

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
290-32 (COR)	Tommy Morrison Brant T. McCreadie Aline A. Yamashita, Ph.D.	AN ACT TO AMEND §§77114 & 77116 RELATIVE TO DEDICATING THE RECREATION SERVICES FUND OF THE DEPARTMENT OF PARKS AND RECREATION EXCLUSIVELY FOR RECREATIONAL ACTIVITIES AND TO AUTHORIZE THE DEPARTMENT TO SOLICIT AND ACCEPT DONATIONS.	03/11/14 10:57 a.m.	03/12/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	5/23/14 8:30 a.m.	8/8/14 2:56 p.m.	5/29/14 4:04 p.m.



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman

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

AUG 05 2014

2014 AUG -8 PM 2:56

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

Speaker

I Mina'trentai Dos Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 290-32 (COR), as amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill 290-32 (LS), as amended, "An Act to Amend §§77114, & 77116 and to add a New §77121 all of Chapter 77, 21 Guam Code Annotated Relative to dedicating the Recreation Services Fund of the Department of Parks & Recreation exclusively for recreational activities and to authorize the Department to solicit and accept donations", sponsored by Senator Tommy Morrison, which was referred to the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

1 TO PASS

0 NOT TO PASS

4 TO REPORT OUT ONLY

0 TO ABSTAIN

0 TO PLACE IN INACTIVE FILE

Sincerely,

Vice Speaker Benjamin J.F. Cruz
Chairman

**COMMITTEE REPORT
ON**

**Bill No. 290-32 (COR), As Amended
Sponsored by Senator Tommy Morrison**

**An Act to Amend §§77114, & 77116 and
to add a New §77121 all of Chapter 77, 21
Guam Code Annotated Relative to
dedicating the Recreation Services Fund
of the Department of Parks & Recreation
exclusively for recreational activities and
to authorize the Department to solicit and
accept donations**



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman

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

AUG 05 2014

MEMORANDUM

To: All Members

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

From: Vice Speaker Benjamin J.B. Cruz,
Chairperson

Subject: Committee Report on Bill No. 290-32 (COR), As Amended

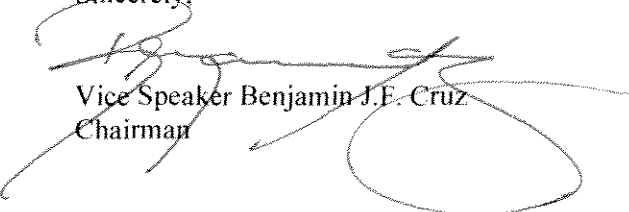
Transmitted herewith for your consideration is the Committee Report on Bill No. 290-32 (COR), as amended “An Act to Amend §§77114, & 77116 and to add a New §77121 all of Chapter 77, 21 Guam Code Annotated Relative to dedicating the Recreation Services Fund of the Department of Parks & Recreation exclusively for recreational activities and to authorize the Department to solicit and accept donations”, sponsored by Speaker Judith Won Pat.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 290-32 (COR), As Introduced
4. Copy of Bill No. 290-32 (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. 290-32 (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.

Sincerely,



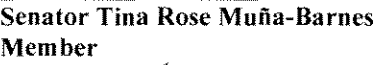
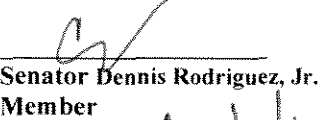
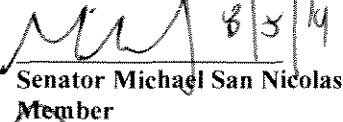

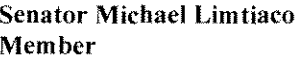

Vice Speaker Benjamin J.F. Cruz
Chairman

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. 290-32 (COR), as amended, An Act to Amend §§77114_ & 77116 and to add a New §77121 all of Chapter 77, 21 Guam Code Annotated Relative to dedicating the Recreation Services Fund of the Department of Parks & Recreation exclusively for recreational activities and to authorize the Department to solicit and accept donations.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Vice Speaker BJ Cruz Vice Chairperson	_____	_____	✓	_____	_____
 Speaker Judith T. Won Pat Member	_____	_____	✓	_____	_____
 Senator Tina Rose Muña-Barnes Member	_____	_____	_____	_____	_____
 Senator Dennis Rodriguez, Jr. Member	_____	_____	8/5	_____	_____
 Senator Michael San Nicolas Member	_____	_____	✓	_____	_____
 Senator Tommy Morrison Member	✓	_____	_____	_____	_____
 Senator Michael Limtiaco Member	_____	_____	_____	_____	_____



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman

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

Committee Report

Bill No. 290-32 (COR), An Act to Amend §§77114 & 77116 relative to dedicating the Recreation Services Fund of the Department of Parks & Recreation exclusively for recreational activities and to authorize the Department to solicit and accept donations.

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on May 23, 2014 at 8:30 am 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 and newspaper of general circulation on May 16, 2014 (5-Day Notice), and again on May 21, 2014 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman
Senator Tommy Morrison
Senator Rory Respicio
Speaker Judith Won Pat
Senator Anthony Ada

(b) Appearing before the Committee

Mr. Raymond Blas, Director, Department of Parks and Recreation
Mr. Melva Limo, Administrative Services Officer, Department of Parks and Recreation
Mr. Michael Cura, Parks Administrator, Department of Parks and Recreation
Mr. Brad Hewitt, private citizen
Mr. Frank Cruz, private citizen

(c) Written Testimonies Submitted

Mr. Raymond Blas, Director, Department of Parks and Recreation

I. COMMITTEE PROCEEDINGS

Chairman Vicente Pangelinan: We now turn to, my apologies to all the members of Parks and Recreation but to the final bill on the agenda. Bill 290 introduced by Senator Tommy Morrison, which is an act to amend §§77114 & 77116 relative to dedicating the Recreational Services Fund of the Department of Parks & Recreation exclusively for recreation activities and to authorize the department to solicit and accept donations. We have Senator Morrison here and I'd like to ask him to give us a short synopsis of the bill and then of course receive testimony from the department.

