LAW 31-40, AS  
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7 Salaries and Benefits resulting in a reimbursement of funds appropriated and  
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16 (e) GDOE *shall* report to *I Māga'lahi* and *I Liheslatura* on a  
17 monthly basis as to the obligation and expenditure of the funds from  
18 the Trust Fund and the completion of the ARRA/SFSF projects."

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2013 (FIRST) Regular Session

### Voting Sheet

**Bill No. 209-32 (COR)**

As amended by the Committee on Appropriations, Public Debt,  
Legal Affairs, Retirement, Public Parks, Recreation, Historic  
Preservation, and Land and further amended on the Floor.

Speaker Antonio R. Unipingo Legislative Session Hall

November 26, 2013

<u>NAME</u>	<u>Yea</u>	<u>Nay</u>	<u>Not Voting/ Abstained</u>	<u>Out During Roll Call</u>	<u>Absent</u>
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA					✓ Ex.
Senator Frank Blas AGUON Jr.					✓ Ex.
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE					✓ Ex.
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO					✓ Ex.
Senator Dennis G. RODRIGUEZ, Jr.					✓ Ex.
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

10  
Yea

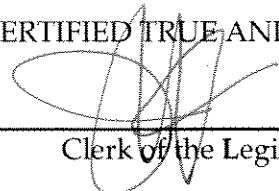
Nay

Not Voting/  
Abstained

Out During  
Roll Call

5 Ex.  
Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

NOV 26 2013

**The Honorable Judith T. Won Pat, Ed.D.**  
Speaker  
I Mina'trentai Dos Na Liheslaturan Guåhan  
155 Hesler Place  
Hagåtña, Guam 96910

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

**VIA: The Honorable Thomas C. Ada**  
Acting Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 209-32 (COR), As Amended**

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Dear Speaker Won Pat:

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Transmitted herewith is the Committee Report on Bill No. 209-32 (COR),  
As Amended, "An Act to Amend Section 4 3 of Public Law ~~31-234~~, 31-40  
As Amended by Public Law 31-234 Relative to extending the deadline to  
obligate or expend American Recovery and Reinvestment Funds",  
sponsored by Speaker Judith Won Pat, which was referred to the Committee  
on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation and Land.

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority


Committee votes are as follows:

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

5 TO PASS  
0 NOT TO PASS  
0 TO REPORT OUT ONLY  
0 TO ABSTAIN  
0 TO PLACE IN INACTIVE FILE

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

*Si Yu'os Ma'åse',*

  
Vicente (ben) Cabrera Pangelinan  
Chairman

2013 NOV 26 PM 1:29

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

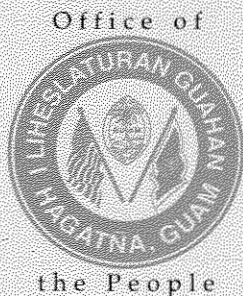
**COMMITTEE REPORT  
ON**

**Bill No. 209-32 (COR), As Amended**

**Sponsored by Speaker Judith T. Won Pat**

**AN ACT TO AMEND SECTION 1  
3 OF PUBLIC LAW ~~31-234~~ 31-40 AS  
AMENDED BY PUBLIC LAW 31-  
234, RELATIVE TO EXTENDING  
THE DEADLINE TO OBLIGATE  
OR EXPEND AMERICAN  
RECOVERY AND  
REINVESTMENT FUNDS.**





# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

NOV 26 2013

## MEMORANDUM

**To:** All Members  
Committee on Appropriations, Public Debt, Legal Affairs,  
Retirement, Public Parks, Recreation, Historic Preservation and  
Land.

**From:** Senator Vicente (ben) Cabrera Pangelinan  
Committee Chairperson

**Subject:** Committee Report on Bill No. 209-32 (COR), As Amended


Transmitted herewith for your consideration is the Committee Report on Bill No. 209-32 (COR), As Amended, An Act to Amend Section 4 3 of Public Law 31-234, 31-40 As Amended by Public Law 31-234 Relative to extending the deadline to obligate or expend American Recovery and Reinvestment Funds", sponsored by Speaker Judith T. Won Pat.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 209-32 (COR), As Introduced
4. Copy of Bill No. 209-32 (COR), As Amended
5. Public Hearing Sign-in Sheet
6. Copies of Written Testimonies
7. Copy of Fiscal Note
8. Copy of COR referral Bill No.209-32 (COR)
9. Notices of Public Hearing
10. 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'os Ma'åse',*

  
Vicente (ben) Cabrera Pangelinan  
Chairman

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens




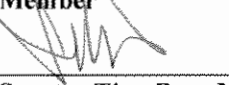

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

*I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN*

**Committee Voting Sheet**

**Committee on Appropriations, Public Debt, Legal Affairs, Retirement,  
Public Parks, Recreation, Historic Preservation and Land**

Bill No. 209-32 (COR), As Amended, "An Act to Amend Section 4 of Public Law 31-234,  
31-40 As Amended by Public Law 31-234 Relative to extending the deadline to obligate or expend  
American Recovery and Reinvestment Funds.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker BJ Cruz Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Speaker Judith T. Won Pat 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 Dennis Rodriguez, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Michael San Nicolas Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tommy Morrison Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Michael Limtiaco Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

## Committee Report

Bill No. 209-32 (COR): "An act to amend Section I of Public Law 31-234, relative to extending the deadline to obligate or expend American Recovery and Reinvestment Funds."

### I. OVERVIEW

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on November 22, 2013 at 2:00pm in *I Liheslatura's* public hearing room.

#### Public Notice Requirements

Notices were published in the newspaper of general circulation as required by the Open Government Law and disseminated via hand-delivery and e-mail to all senators and broadcasting outlets on November 15, 2013 (5-Day Notice) and on November 20, 2013 (48 Hour Notice).