(a) Bill Sponsor Summary

Senator Tommy Morrison: Thank you Mr. Chair. Youth and community programs are very important and we must understand the value in high return on investment they bring to our community. They keep our children off the street, away from peer pressure and juvenile delinquency, reducing the overall cost of public safety. They encourage residents to keep active in our venues for healthy lifestyles, which in turn reduce rising healthcare costs. Bill 290 does a few things that are significant to the revival and growth of our youth and community recreation programs. It allows the department to take donations. Currently, the department cannot take donations. In order to keep things going efficient in DPR, especially the Recreation Division, it requires a public-private partnership, allowing the community and sports federations to donate to a government league or to a facility. It encourages public-private partnerships and civic responsibility. This is a good thing. The bill also establishes a protected fund exclusive to recreation programs that can be assessed immediately.

This fund supports recreation programs solely and allows for the payment and reparations structures via stipend, contract, the creation of more youth programs and adult programs and doesn't grow the government. It also allows the Department of Parks and Recreation, Recreation division to spend money as they generated, which is key. For example, if the department wants to create a swim league or a softball league or a program, it would take the registration fees; they can turn around the fee and use it the next day for the purchase of more chalk, more equipment, more supplies, to pay coaches, referees and also buys trophies and awards, etc. They don't have to wait for the appropriation the following year, which has been grossly inefficient and has killed the recreation program over the years.

Bill 290 has taken feedback from multiple directors from over the past decades and provides a real solution to strongly growing recreation programs for youth and our

community. Primarily, I worked closely with Dennis Zermeno and being the last generation of youth programs at the village levels, throughout 19 villages. I know Mr. Ninete is here as one of those folks, I recall. This funding source at one point generated up to a million dollars annually that supported this youth recreation facilities and youth programs throughout the island. I thank you Mr. Chairman and I look forward to testimony today.

Chairman Vicente Pangelinan: Thank you very much and si yu'os ma'ase. I also have Mr. Brad Hewitt who signed up to testify. Please join us at the table here. And Melvin Limo - oh you're not testifying, you're just supporting the bill just for the record. Mr. Blas?

(b) Testimonies

Mr. Raymond Blas: Mr. Chairman, Senator Pangelinan, Madame Speaker Won Pat, Senator Respicio, Senator Tony Ada, Senator Tommy Morrison.

[Read written testimony verbatim. See attached].

I also want to thank some of my board commission who are here - some of them I think are still here and also my staff. Thank you.

Chairman Vicente Pangelinan: Thank you very much and my apologies to them in how long it took for us to get here. I know some of them had to leave but we certainly appreciate their presence so please let them know. Mr. Hewitt?

Mr. Brad Hewitt: Senator Pangelinan, Senator Morrison, thank you. I know we've talked about this previously and we do have some issues with this. My name is Brad Hewitt and I'm a Kinesiologist, conditioning coach, baseball trainer. I represent Guam Amateur Baseball and also the In City Consortium, physical activities committee. I'm not here representing the In City Committee per se but I do represent them somewhat. I will comment on that in just a few minutes.

I want to start out by saying we kind of have the same goal in mind, but we have a little bit different way to get there. Bill 290 kind of goes back to the 80's and 90's; how things used to be when we were kids. How when we grow up, even earlier, we had sports and athletics. Times have changed. Kids now have, you know, society has changed. We have TV and internet, things like that. So many things changed now. The roads and goals have changed so much. And if you build things, it's not going to happen. An example of that is the worksite wellness program that the governor created and the [Department of] Public Health has created. Ten percent of the government of Guam uses that. I don't know if you guys knew that or not but that is three hours a week that is created by GovGuam for employees to use. That's paid. Only 10% of the employees use it. That's pathetic! So if we use that here but all that money that's available that's proposed for youth whatever into facilities and build it, recreate it, it's going to go to waste.

There's other ways to do things, other avenues to do things that are proven effective that we can use public-private partnerships that are already proven that's already out there, that we can work together with that. What I'm going to submit is the NCD Physical and Wellness policy. I want to submit that to you guys. It's already proven. This is actually kind of what Senator Rodriguez accepted an award for last week in the states. I want to submit this and if we can work together with this, this is really what's going to get things together. Part of your stated goal is to help out with the youth and the physical activity, getting those things together. That's what is really the core problem; not getting youth, not getting activities together, that's just for a certain population. They're already doing things. If you build it, they're not going to come. It's already there. The program is already there. Even if you fix it, those guys are already there. If you throw a million dollars at it, they're already there. In the states, in Europe, in Asia, those things are already there. It doesn't matter how much money you put into it, the populations aren't there.

They have zumba classes at the Micronesia Mall. There are not a million people there. Everybody on Guam isn't doing it. So it doesn't matter how much more money you put into these things, it's not going to increase it. There's one program here on Guam, because it's the new kid in the block, that's soccer. That's the only one here that did anything good. That's because it's the new kid on the block. Other than that, nothing else. Other than that, allowing the federations to breakdown all the other programs. In a perfect society, getting rid of DPR is the best thing to do, honestly. I know that the previous administration tried to do that but as far as recreation goes, they can have the parks, the facilities but as far as the recreation goes, letting the federations take control of all the sports activities that would be the best things to do. And allowing them to do what they do best: basketball, football, soccer, and baseball. Allow those guys to handle the things because that's what they do best. And that's really all I have to say.

Chairman Vicente Pangelinan: Thank you very much, Senator Morrison?