#### (a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman  
Speaker Judith T. Won Pat, Member  
Senator Tina Muña-Barnes, Member  
Senator Tommy Morrison, Member  
Senator Tom Ada  
Senator Chris Duenas

#### (b) Appearing before the Committee

Ms. Taling Taitano – Deputy Superintendent, Guam Department of Education  
Mr. Marcus Pido – Procurement Administrator, Guam Department of Education  
Dr. Jose Cruz – Chairman, Guam Board of Education

#### (c) Written Testimonies Submitted

Mr. Jon Fernandez – Superintendent, Guam Department of Education

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

## II. COMMITTEE PROCEEDINGS

**Chairman Vicente (ben) C. Pangelinan:** Bill NO. 209-32, introduced by Speaker Won Pat is an act to amend Section 1 of Public Law 31-234, relative to extending the deadline to obligate or expend American Recovery and Reinvestment Funds I have signed up Ms. Taling Taitano, Mr. Marcus Pido, and the board chairman Dr. Jose Cruz. The Speaker is not here at this time, she introduced this bill at the request of the Department, then the Department will speak for the need of this bill.

### (a) Testimony

#### 1. Ms. Taling Taitano, GDOE Deputy Superintendent

**Ms. Taitano:** Thank you Senator Pangelinan, Senators, my name is Taling Taitano and I am the Deputy Superintendent at the Guam Department of Education (GDOE) and written testimony was filed in support of this bill. Back in September of this year we met with the U.S. Department of Education (USDOE) and noted some concerns in regards to possible protest effects and their ability to fully obligate the funds at this time and they agreed to extend the obligation date through January 2014. We would ask that the obligation date of the local legislation mirror that extension. Additionally, we would like to ask that bill be amended to allow us to use the interest balance on the trust to reinvest it in the projects.

### PANEL COMMENTS AND QUESTIONS

**Chairman Vicente (ben) C. Pangelinan:** The interest amounts to about...

**Ms. Taitano:** About \$79,000.

**Chairman Vicente (ben) C. Pangelinan:** Ok. Dr. Cruz do you want to add to that?

#### 2. Dr. Jose Cruz, GEB Chairman

**Dr. Cruz:** Mr. Chairman, thank you. My name is Dr. Jose Cruz and I am the Chairman of the Board of Education and I wholeheartedly support the extension. The federal people nodded to this but my question is really the expenditures to date. I don't see any accounting to where the ARRA grant was really expended. Ms. Taitano has been providing it but it is in general terms and I would like to see it, so it could be pointed out to the community, where in essence did the money go in the particular schools. I am interested in the schools because – I was just at the Governors office today about Simon Sanchez and if there was a repair at Simon Sanchez, what was really done and what was the specification of that repair? I come here really as a public person who is really interested in that public interest that I really feel wasn't made. In that regard, I can assure the legislature, as a board member that I would really be asking that it be more itemized for the sake of the people of Guam and for the sake of the community that's out there. I think if we inform the schools then their particular stakeholders can own that in their particular perspective and it would be very laudable if we can provide that. I don't think Taling will disagree but that was in light of

the latest cutting edge participation where Simon Sanchez receive ARRA grants and there were some dimensions of the grant that were really not honored. Secondly, the rejection of the public auditor is important to really know because we don't know – I'm sorry I'm haven't really looked into it because it hasn't been brought to my ear, but the cutting edge discussion this morning actually presents a more focused attention to really open that up because there are a lot of monies that were already granted and I thank the legislature to allow to put it in a trust fund. I think, the expenditure portion, for the people of Guam and for the stake holders is very important and you should be aware for your own – you know election is coming up – I'm not making it a political thing but really it is, if we stand publically out there in the community and money is very important and that is the major role of the legislature. I think accountability of the funds is most important and reporting of the funds out into the community and I assure you that I will request that accountability be presented to the board. Thank you for listening to me.

### **PANEL COMMENTS AND QUESTIONS**

**Chairman Vicente (ben) C. Pangelinan:** Thank you. Ms. Taitano, I saw the report that was sent out today, just before this hearing, I opened that report and I agree with Dr. Cruz. It shows the projects but it didn't really break it down by school so that the stake holders at those schools may not be aware, either the parents or these students, of these projects that are being funded by the ARRA grants and so perhaps a greater and more detailed accounting be made available in that report. That can be given to the board and of course placed on the GDOE website so we can make that information available to the public.

The extension of the date is January 2014 and the USDOE has agreed to that date, is that correct?

**Ms. Taitano:** Yes, we have a letter from USDOE that I would be happy to provide.

**Chairman Vicente (ben) C. Pangelinan:** Can you do that so we can have a complete record for the other Senators when the committee report is filed. Senator Ada?

**Senator Tom Ada:** I guess somewhat of a follow on to Dr. Cruz's question, what is the amount that remains to be obligated? I'm just wondering, from the time the bill got introduced and then shortly after that there was this procurement issue regarding the security alarms that was around \$600K that now \$500K is under protest. Is that the balance that remains to be obligated? Can you clear that?

**Ms. Taitano:** We have about \$364K that was unobligated that we were hoping to use as a contingency for ongoing projects, the Untalan projects have some civil work that is required and until they dig into the ground it's hard to know if there might be extra work involved. We were hoping it is less than 1% of the \$60M. The OPA recently voided a contract for the Southern fire alarm and sprinkler system and that was about \$500K.

**Senator Tom Ada:** So, with this extension is GDOE looking to reprogram that \$500K or are you hoping that GDOE will actually be able to recover from the protest of that particular contract?

**Ms. Taitano:** I spoke to the Superintendent before I came here and we want to look at all of our options. There are certainly many projects that went unfunded because we had limited amount of money and I think he wanted to look at where it would make sense to put it.

**Senator Tom Ada:** If GDOE was going to pursue this procurement with the alarm system, although the OPA has thrown it out - Mr. Peto have you looked at the time line as to whether 30-days is going to be sufficient to be able to recover from that or will GDOE chalk it off as a loss and reprogram the funds for something else?

### **3. Mr. Marcus Pido, GDOE Procurement Administrator**

**Mr. Pido:** As Ms. Taitano alluded to, we need to look at our options, but it's possible because this is still a pending appeal. The decision from the OPA was whether a 'stay' was in place and the decision was a 'stay' remained in place and so the signing of the contract is voided but there is still the case of the appeal on the merits of an appeal. Depending on how that is ruled, we may be forced to go back and re-evaluate that bid. Other than that, the Superintendent will make that decision on where that will go, on the spending of the money.

**Senator Tom Ada:** Ok. I'm just concerned that there is still this ongoing process in trying to sort out this protest and by the time it gets sorted out, one way or the other, January 31<sup>st</sup> is going to roll around. If the case was to rebid it – quite frankly I'm not optimistic that GDOE can recover from this whole situation. Can GOE at this point say, 'We're pulling out we're going to void any bid that may be put out and then move on to another project,' or are you on the hook now? On the hook so that you have got to go through the process and if it doesn't get resolved until after January 31<sup>st</sup>, it is going to have to be local funds to pay for that.

**Ms. Taitano:** I can't speak to the specifics of that procurement but we do have two indefinite quantity bids that were used for this project. One was for air conditioners and one was to extend wireless connectivity through out the schools. Both of those projects needed additional funding and we have a mechanism to add to them so if push comes to shove and we ran out of time, which is what was sort of the plan before we knew we were going to get the extension, if the extension had not been granted we would have put the \$364K into one of those projects.

**Senator Tom Ada:** But you still have the pot of about \$500K, right?

**Ms. Taitano:** Right. And both those projects together would need more than that if we wanted to do the maximum plan. If we wanted to do it as planned then both projects would need more than the money available.

**Senator Tom Ada:** Mr. Pido, as the procurement administrator for GDOE, does GDOE have the option to unilaterally pulling out of this protest and saying ‘that’s it, we’re not going to go forward with any procurement of alarm systems?’ and take that money now and reprogram it to something else that we also know is needed?

**Mr. Pido:** I think our legal counsel will be better able to answer that. I’m not sure of the jurisdiction of the OPA at this point and her pending her review on the merits of the appeal and where we will be directed to go in her decision. That is certainly one of the options we are considering. As Ms. Taitano alluded to, we do have indefinite quantity bids that are available to us under the trust.

**Senator Tom Ada:** I wish you the best of luck in being able to favorable move forward on the procurement and the tying up of the \$500K. I’m afraid you’re going to pass that deadline and you are going to be left holding the bag on it.

**Chairman Vicente (ben) C. Pangelinan:** Thank you very much Senator Ada. I would like to give the courtesy of the author of the legislation, we’re in to the questioning round now.

**Speaker Won Pat:** Thank you Mr. Chairman. I would just like to say that we were in conversations with the superintendent and with Taling as well, with requests to this extension, but prior to that we have to get that (permission) from USDOE Washington. In the testimony however, the superintendent has now asked that beyond that the interest be considered as well for the department to use. What do you see, first of all, what is the amount of accumulated interest and what would those monies be used for?

**Ms. Taitano:** The amount of anticipated interest at this moment is \$79K, we do have a number of indefinite quantity bids. We have a number of on going projects and should there be any requirements to increase those costs because of unforeseen events, we would use that first but we do have the need to purchase additional air conditioners and we also have a wireless project in the schools that could be used. There are many needs throughout the department so the decision to use the money would be related on how much time is available.

**Speaker Won Pat:** Do you have an idea if there are some projects that you are seeing an increase of cost or is that just in anticipation of?

**Ms. Taitano:** Right now we are just closing up our fire alarm project and in some cases the fire department ask that we put in additional devices so that has required an increase for those projects. The other ongoing project, that I mentioned earlier, is Untalan and once the civil work begins, we’re unsure what they may find once that process and construction begins that may require additional funds.

**Speaker Won Pat:** Thank you very much.

**Chairman Vicente (ben) C. Pangelinan:** Thank you very much. I would also like to thank Senator Muña-Barnes for joining us. Taling, one real quick question, did you reserve a

contingency on any of these projects that are ongoing at this time? Sometimes there is a 10% contingency, are there any of those projects with contingencies?

**Ms. Taitano:** That is an interesting question because we have been debating with our legal counsel and our procurement officer about how to build in contingencies and how to look at how the other governments contracts to see how that may be done and we haven't been able to identify a vehicle to do that. When we had discussed with USDOE, the Untalan project is the one of concern, we were concerned that we would not get far enough into the project to know what the final cost will be but we believe the civil work will be done in the next couple of months and we will be able to lock up those costs. Most of the projects are done, it's just the Untalan project that is out there.

**Senator Duenas:** Thank you Mr. Chairman. While I certainly support the legislation and of the federal favorable consideration but Mr. Pedro I just have one question, I know there is no representation at this public hearing by the third party. Is that an indication that you would be representing their views or do they have a view on this particular proposal?

**Mr. Pido:** We have brought to the table that the USDOE has approved the January obligation extension and we considered these local funds and so we didn't ask the third party to come with us to this hearing.

**Senator Duenas:** I would take it then that this would be another acknowledgement that things are under control. Mr. Chairman, would it be appropriate to at least as where we are at in terms of the time line being the third party is not present?

**Chairman Vicente (ben) C. Pangelinan:** Not at this time.

**Senator Duenas:** Ok. So, this would be an indication of a good mark from the federal perspective.

**Mr. Pido:** Yes, it shows confidence that we will be able to obligate it by January 2014.

**Senator Duenas:** Thank you Mr. Chairman.

**Chairman Vicente (ben) C. Pangelinan:** Senator Ada, do you have a follow up question?

**Senator Tom Ada:** Can you clarify, in the bill it is seeking to extend the time line from September 30<sup>th</sup> to January 31<sup>st</sup> otherwise the appropriation "shall expire if not obligated" and I am little concerned about that language because in other ARRA grants that I am familiar with there is a time line as to when you obligate it and a time line as to when you can expend it. You go beyond that and all the invoices that come in beyond that date will be on your nickel. Is that the correct language, "shall expire if not obligated" or "shall not expire if not expended by January 31<sup>st</sup>."

**Ms. Taitano:** The documentation we received from USDOE have only indicated obligation deadlines no expenditure deadlines, sir.

**Senator Tom Ada:** Conceivably then, the alarm issue is considered obligated, or it's not until you have awarded it.

**Ms. Taitano:** No, she (OPA) voided the contract. Once it is obligated we have met USDOE standards.

**Senator Tom Ada:** You are certain that the obligation is the only requirement then.

**Ms. Taitano:** Yes.

**Chairman Vicente (ben) C. Pangelinan:** With no further questions and no further testimony from the public on this matter, please be cognizant of the Chairman's request on the additional request, the committee will then conclude this hearing. The Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at [office@senbenp.com](mailto:office@senbenp.com) or through our website at [www.senbenp.com](http://www.senbenp.com).