Senator Tommy Morrison: Thank you Mr. Chair, I want to thank Director Blas and Brad for being here. I certainly agree with you that things have evolved and of course we didn't pull this fund many years ago. Eventually, it went to some complete hole. It eventually did not embrace, did not constantly stay with the time as far as the reparations program. What's happening here is we're allowing DPR to embrace such programs, programs you've created. The new types of fitness programs, health programs that are out there that are engaged for the youth. Especially would like to encourage DPR to partner with these programs and have better turn around into the village communities.

Right now the programs, yes they're there but they're not truly accessible and we have to use vehicles like the reparation program and use these types of mechanisms that were in place. I believe if this fund is established, I'm sure they would incentivize DPR to create more partnerships with federations. Like you said, partner with them. Again, a lot of these fees that are coming in are not from the general fund. It's coming from fees that are created by the recreation program, right? But again we just can't foster more programs because they do not have that flexibility to turn around with federations. I know that for a

fact because we've tried to partner – but even with the basketball federation, it took us six months to procure baseballs. It took us eight months to get basketballs. It took us almost a year to pay referees. So if you really want to harness the programs that are there, that exist today, and using the vehicle how we can foster and encourage more programs.

This is the vehicle, it worked before. It came to a halt for some reason and now you've seen it dwindled down from a million dollars to fifty to a hundred ninety-nine thousand dollars. That's because there's no incentive to encourage more partnerships with federations and organizations, such as yours. I'm hoping this is where we start to work with DPR, allow DPR the flexibility now to partner with these organizations that exist today and encourage it to not only at the Paseo Stadium or the Sports Complex or some areas but at the village level, where children are in need of these programs.

Mr. Brad Hewitt: But if DPR had no control whatsoever it wouldn't take six months to get baseballs through the procurement process because the federation would be in charge of it all.

Senator Tommy Morrison: That's what I'm saying the partnership will allow embrace the organizations, like the federations, that come in so they don't have to seek their sponsorships and all of that and of course for facility usage, through planning out the leagues. But DPR can also turn around more programs. You're talking about federations that are running the Budweiser baseball leagues. These are major sponsors. You're talking about major sponsorships that help embrace these kinds of big things. I've been there. I'm talking about at the village level, the community centers, and the village. You're seeing some of the basketball courts being rehabilitated right now. Now, we have to complement it with DPR support with these programs. It's not just the kids playing; but with these programs because these facilities are getting repaired, I'm saying DPR did that before and this was the vehicle. The funding source had better turn around. Mr. Ninete can explain that with the better turn around with these youth programs. But again this is vetted from a very, very experienced director, Dennis Zermeno, who brought this idea to me and how he used the fund, how he was able to turn around more programs, incentivize the youth leaders at that time. But they're not existent because that was the fund that also funded youth leaders out in the community. So, again, I am trying to bring back that vehicle to take these programs into the villages.

Chairman Vicente Pangelinan: Thank you very much Senator Morrison. Speaker Won Pat?

Speaker Judith Won Pat: Thank you very much. Mr. Blas thank you for your testimony and you're right, I had read on page 2, where parks was taken out and then of course replaced now with sports. Do you feel now in your request in the amendment to put it back in, so then you would be in charge of the maintenance upgrade, an upkeep now of all parks again? Now, that you're going to go in and facilitate or manage even sports and recreational facilities, do you see this as an additional responsibility and will you be able, will your department be able to handle this additional responsibility at the current funding

source, unless you intend to only run it with solicitations and other funds that come in with this specific fund?

Mr. Raymond Blas: Actually, Madame Speaker on this section where it allows us to...that's why I want because there are unforeseen emergencies that happen; water leakage somewhere, we have to wait for us to buy parts - just like in recreation. The lights gets burned out we have to wait and process POs and all those things and there are leaks that goes on. All I can say is that things are...we are working on a lot of parks. As you see at the sports complex in Harmon – there is the walking trail; the baseball field that is used by Carl Rivkin and Little League; at the Paseo, we have the Masters BBL and we're working on the Guerrero field. Some organizations have come in and they're helping us work on it. We are working on the Tiyan softball field. With this bill, Senator Tommy Morrison gives us that authorization that will help me, at least get things that are needed immediately. Also, like you said we can work on the recreational side - if we have leaks because we are working on a lot of leaks. The middle school basketball, they play at the Sports Complex; we need basketballs and those things. This will help us facilitate what we need, right there and then.

Speaker Judith Won Pat: Can you tell me how much is in the fund right now?

Mr. Raymond Blas: Pardon?

Speaker Judith Won Pat: Have any idea how much is in the fund? How much money is in the fund?

Mr. Raymond Blas: For?

Speaker Judith Won Pat: Ray, because by law at one time there was a Parks Fund, a Parks and Recreation Revolving Fund, and a Recreation Revolving Fund - all now to be deleted and to close those accounts. Now they would go into an all-encompassing Public Recreation Services Fund. Do you know how much is in there?

Mr. Raymond Blas: I don't think we...

Speaker Judith Won Pat: I think you're staff might know

Mr. Raymond Blas: Wait and I'll call my ASO.

Speaker Judith Won Pat: Thank you.

Ms. Melva Limo: For the FY 2014, we are appropriated for \$187,000. For the next fiscal year we are looking at \$199,000.

Speaker Judith Won Pat: A hundred and... ?

Ms. Melva Limo: \$199,000.

Speaker Judith Won Pat: For FY 2013 it is 487....

Ms. Melva Limo: For fiscal year 2013 it was \$159, 000.

Speaker Judith Won Pat: Oh, 159,000.

Ms. Melva Limo: For this fiscal year it's 187,000.

Speaker Judith Won Pat: 187...and the monies that you have in the account, what specifically were they used for and were you able to deplete the entire amount that you have there, whatever your current activities are.