This hearing is hereby adjourned.

### **III. FINDINGS & RECOMMENDATIONS**

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 209-32 (COR), as amended, with the recommendation TO PASS.

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

2013 OCT 15 PM 3:34

Bill No. 209-32(dof)

Introduced by:

Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.**

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

**Section 1.** Section 1 of Public Law 31-234 is hereby *amended* to read as follows:

**“Section 1. Appropriation.** Upon USDOE approval to amend the Phase I and Phase II ARRA SFSF grant application, whereby, the amount of Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars (\$60,088,935) of federal funds originally allocated for Capital Improvement Projects (CIPs), Technology Upgrades and Science, Technology, Engineering and Math (STEM) CIPs and Equipment is reprogrammed to Salaries and Benefits resulting in a reimbursement of funds appropriated and expended in Section 2 of Chapter II, Part I of Public Law 30-196, the reimbursement of Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars (\$60,088,935) from the SFSF grant authorized by the USDOE pursuant to the expenditure of local funds and certified by the



1 TPFA *shall* be deposited to the Trust Account. The use of the reimbursed  
2 funds in the Trust Account *shall* be pursuant to the following amounts and  
3 requirements:

4 (a) Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-  
5 Five Dollars (\$60,088,935) is appropriated from the Adequate  
6 Education Act Trust Account to the Guam Department of Education  
7 in Object Classes 230, 250 and 450 as follows: object class 230  
8 (Contracts) – Thirty-Five Thousand Dollars (\$35,000); object class  
9 250 (Equipment) – Three Million Fifty Thousand Dollars  
10 (\$3,050,000); and object class 450 (Capital Outlay) – Fifty-Seven  
11 Million Three Thousand Nine Hundred Thirty-Five Dollars  
12 (\$57,003,935).

13 (b) The appropriation to Object Classes 230, 250 and 450 in  
14 this Section *shall* be continuing appropriations for the GDOE and  
15 *shall* be earmarked for Capital Improvement Projects and for the  
16 renovation, rehabilitation, and repair of Untalan Middle School,  
17 Technology Upgrades and Science, Technology, Engineering and  
18 Math (STEM) CIPs and Equipment approved by USDOE contained in  
19 the ARRA SFSF Phase I and Phase II grant application, including any  
20 subsequent amendments approved by USDOE; *provided*, that all these  
21 appropriations *shall* expire if *not* obligated by ~~September 30, 2013~~  
22 January 31, 2014.

23 (c) *Up to* the sum of Two Hundred Twenty-Six Thousand  
24 Dollars (\$226,000) from the appropriation in Subsection (a), object  
25 class 250 may be transferred to personnel object classes 112 to fund  
26 overtime for GDOE employees for the implementation of GDOE's  
27 Financial Management Information System.

1                   (d) GDOE *shall report to I Maga'lahi and I Liheslatura* on a  
2 monthly basis as to the obligation and expenditure of the funds from  
3 the Trust Fund and the completion of the ARRA/SFSF projects.”

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

**Bill No. 209-32 (COR)**

As Amended by the Committee on Appropriations, Public  
Debt, Legal Affairs, Retirement, Public Parks, Recreation,  
Historic Preservation, and Land

**Introduced by:**

Judith T. Won Pat, Ed.D.

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**AN ACT TO AMEND SECTION 4 3 OF PUBLIC LAW  
~~31-234~~ 31-40 AS AMENDED BY PUBLIC LAW 31-234,  
RELATIVE TO EXTENDING THE DEADLINE TO  
OBLIGATE OR EXPEND AMERICAN RECOVERY  
AND REINVESTMENT FUNDS.**

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

2 **Section 1.** Section ~~4 of Public Law 31-234~~ 3 of Public Law 31-40 as  
3 amended by Public Law 31-234 is hereby *amended* to read as follows:

4 **"Section 3. Appropriation.** Upon USDOE approval to amend the  
5 Phase I and Phase II ARRA SFSF grant application, whereby, the amount of  
6 Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars  
7 (\$60,088,935) of federal funds originally allocated for Capital Improvement  
8 Projects (CIPs), Technology Upgrades and Science, Technology,  
9 Engineering and Math (STEM) CIPs and Equipment is reprogrammed to  
10 Salaries and Benefits resulting in a reimbursement of funds appropriated and  
11 expended in Section 2 of Chapter II, Part I of Public Law 30-196, the

1 reimbursement of Sixty Million Eighty-Eight Thousand Nine Hundred  
2 Thirty-Five Dollars (\$60,088,935) from the SFSF grant authorized by the  
3 USDOE pursuant to the expenditure of local funds and certified by the  
4 TPFA *shall* be deposited to the Trust Account. The use of the reimbursed  
5 funds in the Trust Account *shall* be pursuant to the following amounts and  
6 requirements:

7 (a) Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-  
8 Five Dollars (\$60,088,935) is appropriated from the Adequate  
9 Education Act Trust Account to the Guam Department of Education  
10 in Object Classes 230, 250 and 450 as follows: object class 230  
11 (Contracts) – Thirty-Five Thousand Dollars (\$35,000); object class  
12 250 (Equipment) – Three Million Fifty Thousand Dollars  
13 (\$3,050,000); and object class 450 (Capital Outlay) – Fifty-Seven  
14 Million Three Thousand Nine Hundred Thirty-Five Dollars  
15 (\$57,003,935).

16 (b) The appropriation to Object Classes 230, 250 and 450 in  
17 this Section *shall* be continuing appropriations for the GDOE and  
18 *shall* be earmarked for Capital Improvement Projects and for the  
19 renovation, rehabilitation, and repair of Untalan Middle School,  
20 Technology Upgrades and Science, Technology, Engineering and  
21 Math (STEM) CIPs and Equipment approved by USDOE contained in  
22 the ARRA SFSF Phase I and Phase II grant application, including any  
23 subsequent amendments approved by USDOE; *provided*, that all these  
24 appropriations *shall* expire if *not* obligated by ~~September 30, 2013~~  
25 January 31, 2014.