Ms. Melva Limo: We used the public services fund to supplement our operations.

Speaker Judith Won Pat: So, Mr. Blas if you are using this money to supplement, like you say, other operations and you've indicated some of the emergencies that have occurred and the need now to pay for stipends. I know you're asking that the authority being given to the director rather than the commission - now it will be at your discretion to determine how the monies should be used. You've indicated some of them are emergencies but at the same time, there's now the need to use the monies to pay for stipends. Will you be able now, with the \$187,000 for 2014, be able to meet this additional mandate that's going to be in this bill?

Mr. Raymond Blas: I think we can work with that 187,000.

Speaker Judith Won Pat: Because now it's not just parks and recreation facilities, you're now going to do sports as well.

Mr. Raymond Blas: Yes, which we are working on that also. Like I told you there were...our Sports Complex, we always have clinics there for basketball and even volleyball, done by our own supervisor up there.

Speaker Judith Won Pat: I'm sorry I didn't get the name of the other witness. What's your name?

Chairman Vicente Pangelinan: Mr. Hewitt.

Speaker Judith Won Pat: Mr. who?

Chairman Vicente Pangelinan: Hewitt.

Speaker Judith Won Pat: Hewitt. You said something of course that is interesting and that is how federations have established themselves for certain sports; I know soccer is really big. Are there other federations here on Guam that could respond to the individual

sport activities that currently, maybe DPW is handling? I know soccer is real big, so there's a soccer federation.

Mr. Brad Hewitt: You mean DPR?

Speaker Judith Won Pat: You're right. DPR handles the...like the baseball, right? You do that and football.

Mr. Brad Hewitt: Yes, correct.

Mr. Raymond Blas: Actually, we just signed with the basketball federation an MOU for the old Tiyan Gym. They're going to fix it. I guess they're going to try to get some grants. The same as the Guam Football Association, we worked with them. We just signed...Senator Ben Pangelinan was there with me when we signed over for the southern sports complex.

Speaker Judith Won Pat: Okay, so thank you. Mr. Hewitt are there other federations? Now, I know there's a soccer federation, basketball....

Mr. Brad Hewitt: Correct and I'd actually like to expand on the basketball just a little bit. Sam Vincent, when he was here, just a couple of weeks ago in March, we took a tour of Tiyan Gym and kind of was very disappointed. He's going to come back again, coming up very soon with a contingent. He's with the NBA players' Retired Player's Association. When he comes back next time, he's going to bring some NBA retired players with him. Also, grant money has nothing to do with the government of Guam. Grant money to help repair that gym has got nothing to do with government of Guam money and some of that will come from the NCD program that I'm a part of. We will be bringing him out along with some other groups.

The Major League Baseball Players Alumni Association also has grants available that are helping out with the fields. Baseball Tomorrow Fund can help out with any kind fields that are available here on Guam. But there's so much red tape that we have to cross because of politics. Besides the soccer football federations that are available - any sport, any Olympic sport has a federation. That's their governing body. Any US, any nation has their own governing body that falls underneath the Olympic committee. But Guam is just a little bit different because they have their own governing body. So, when you start talking about federations, they are just a tad different. When you talk about sports, there's a little bit of gray area. But every sport has a governing body, you just have to find it. Whether they have an association or not, or whether they are organized or not, that remains to be seen. But major sports do have organizations.

Speaker Judith Won Pat: In your testimony, you were suggesting and correct me if I'm wrong, is that maybe the best individuals to do this would be to allow a public-private partnership to allow the federation to run this and their governing boards to run this.

Mr. Brad Hewitt: 100%.

Speaker Judith Won Pat: And that DPR should instead concentrate specifically, maybe on Parks.

Mr. Brad Hewitt: Fields and facilities...

Speaker Judith Won Pat: And then...facilities. You're right, recreational areas and facilities. Okay, Mr. Blas, do you have a comment to that at all?

Mr. Raymond Blas: Yeah, well, I mean...talking about federation, we've worked with basketball federations on the Tiyan Gym. We've already signed over and they're going to be the one to handle it. I don't quite understand. You know, we've worked with the Guam Soccer Association, too. The tennis association group too - we have already assigned them land that was by law to be given to them. I don't quite...baseball, we have it out there. You know we're trying to upkeep and in fact, by 2015 budget, I'll have enough money to repair and renovate the whole Paseo Stadium. I'll just work on the field and everything there. But other than that, I don't understand. I mean we've been working with the federations —basketball, soccer, and tennis. That's all I'll comment.

Speaker Judith Won Pat: Thank you very much Mr. Chairman.

Chairman Vicente Pangelinan: Thank you. Senator Respicio and then Senator Morrison.

Senator Rory Respicio: Thank you, Mr. Speaker. Currently, your ASO said Director Blas you have a \$159,000 appropriated to your department for this purpose. Are you not receiving your money? Or has that money been released?

Mr. Raymond Blas: [inaudible]

Senator Rory Respicio: Ok, so what you've also testified is that there is going to be a \$28,000 increase. So it would be \$187,000.

Mr. Raymond Blas: [inaudible]

Senator Rory Respicio: Yeah, okay. And then what is the projection for 2015?

Ms. Melva Limo: For FY2013, it was \$159,000. And this fiscal year it's a \$187, 000.

Senator Rory Respicio: Correct.

Ms. Melva Limo: So our projection for next year, we're looking at \$199,000.

Senator Rory Respicio: Does your budget for \$199,000 take into account the addition of item 4? To pay for stipends, coaches? I just want to follow up on the Speaker's questioning here.

Ms. Melva Limo: Well, we haven't paid the coaches...

Senator Rory Respicio: No, but for 2015, next fiscal year because this bill would add an additional obligation.

Ms. Melva Limo: Yes, we will.

Senator Rory Respicio: Have you...did it outlay already on these four items if \$199,000 will cover these four items?

Mr. Raymond Blas: I think it will. I mean...

Ms. Melva Limo: We can incorporate that into the funding.

Senator Rory Respicio: Well, with all due respect to the co-sponsor of this bill Mr. Chairman, I'm trying to understand what this bill will accomplish. It's the same funding stream right? This \$199,000 will come from department fees, fines, and assessments. These same funding streams are...there's no problem with the department being released these funds. Whatever the projection is, the legislature appropriates and the governor releases those monies to your department. You don't have any problem with the release of any of these monies? Yeah, so the one thing that I'm seeing that I'm concerned about beyond what Brad testified to is that there's a continuing appropriation provision and also you want to change it from the commission's authority to just the director's authority. I just don't...if the money is being appropriated right now, who authorizes how the money is going to be spent. It's just pursuant to the appropriation, right?

Ms. Melva Limo: Right.

Senator Rory Respicio: You have this authority already. So when the bill was introduced, it's going to go from something that's already working to make it more bureaucratic and cumbersome by having a commission approve these expenditures when this approval is already vested in the department through the director and is still pursuant to the procurement law and things like that. These are government funds right?

Ms. Melva Limo: Right, that's correct.

Senator Rory Respicio: So, what are we trying to do here with this bill?

Mr. Raymond Blas: I think Senator....

Senator Rory Respicio: Yeah...well, maybe that could be for a floor debate. But I just want to express my reservations for this bill, particularly after taking out the words "parks" and I thank the director for putting that in. You're basically...it's going to be status quo. I don't see any fundamental...I don't see anything different from what the

status quo currently is. In fact, it might be - only thing is, it just provides for a continuing appropriation and that's something that I would be cautious about doing as well.

Ms. Melva Limo: This funding source is a special fund that we have to appropriate every year. Actually, we're only allowed to...I mean not allowed but we've been using it for just contractual and supplies.

Senator Rory Respicio: Yeah but just for contractual and supplies you're probably spending 100% of that funding that's appropriated, right? You never have a fund balance at the end of the year. You spend...you always, because the needs are greater than the resources.

Ms. Melva Limo: Right.

Senator Rory Respicio: So, I imagine if you still have balances on these accounts, considering the conditions of our parks, I would then venture to ask what are you *not* doing with this money? I don't need to see your financials, your projections, just common sense tells me that you're getting the money that's appropriated because we get all the projections and all the special funds and this committee provides for those appropriations every year in the budget. You're obviously spending 100% of what's available because you can't keep up with the needs to maintain these parks as director testified and as we're seeing. I don't know - it's not like the legislature does not appropriate exactly what you project to receive in the fund. It's not like some glaring problem that we're trying to solve in this bill. Or some overriding concern that...

Mr. Michael Cura: I'm Michael Cura. I'm the Parks Administrator. I can answer. I think the intent of this bill was to create back the parks, I mean the recreation side of the programs. Currently, right now, we can't do any of those programs because we can't pay coaches; we can't pay referees. We can't buy the equipment needed, as it is now with going through the GSA process of procurement versus being it the intent of the revolving fund that allows the department to run these programs. We still have to go through the procurement process: get three quotes and everything. But at least it gives us the flexibility to pay these guys on time.

Senator Rory Respicio: I know but by deleting parks it doesn't solve any problem because you still have the mandates of maintaining the parks. Look at the Paseo stadium and the condition that it's in. So, we just can't delete the words "parks" and beef up the recreational side and then forget about the park's side, when there's also, as Brad testified that there's public-private partnerships that should be pursued and you guys should just focus on providing these facilities. That's all I have to say. Thank you Mr. Chairman.

Chairman Vicente Pangelinan: Just as a history, Mike, wasn't the reason why this change was made in the past was that there were some problems in an OPA audit with regards to these funds?

Mr. Michael Cura: Yes, this was all prior to...

Chairman Vicente Pangelinan: Right. In other words we had people embezzling money in the past on these funds and that's why this has changed. Now we want to change it back? I think if we're going to do it, then we better go and read that audit and see what they found out in terms of the lack of controls and if we are going to put it back then we've got to put those recommended controls because we stopped doing this because people were embezzling the money. We don't want to put the same system back in place with no additional controls and I understand that was before your time so, it's just history that I'm saying why this stopped and if we want to start it again then we've got to change the system that's in place and put it in the statutes, I think to protect the integrity of the fund and to ensure it's able to function and be dispersed accordingly. Senator Morrison?

Senator Tommy Morrison: Thank you Mr. Chair. I appreciate the input from my colleagues here. Again, the intent here is to take this fund and give it the flexibility to create new programs. As a program starts up, it allows DPR to also look at the registrations. The type of revenue generation will have a better turn around to create more new programs, instead of waiting a whole year to wait and facilitate a whole new program. Now, this is designed as it was in the past. I'm not privy of the history too much of how the fund was stopped. I thought that was more specific to the DPR employees' association that was embezzling money. I think this issue was more of the administrations of the past tapping the recreation fund for other purposes, other than the recreation programs. So I think that's how the fund started to or the opportunities for programs started to dwindle in the villages or throughout the villages.