26 (c) *Up to* the sum of Two Hundred Twenty-Six Thousand  
27 Dollars (\$226,000) from the appropriation in Subsection (a), object

1 class 250 may be transferred to personnel object classes 112 to fund  
2 overtime for GDOE employees for the implementation of GDOE's  
3 Financial Management Information System.

4 (d) All interest and investment earnings from the Trust Account  
5 is hereby appropriated to the GDOE and shall be expended by the  
6 GDOE for the projects associated with the appropriation herein and  
7 shall only be expended for Object Classes 230, 250 and 450.

8 (e) GDOE shall report to I Maga'lahi and I Liheslatura on a  
9 monthly basis as to the obligation and expenditure of the funds from  
10 the Trust Fund and the completion of the ARRA/SFSF projects."

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

**Bill No. 209-32 (COR)**

As amended by the Committee on Appropriations, Public  
Debt, Legal Affairs, Retirement, Public Parks, Recreation,  
Historic Preservation, and Land

**Introduced by:**

Judith T. Won Pat, Ed.D.

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**AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-  
40 AS AMENDED BY PUBLIC LAW 31-234, RELATIVE  
TO EXTENDING THE DEADLINE TO OBLIGATE OR  
EXPEND AMERICAN RECOVERY AND  
REINVESTMENT FUNDS.**

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

**Section 1.** Section 3 of Public Law 31-40 as amended by Public Law  
31-234 is hereby *amended* to read as follows:

**“Section 3. Appropriation.** Upon USDOE approval to amend the  
Phase I and Phase II ARRA SFSF grant application, whereby, the amount of  
Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars  
(\$60,088,935) of federal funds originally allocated for Capital Improvement  
Projects (CIPs), Technology Upgrades and Science, Technology,  
Engineering and Math (STEM) CIPs and Equipment is reprogrammed to  
Salaries and Benefits resulting in a reimbursement of funds appropriated and  
expended in Section 2 of Chapter II, Part I of Public Law 30-196, the

1 reimbursement of Sixty Million Eighty-Eight Thousand Nine Hundred  
2 Thirty-Five Dollars (\$60,088,935) from the SFSF grant authorized by the  
3 USDOE pursuant to the expenditure of local funds and certified by the  
4 TPFA *shall* be deposited to the Trust Account. The use of the reimbursed  
5 funds in the Trust Account *shall* be pursuant to the following amounts and  
6 requirements:

7 (a) Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-  
8 Five Dollars (\$60,088,935) is appropriated from the Adequate  
9 Education Act Trust Account to the Guam Department of Education  
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11 (Contracts) – Thirty-Five Thousand Dollars (\$35,000); object class  
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14 Million Three Thousand Nine Hundred Thirty-Five Dollars  
15 (\$57,003,935).

16 (b) The appropriation to Object Classes 230, 250 and 450 in  
17 this Section *shall* be continuing appropriations for the GDOE and  
18 *shall* be earmarked for Capital Improvement Projects and for the  
19 renovation, rehabilitation, and repair of Untalan Middle School,  
20 Technology Upgrades and Science, Technology, Engineering and  
21 Math (STEM) CIPs and Equipment approved by USDOE contained in  
22 the ARRA SFSF Phase I and Phase II grant application, including any  
23 subsequent amendments approved by USDOE; *provided*, that all these  
24 appropriations *shall* expire if *not* obligated by ~~September 30, 2013~~  
25 January 31, 2014.

26 (c) *Up to* the sum of Two Hundred Twenty-Six Thousand  
27 Dollars (\$226,000) from the appropriation in Subsection (a), object

1 class 250 may be transferred to personnel object classes 112 to fund  
2 overtime for GDOE employees for the implementation of GDOE's  
3 Financial Management Information System.

4 (d) All interest and investment earnings from the Trust Account  
5 is hereby appropriated to the GDOE and *shall* be expended by the  
6 GDOE for the projects associated with the appropriation herein and  
7 *shall* only be expended for Object Classes 230, 250 and 450.

8 (e) GDOE *shall* report to *I Maga'lahi* and *I Liheslatura* on a  
9 monthly basis as to the obligation and expenditure of the funds from  
10 the Trust Fund and the completion of the ARRA/SFSF projects."





**Mina'trentai Dos na Liheslaturan Guahan**  
**32ND GUAM LEGISLATURE**

**Senator Vicente "ben" Cabrera Pangelinan**

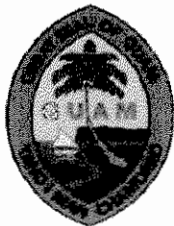
**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

**Friday, November 22, 2013**

**Bill No. 209**

**SIGN UP SHEET**

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Talungtamtano	DOE	300 1556	tmntantanoegdoe.net	✓	✓	✓	
MARCUS PIDO	DOE	300 1580	mypido@egdoe.net			✓	



# DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT

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**JON J. P. FERNANDEZ**  
Superintendent of Education

November 21, 2013

Honorable Vicente (ben) Cabrera Pangelinan  
Chair, Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation,  
Historic Preservation, and Land  
I Mina'trentai Dos na Liheslaturan Guahan  
Suite 101, Quan Building  
324 West Soledad Avenue  
Hagatna, GU 96910

RE: Bill 209-32 (COR), An Act to Amend Section 1 of Public Law 31-234, Relative to extending the  
deadline to obligate or expend American Recovery and Reinvestment Funds

**Hafa Adai** Senator Pangelinan!

I want to thank Speaker Judith Won Pat for introducing this bill at my request. I respectfully ask that the bill be amended to allow the Guam Department of Education (GDOE) to use interest earned on the Adequate Education Trust Account (Trust) for projects identified in the legislation.

As a result of discussions in September 2013, US Department of Education (USDE) granted an extension of the obligation deadlines related to the Adequate Education Trust Account (Trust) to January 31, 2014. At that time, barring protests, I indicated that less than 1% of Trust would potentially be unobligated at the end of September 2013. Those remaining funds would be available for contingencies related to ongoing projects. However, earlier this month, the Office of the Public Auditor voided the contract for the Southern High Fire Alarm and Sprinkler System, deobligating almost \$500,000.