Now, our goal here is to foster public-private partnerships. As my colleague mentioned, the stipends of these coaches and instructors. These provisions are put in here because we know, as Mr. Hewitt has mentioned, we have evolved to different types of activities that are out here, that DPR can partner with and help facilitate them into the villages. That's the true intent of this. Right now DPR does not have that flexibility to turn around a zumba instructor or a baseball coach or a softball coach. They can't turn around and ask this coach, "Can we partner you? Here's our agreement. Here's our contract. I like the Memorandum of Agreement." And to put the controls in there so that we can get this into the villages and partner with the mayors. Now talking about the issues of federations again is...this is where the Memorandum of Agreement...I agree with that Mr. Blas because that will allow to stipulate some controls in there. Mr. Chairman because the...we have federations that are geared towards specific advancements of sporting—their sport. And sometimes we don't have control. The government doesn't have control of these facilities. We have to allow the government, the DPR the vehicle to ensure that we still control it, maintain it so that it's not specific for the federation and we can stipulate that. If other kids in the community or if other adults in the community need to use it, DPR can still have control over that. So we don't have full out blown control by the federations. I agree to the memorandums to partnerships and we can help facilitate that.

Chairman Vicente Pangelinan: Thank you very much ladies and gentlemen. We have one final individual signed up to testify. Mr. Frank Cruz? Were you going to testify sir? Well, this is the public hearing on the bill. Why don't you come up? We'll allow you to make a two to three minute statement and put it on the record. Mr. Blas, would you stay for just a minute while Mr. Cruz mentions a couple of things? Just a couple of minutes. Mr. Blas just accommodate us for a couple minutes. Again we're here for Bill 290, but if you want to make some general statements, we'll allow you to do so for the record. And then we can have some other hearing on that specific...Okay

Mr. Frank Cruz: This is in reference to Tiguac Cemetery, about trash being still there. From 2010 to 2012, I have called DPR office for assistance for clean up, particularly behind my mother's gravesite. That hasn't been done. Each time I called, they said they'll come, they'll come and they don't show up. In 2012, I'm always there one day prior to the mass and the All Soul's Day Mass. I called Mr. Cura and he said he sent somebody and I waited and waited. I even witnessed a hearse going in for burial. After that, I waited for a while and there was just no show. Now, I gave up and haven't called them. That's why I went to your office and asked for assistance. The first thing that I was asked to do is take pictures, email them to your office, which I did. Now...

Chairman Vicente Pangelinan: And we have been working with you on this to help resolve the matter.

Mr. Frank Cruz: Yes, but...when I left a message—two messages for both Cura and Blas so I can have a meeting and try to solve things out. Then a call came from your office and Mr. Blas - I think it was Scott Mendiola that received a call – saying that I have a problem. Now, what is the problem, I don't know. But I was fortunate enough to attend the February 14 DPR commission meeting. I was surprised because the commission never responded to your letter. And when I got the chance to speak, the first thing I asked, "I'm surprised that you people did not table the Tiguac Cemetery." Then this—was it Evelyn Castillo—I'm not sure about her first name, she reiterated and asked me, "What Cemetery?" And I say, "Tiguac Cemetery." And I handed her your two letters, December and January. And my feeling with that was Mr. Blas - I don't think he has...I don't think he plans to reply ...I started to tell him that it's hard to mention, for the title that he holds to tell me that I have a problem. I told him that he was very unprofessional and immature.

All I'm asking them is [to care for my] mother's gravesite - for three years. Before that, during October, Mr. Cura went up to the cemetery and I trusted that he would assess it and have it cleaned up. I've never met Mr. Cura but I was at DPR office at the time. Then when he came in, I asked, he said he found the place. I asked him if he got down [from his car]. He said, "No." Figuring what he saw before the mass - the only thing that was removed was the two large plastic bags. Senator Morrison you were there that meeting. I asked a direct question to Mr. Cura, "After the cutting, do you come and inspect the place?" He did not answer that directly; he went on and said they do not pick this kind of trash here, that's under the tree. Then later on, without asking, he said, "They pick up

trash surrounding the grave site.” Then I say, “What is this trash then?” This is surrounding the gravesite.

On that February 14 meeting Casil promised that the place will be cleaned up. That same week I think on February 21st or 23rd. I went there and took some pictures. Mr. Scott [Mendiola] and I were on the same boat, because he was there prior to me. So after taking the pictures, I went to your office and I spoke to Scott and talked about being at the cemetery and also took pictures. He could not print the pictures off my camera in my cellphone, so I took pictures what Scott had taken. The trash was still there. Some was removed, but it’s halfway done. I examined what else was there and there was still trash.

A couple days, a couple weeks later I went to see Senator Muña-Barnes and I met Clynt Ridgell and I asked him to report on my story. He asked what was my story. I told him it was regarding the Tiguac Cemetery and that the director told me that I have a problem. He went to the cemetery and took some pictures. I mean if they say they cleaned up the flower buds that are there, you know those artificial flowers, there’s wires of those flowers. They’re all over the area.

Chairman Vicente Pangelinan: Thank you very much, Mr. Cruz. As I mentioned, we have been working with you on this. We have been working with the director. The director has responded to a couple of letters that we’ve sent to him and we’ll follow up.

Mr. Frank Cruz: Are they still here?

Chairman Vicente Pangelinan: Yes.

Mr. Frank Cruz: Okay. I’d like to ask them how many times they cut the grass at the cemetery. If it’s two times, then there’s one due this month.

Chairman Vicente Pangelinan: Ok.

Mr. Frank Cruz: If it’s every six months, then I’d like that place to look clean.

Chairman Vicente Pangelinan: We all do. We all...yes.

Mr. Frank Cruz: One thing that gets me is that news about the adoption of a dog park in Dededo. What is a dog park? How about Limtiaco Cemetery Park? And another thing is, who is responsible for doing the mass at the cemetery? Ada Funeral Home is always doing it. Do they have a budget for that? Too much freebies already. And there are deserving people to be thanked a lot but I think it’s time do a budget. I’d like an altar to be erected up; a permanent structure.

Chairman Vicente Pangelinan: Okay.

Mr. Frank Cruz: Alright.

Chairman Vicente Pangelinan: Thank you very much, Mr. Cruz. Si Yu'os Ma'åse.

There being no further comments or questions, we'll go ahead and adjourn this public hearing. Thank you and Si Yu'os Ma'åse todus hamyo.

This concludes the testimony on Bill No. 290-32 (COR). There being no additional individuals to present any additional testimony, this 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@guam.net or through our website at senbenp.com



This hearing is adjourned.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 290-32 (COR), as amended, with the recommendation TO REPORT OUT ONLY

I MINA' TRENTAI DOS NA LIHESLATURAN GUÁHAN
2014 (SECOND) Regular Session

Bill No. 290-32 (WR)
Introduced by:

T.A. Morrison 
B.T. McCreadie
A.A. Yamashita, Ph.D. 

**AN ACT TO AMEND §§77114 & 77116 RELATIVE TO
DEDICATING THE RECREATION SERVICES FUND
OF THE DEPARTMENT OF PARKS AND
RECREATION EXCLUSIVELY FOR RECREATIONAL
ACTIVITIES AND TO AUTHORIZE THE
DEPARTMENT TO SOLICIT AND ACCEPT
DONATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 77114 of Chapter 77 of 21GCA is *amended* to read as follows:

§77114. Public Recreation Services Fund.

(a) Notwithstanding any other provision of law, there is hereby created, within the Department of Parks and Recreation, the 'Public Recreation Services Fund', which shall be a fund separate and apart from the General Fund and from any other special funds of the government of Guam. Any and all funds generated through department fees, fines and assessments by the Department of Parks and Recreation shall be deposited into the Public Recreation Services Fund. The Director of the Department shall administer said funds independently from the General Fund, with a minimum requirement of dual signatures for the expenditure of any funds within the authorized guidelines.

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Expenditures of the Public Recreation Services Fund shall be restricted to expenditures in the following areas, and for the following purposes:

(1) the maintenance, upgrade and upkeep of all ~~parks and~~ sports/recreational facilities within the jurisdiction of the Department;

(2) the purchase of supplies, materials and equipment to support the activities outlined in Subsection ~~(i)~~ (1) above *supra*; and

(3) the creation or continuance of existing community related programs and activities for the benefit of the island.

(4) to pay for stipends for coaches/instructors of sports/recreational competitive activities exclusively under the jurisdiction of the Department of Parks and Recreation.

Funds from the Public Recreation Services Fund shall *not* be expended for personnel services, but used *solely* for operations as highlighted above. ~~The expenditure of all funds in the Public Recreation Services Fund shall be subject to legislative appropriation.~~ Beginning in fiscal year 2015, all revenues of the Public Recreation Services Fund are continually appropriated to Department of Parks and Recreation and shall remain in the fund until the Commission authorizes its expenditure consistent with this Section. Department of Parks and Recreation The Director of the Department of Parks and Recreation shall provide a monthly financial report on the funds generated each month, within ~~ten (10)~~ twenty (20) days following the preceding month.

(b) The establishment of the Public Recreation Services Fund shall replace all funds previously identified in Chapter 77 of Title 21, Guam Code Annotated, including the 'Parks Fund', 'Parks and Recreation Revolving Fund', and the 'Recreation Revolving Fund', with said funds to be closed immediately. The balances of all the funds following reconciliation of the respective accounts

shall be included in a written report to be provided to the Speaker of *Liheslaturan Guåhan*, no later than ten (10) days after such transaction.

(c) Notwithstanding any other provision of law, the Parks and Recreation Services Fund is exempt any transfer authority unless expressly authorized by *Liheslatura*. Notwithstanding any other provision of law, the Parks and Recreation Services Fund shall not be comingled with any other funds of the Government of Guam and shall not be used for any other purposes other than those authorized by this Chapter.

Section 2. Section 77116 of Chapter 77 of 21GCA is *amended* to read as follows:

~~§77116. Same: Donations: Proviso~~ Solicitation and acceptance.

~~Money or the proceeds of any property donated, granted or bequeathed generally for the benefit of the Guam Territorial Park System shall be deposited in the Parks Fund; provided, however, that money or property donated, granted or bequeathed for specific purposes, concerning the System or any part thereof shall be held in trust by the Director, and may be used for such purposes only upon authorization by the Legislature. The Department is authorized to solicit for donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations has be used in a manner consistent with the purposes for which they were solicited. The Department is authorized to accept donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations has be used in a manner consistent with the purposes for which they were donated. Absent any expressed intentions by a donor, the Department shall use such donations consistent with the policies of the Commission.~~

The Department is authorized to solicit for donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations has be used in a manner consistent with the purposes for which they were solicited. The Department is authorized to accept donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations has be used in a manner consistent with the purposes for which they were donated. Absent any expressed intentions by a donor, the Department shall use such donations consistent with the policies of the Commission.

**I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session**

Bill No. 290-32 (COR)
Amended by the Committee on Appropriations,
Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation and Land

Introduced by:

T.A. Morrison
B.T. McCreadie
A.A. Yamashita, Ph.D

**AN ACT TO AMEND §§77114, & 77116 AND TO ADD A
NEW §77121 ALL OF CHAPTER 77, 21 GUAM CODE
ANNOTATED RELATIVE TO DEDICATING THE
RECREATION SERVICES FUND OF THE
DEPARTMENT OF PARKS AND RECREATION
EXCLUSIVELY FOR RECREATIONAL ACTIVITIES
AND TO AUTHORIZE THE DEPARTMENT TO
SOLICIT AND ACCEPT DONATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1.** Section 77114 of Chapter 77 of 21GCA is *amended* to read as
2 follows:

3 **“§77114. Public Recreation Services Fund.**

4 (a) Notwithstanding any other provision of law, there is hereby created,
5 within the Department of Parks and Recreation, the ‘Public Recreation Services
6 Fund’, which shall be a fund separate and apart from the General Fund and from
7 any other special funds of the government of Guam. Any and all funds
8 generated through department fees, fines and assessments by the Department of
9 Parks and Recreation shall be deposited into the Public Recreation Services

1 Fund. The Director of the Department shall administer said funds independently
2 from the General Fund, with a minimum requirement of dual signatures for the
3 expenditure of any funds within the authorized guidelines.