As you are aware, the amount of funds needed to be invested towards the renovation of our schools is upwards of \$89.9 million. I urge the speedy passage of Bill No. 209-32 to allow the GDOE the opportunity to allocate any remaining funds towards improving our aging school facilities.

Senseramente,



**JON J. P. FERNANDEZ**

cc: Speaker, I Mina'trentai Dos na Liheslaturan Guahan  
Chairman and Members, Guam Education Board



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF THE DEPUTY SECRETARY

September 26, 2013

*Please provide copy to  
Taling.*

Honorable Eddie Calvo  
Governor of Guam  
P.O. Box 2950  
Hagåtña, Guam 96932

Dear Governor Calvo:

The purpose of this letter is to inform you that, subject to the conditions set forth in this letter, the U.S. Department of Education (Department) extends from September 30, 2013 to January 31, 2014 the date by which Guam may obligate funds under the Adequate Education Act Trust Account (Trust Account). This extension is based on information that Guam provided to the Department regarding its progress in obligating Trust Account funds. In a report sent to the Department on September 23, 2013, Guam indicated that approximately \$56 million of the \$60 million of Trust Account funds were obligated and that contracts were pending for the obligation of approximately \$3 million of additional funds.

The conditions for this extension are as follows:

- The Guam Department of Education will continue to have administrative responsibility for the Trust Account funds;
- Guam will obligate all Trust Account funds by January 31, 2014;
- By October 15, 2013, Guam will provide the Department with the amount of funds obligated by project as of September 30, 2013;
- On the 15<sup>th</sup> of each month, Guam will continue to provide the Department with a report on the progress in obligating funds and completing the relevant projects ;
- Guam will not oppose any steps by the Department to recover Trust Account funds not obligated by January 31, 2014; and
- Guam will not oppose any steps by the Department to rescind approval of the extension or to recover funds if Guam fails to provide the required reports by the dates noted above or does not make adequate progress in obligating the funds.

The Department will continue to work with Guam to ensure that public school children in Guam benefit from the timely obligation of the Trust Account funds.

*310 2401*

[www.ed.gov](http://www.ed.gov)

400 MARYLAND AVE., SW, WASHINGTON, DC 20202


*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

If you need any assistance or have any questions regarding this matter, please do not hesitate to contact James Butler of my staff at [James.Butler@ed.gov](mailto:James.Butler@ed.gov) or 202-260-9737.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ann Whalen', with a stylized, flowing script.

Ann Whalen  
Director, Policy and Program Implementation  
Implementation and Support Unit

cc: Jon Fernandez   
Art Mariano

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 209-32 (COR)**

**AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Guam Department of Education	Dept./Agency Head: Jon Fernandez, Superintendent
Department's General Fund (GF) appropriation(s) to date:	188,469,835
Department's Other Fund appropriation(s) to date: Territorial Education Facilities Fund, Healthy Futures Fund, School Lunch Nutritional Meals Fund, Cash Collections and Public Library Resources Fund	31,185,576
Total Department/Agency Appropriation(s) to date:	\$219,655,411

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 1(4-S))	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? / / N/A /X/ Yes / / No  
If no, what is the additional amount required? \$ / / N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No  
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No  
/ / Requested agency comments not received by due date / / Other:

Analyst: A. R. Mariano Date: 11/14/13 Director: John A. Rios Date: NOV 15 2013  
A. R. Mariano John A. Rios, Director

**Footnotes:**

See attachment to fiscal note.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 209-32 (COR)**

**Comments:**

The subject Bill proposes to amend Section 1(b) of P.L. 31-234, relative to extending the deadline to obligate funds deposited and appropriated from the Adequate Education Act Trust Fund to January 31, 2014. This extension is required in order for the Guam Department of Education to utilize approximately \$364,358 in unobligated funds remaining in the aforementioned trust fund and is consistent with the extension authorized by the U.S. Department of Education on September 26, 2013.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

October 17, 2013

### MEMORANDUM

**To:** **Rennae Meno**  
*Clerk of the Legislature*

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

**From:** **Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

**Subject:** **Referral of Bill No. 209-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 209-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of

*I Mina'Trentai Dos Na Liheslaturan Guahan*

**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
209-32 (COR)	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.	10/15/13 3:34 p.m.	10/17/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			





Lisa Dames <cipo@guamlegislature.org>

## Public Hearing - FIRST NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, Nov 15, 2013 at 5:07 PM

To: PHrg Notice <phnotice@guamlegislature.org>, phmaterials@guamlegislature.org

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**9:00 AM**

**STATUS UPDATE BY THE GUAM ECONOMIC DEVELOPMENT AUTHORITY ON THE HOTEL OCCUPANCY TAX (HOT) BOND PROJECTS**

**2:00 PM**

### Confirmation Hearing

**Mr. Andrew C. Park, Member of the Guam Land Use Commission**

### Bills

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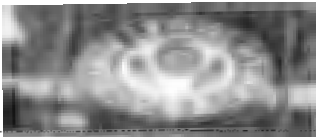
**Program established pursuant to Chapter 64A, Title 5 of the Guam Code Annotated.**

Yanggen un nisisita espesiát na setbision, put fabot ágang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guáhan gi [www.guamlegislature.com](http://www.guamlegislature.com) Yanggen para un na'hálom testigu-mu, chule' para i ifisinan-mámi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuation Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [office@senbenp.com](mailto:office@senbenp.com) Este na nutisiu inapási nu i fendon gubetnamento.

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Lisa Dames  
Chief of Staff  
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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public  
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Lisa Dames <cipo@guamlegislature.org>

## Public Hearing - FIRST NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, Nov 15, 2013 at 5:00 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <jontalk@gmail.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, marvic@mvguam.com, louella@mvguam.com, Frank Whitman <frank@mvguam.com>, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimiaco@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Lisa Dames  
Chief of Staff  
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Senator Vicente (ben) Cabrera Pangelinan  
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# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

November 20, 2013

## Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – SECOND NOTICE

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

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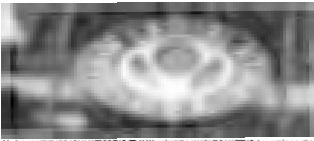
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**Memo to All Senators**  
**November 20, 2013**  
**Page 2**

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Lisa Dames <cipo@guamlegislature.org>

## Public Hearing - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>

Wed, Nov 20, 2013 at 8:47 AM

To: PHrg Notice <phnotice@guamlegislature.org>, phmaterials@guamlegislature.org

Hafa Adai,

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Lisa Dames  
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I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan

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## 2 attachments

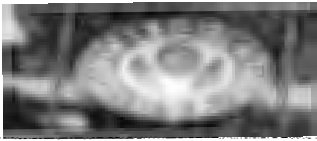


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Lisa Dames <cipo@guamlegislature.org>

## Public Hearing - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>

Wed, Nov 20, 2013 at 8:42 AM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <jontalk@gmail.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, marvic@mvguam.com, louella@mvguam.com, Frank Whitman <frank@mvguam.com>, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

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<a href="mailto:zpalomo@guamag.org">zpalomo@guamag.org</a>





Mina Trentai Dos na Liheslaturan Guahan  
32nd GUAM LEGISLATURE  
Senator Vicente (ben) Cabrera Pangelinan  
Committee on Appropriations, Public Debt,  
Legal Affairs, Retirement, Public Parks, Recreation,  
Historic Preservation, and Land

**INEKUNGOK PUPBLEKO  
(PUBLIC HEARING)**

gi Betnes, gi diha 22 gi Nubembre, 2013  
Friday, November 22, 2013

Kuáttion Inekungok Pupbleko gi 1 Liheslaturan Guahan  
(Guam Legislature Public Hearing Room)

**TAREHA  
(AGENDA)**

alas nuebi gi egga'an  
(9:00 AM)

**STATUS UPDATE BY THE GUAM ECONOMIC DEVELOPMENT AUTHORITY ON THE HOTEL  
OCCUPANCY TAX (HOT) BOND PROJECTS**

alas dos gi despues di tala'ani  
(2:00 PM)

**Para Komfirmasion:  
(Confirmation Hearing)**

**Mr. Andrew C. Park, Member of the Guam Land Use Commission**

**Priniponi Siha:  
(Bills)**

**Bill No. 209-32 (COR) -- Introduced by Speaker Judith Won Pat: An Act to Amend Section 1 of Public Law 31-234, Relative to extending the deadline to obligate or expend American Recovery and Reinvestment Funds.**

**Bill No. 219-32 (LS) -- Introduced by Senator Vicente (ben) Cabrera Pangelinan: An Act to Amend §30109 of Article 1, Chapter 30, 5 Guam Code Annotated Relative to the duties of the Attorney General of Guam.**

**Bill No. 169-32 (LS) -- Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 5168-4, Located in the Municipality of Tamuning, from Single-Family Dwelling Zone (R1) to Light Industrial Zone (M1).**

**Bill No. 223-32 (COR) -- Introduced by Senator Vicente (ben) Cabrera Pangelinan: An Act to appropriate the sum of Four Hundred Thousand Dollars (\$400,000) for the Compensation to Farmers for Crop Damages Program established pursuant to Chapter 64A, Title 5 of the Guam Code Annotated.**

*Yanggen un nisisita espesial na setbisio put fabot agang i lhislan. Senador ben pangelinan gi 473 Yanggen un nisisita espesial na setbisio put fabot agang i lhislan. Senador Vicente (ben) Cabrera Pangelinan gi 473-473677. Yanggen un nisisita kopon i priniponi siha qinen este na tareha. Hålan gi depeñat i Liheslaturan Guahan gi [www.guamlegislature.com](http://www.guamlegislature.com). Yanggen para un na halom testigo mu, chule para i lhislan wani gi 324 West Soledad Avenue gi lya Hagåtña, put kuatto gi i Kuáttion Katta gi i Liheslatura, put taks gi 473-4238, paraine imel gi [office@senbenp.com](mailto:office@senbenp.com). Este na nisisita unan na i ferdan gubernamanto.*

*If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-473677. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at [office@senbenp.com](mailto:office@senbenp.com).*

*This ad paid with government funds.*



I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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**INEKUNGOK PUPBLEKO  
(PUBLIC HEARING)**

***gi Betnes, gi diha 22 gi Nubembre, 2013***  
**Friday, November 22, 2013**

***Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan***  
**(Guam Legislature Public Hearing Room)**

**TAREHA  
(AGENDA)**

***alas nuebi gi egga'an***  
**(9:00 AM)**

**STATUS UPDATE BY THE GUAM ECONOMIC DEVELOPMENT  
AUTHORITY ON THE HOTEL OCCUPANCY TAX (HOT) BOND PROJECTS**

***alas dos gi despues di talo'ani***  
**(2:00 PM)**

***Para Komfitmasion:***  
**(Confirmation Hearing)**

**Mr. Andrew C. Park, Member of the Guam Land Use Commission**

***Priniponi Siha:***  
**(Bills)**

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I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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**Bill No. 223-32 (COR) – Introduced by Senator Vicente (ben) Cabrera Pangelinan:  
An Act to appropriate the sum of Four Hundred Thousand Dollars (\$400,000) for  
the Compensation to Farmers for Crop Damages Program established pursuant to  
Chapter 64A, Title 5 of the Guam Code Annotated.**

Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7.  
Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guåban gi  
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Hagâtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [office@senbenp.com](mailto:office@senbenp.com) Este na nutisiu  
inapâsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator  
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## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

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Senator  
Aline Yamashita  
Member

November 22, 2013

### MEMORANDUM

**To:** Rennae Meno  
Clerk of the Legislature

**From:** Senator Rory J. Respicio

**Subject:** Fiscal Notes & Waivers

*Hafa Adai!*

Transmitted herewith are fiscal notes received from BBMR on the following Bill Nos. 91-32(COR), 98-32(LS), 116-32(COR), 153-32(COR), 176-32(COR), 181-32(COR), 194-32(COR), 195-32(COR), 202-32(COR), 209-32(COR), 211-32(COR) and Fiscal Note Waivers on the following Bill Nos. 94-32(COR), 165-32(COR), 170-32(COR), 189-32(COR), 193-32(COR), 210-32(COR).

Please include fiscal notes and waivers with their respective Committee Reports.

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

*Si Yu'os Ma'ase'!*

2013 NOV 22 PM 4:46

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR**JOHN A. RIOS**  
DIRECTOR**RAY TENORIO**  
LIEUTENANT GOVERNOR

NOV 15 2013

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 91-32(COR), [REDACTED], 181-32(COR), 202-32(COR), [REDACTED], 209-32(COR), 211-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 170-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.



JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 209-32 (COR)**

**AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Guam Department of Education	<b>Dept./Agency Head:</b> Jon Fernandez, Superintendent
<b>Department's General Fund (GF) appropriation(s) to date:</b>	188,469,835
<b>Department's Other Fund appropriation(s) to date:</b> Territorial Education Facilities Fund, Healthy Futures Fund, School Lunch Nutritional Meals Fund, Cash Collections and Public Library Resources Fund	31,185,576
<b>Total Department/Agency Appropriation(s) to date:</b>	\$219,655,411

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 1(4-S))	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
 If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? / / N/A /X/ Yes / / No  
 If no, what is the additional amount required? \$ / / N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No  
 If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No  
 Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No  
 / / Requested agency comments not received by due date / / Other:

Analyst: Arthur R. Mariano Date: 10/29/13 Director: John A. Rios, Director Date: NOV 15 2013

**Footnotes:**

See attachment to fiscal note.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 209-32 (COR)**

**Comments:**

The subject Bill proposes to amend Section 1(b) of P.L. 31-234, relative to extending the deadline to obligate funds deposited and appropriated from the Adequate Education Act Trust Fund to January 31, 2014. This extension is required in order for the Guam Department of Education to utilize approximately \$364,358 in unobligated funds remaining in the aforementioned trust fund and is consistent with the extension authorized by the U.S. Department of Education on September 26, 2013.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
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Member

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Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

October 21, 2013

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

John A. Rios  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 209-32 (COR) through 211-32 (COR)

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio  
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 OCT 21 AM 11:41

Bill Nos.	Sponsor	Title
<b>209-32 (COR)</b>	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.
<b>210-32 (COR)</b>	Michael F.Q. San Nicolas, Vicente (ben) C. Pangelinan, T.C. Ada, B. J.F. Cruz, Brant T. McCreadie	AN ACT TO ADD A NEW (yy) TO §1102, CHAPTER 1, AND AMEND §§12104, 12106, AND 12107, OF CHAPTER 12, EACH OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO INFORMING THE LIENHOLDER AND INSURER WHEN A VEHICLE HAS BEEN TOWED AND PROVIDING FOR THE LIABILITY OF A TOWING COMPANY FOR DAMAGE SUSTAINED BY A VEHICLE WHILE IN ITS CUSTODY.
<b>211-32 (COR)</b>	Michael F.Q. San Nicolas	AN ACT TO ADOPT THE BANKING AND INSURANCE BOARD PROPOSED REGULATIONS UNDER THE GUAM SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT OF 2010.



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October 17, 2013

### MEMORANDUM

**To:** **Rennae Meno**  
*Clerk of the Legislature*

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

**From:** **Senator Rory J. Respicio**   
*Majority Leader & Rules Chair*

**Subject:** **Referral of Bill No. 209-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 209-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN  
2013 (FIRST) Regular Session

2013 OCT 15 PM 3:34

Bill No. 209-32(dof)

Introduced by:

Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 31-234, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS.**

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

2 **Section 1.** Section 1 of Public Law 31-234 is hereby *amended* to read as  
3 follows:

4           **“Section 1. Appropriation.** Upon USDOE approval to amend the  
5 Phase I and Phase II ARRA SFSF grant application, whereby, the amount of  
6 Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars  
7 (\$60,088,935) of federal funds originally allocated for Capital Improvement  
8 Projects (CIPs), Technology Upgrades and Science, Technology,  
9 Engineering and Math (STEM) CIPs and Equipment is reprogrammed to  
10 Salaries and Benefits resulting in a reimbursement of funds appropriated and  
11 expended in Section 2 of Chapter II, Part I of Public Law 30-196, the  
12 reimbursement of Sixty Million Eighty-Eight Thousand Nine Hundred  
13 Thirty-Five Dollars (\$60,088,935) from the SFSF grant authorized by the  
14 USDOE pursuant to the expenditure of local funds and certified by the



1 TPFA *shall* be deposited to the Trust Account. The use of the reimbursed  
2 funds in the Trust Account *shall* be pursuant to the following amounts and  
3 requirements:

4 (a) Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-  
5 Five Dollars (\$60,088,935) is appropriated from the Adequate  
6 Education Act Trust Account to the Guam Department of Education  
7 in Object Classes 230, 250 and 450 as follows: object class 230  
8 (Contracts) – Thirty-Five Thousand Dollars (\$35,000); object class  
9 250 (Equipment) – Three Million Fifty Thousand Dollars  
10 (\$3,050,000); and object class 450 (Capital Outlay) – Fifty-Seven  
11 Million Three Thousand Nine Hundred Thirty-Five Dollars  
12 (\$57,003,935).

13 (b) The appropriation to Object Classes 230, 250 and 450 in  
14 this Section *shall* be continuing appropriations for the GDOE and  
15 *shall* be earmarked for Capital Improvement Projects and for the  
16 renovation, rehabilitation, and repair of Untalan Middle School,  
17 Technology Upgrades and Science, Technology, Engineering and  
18 Math (STEM) CIPs and Equipment approved by USDOE contained in  
19 the ARRA SFSF Phase I and Phase II grant application, including any  
20 subsequent amendments approved by USDOE; *provided*, that all these  
21 appropriations *shall* expire if *not* obligated by ~~September 30, 2013~~  
22 January 31, 2014.

23 (c) *Up to* the sum of Two Hundred Twenty-Six Thousand  
24 Dollars (\$226,000) from the appropriation in Subsection (a), object  
25 class 250 may be transferred to personnel object classes 112 to fund  
26 overtime for GDOE employees for the implementation of GDOE's  
27 Financial Management Information System.

1                   (d) GDOE *shall* report to *I Maga'lahi* and *I Liheslatura* on a  
2 monthly basis as to the obligation and expenditure of the funds from  
3 the Trust Fund and the completion of the ARRA/SFSF projects.”