4 Expenditures of the Public Recreation Services Fund shall be restricted to
5 expenditures in the following areas, and for the following purposes:

6 (1) the maintenance, upgrade and upkeep of all parks and sports/recreational
7 facilities within the jurisdiction of the Department;

8 (2) the purchase of supplies, materials and equipment to support the activities
9 outlined in Subsection ~~(i)(1) above~~ supra; and

10 (3) the creation or continuance of existing community related programs and
11 activities for the benefit of the island.

12 (4) to pay for stipends for coaches/instructors of sports/recreational
13 competitive activities exclusively under the jurisdiction of the Department of
14 Parks and Recreation.

15 Funds from the Public Recreation Services Fund shall *not* be expended for
16 personnel services, but used *solely* for operations as highlighted above. ~~The~~
17 ~~expenditure of all funds in the Public Recreation Services Fund shall be subject~~
18 ~~to legislative appropriation. Beginning in fiscal year 2015, all All revenues and~~
19 ~~monies deposited into of the Public Recreation Services Fund are continually~~
20 ~~appropriated to Department of Parks and Recreation and shall remain in the~~
21 ~~fund until the Commission Director authorizes its expenditure consistent with~~
22 ~~this Section.~~ Department of Parks and Recreation The Director of the
23 Department of Parks and Recreation shall provide a monthly financial report on
24 the funds generated each month, within ~~ten (10)~~ twenty (20) days following the
25 preceding month.

1 (b) The establishment of the Public Recreation Services Fund shall replace all
2 funds previously identified in Chapter 77 of Title 21, Guam Code Annotated,
3 including the ‘Parks Fund’, ‘Parks and Recreation Revolving Fund’, and the
4 ‘Recreation Revolving Fund’, with said funds to be closed immediately. The
5 balances of all the funds following reconciliation of the respective accounts
6 shall be included in a written report to be provided to the Speaker of *I*
7 *LiheslaturanGuåhan*, no later than ten (10) days after such transaction.

8 (c) Notwithstanding any other provision of law, the Parks and Recreation
9 Services Fund is exempt from any transfer authority unless expressly authorized
10 by *I Liheslatura*. Notwithstanding any other provision of law, the Parks and
11 Recreation Services Fund shall not be comingled with any other funds of the
12 Government of Guam and shall not be used for any other purposes other than
13 those authorized by this Chapter.”

14 **Section 2.** Section 77116 of Chapter 77 of 21GCA is *amended* to read as
15 follows:

16 **“§77116. Same: Donations: Provide Solicitation and acceptance.**

17 ~~Money or the proceeds of any property donated, granted or bequeathed~~
18 ~~generally for the benefit of the Guam Territorial Park System shall be deposited~~
19 ~~in the Parks Fund; provided, however, that money or property donated, granted~~
20 ~~or bequeathed for specific purposes, concerning the System or any part thereof~~
21 ~~shall be held in trust by the Director, and may be used for such purposes only~~
22 ~~upon authorization by the Legislature.~~

23 (a) The Department is authorized to solicit for donations of money,
24 supplies, equipment and services that are consistent with the mission of
25 the Department. Such donations has shall be used in a manner consistent
26 with the purposes for which they were solicited.

1 (b) The Department is authorized to accept donations of money, supplies,
2 equipment and services that are consistent with the mission of the
3 Department. Such donations has shall be used in a manner consistent
4 with the purposes for which they were donated.

5 Absent any expressed intentions by a donor, the Department shall use
6 such donations consistent with the policies of the Commission. Any donations
7 of money or acceptance of money shall be deposited into the Parks and
8 Recreation Services Fund.”

9 Section 3. Authorization to enter into a Memorandum of Understanding.
10 Section 77121 is hereby added to Chapter 77, 21 Guam Code Annotated to read
11 as follows:

12 “The Director of the Department is hereby authorized to enter into a
13 Memorandum of Understanding for a public-private partnership with non-profit
14 organizations, sports federations and any other private entity to provide funding
15 for the operations of community based recreational programs, which may
16 include maintenance and enhancement of park facilities.”



Mina'trentai Dos na Liheslaturan Guahan
32ND GUAM LEGISLATURE

1

Senator Vicente "ben" Cabrera Pangelinan

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

Friday, May 23, 2014
Bill No. 290-32 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Ray Blas		488-8994		✓	✓	Yes	
BRAD Hewitt		787-4880			+		
MELVA LIMD		475-6290				YES	



Mina'trentai Dos na Liheslaturan Guahan
32ND GUAM LEGISLATURE

2

Senator Vicente "ben" Cabrera Pangelinan

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

Friday, May 23, 2014
Bill No. 290-32 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Frank Cruz	Mangilzo	734-0284			✓		?



Mina'trentai Dos na Liheslaturan Guahan
32ND GUAM LEGISLATURE

3

Senator Vicente "ben" Cabrera Pangelinan

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

Friday, May 23, 2014
Bill No. 290-32 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Michael A. Cruz		4756288	michaelcruz@gn.gov		✓	Yes	



Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

Department of Parks and Recreation

Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6295/6270



Raymond F.Y. Blas
Director

May 19, 2014

Honorable Vicente (Ben) Cabrera Pangelinan
Senator
32nd Guam Legislature
324 W. Soledad Ave., Suite 100
Hagatna, Guam 96910

Re: DPR Testimony in Support Bill No. 290-32 (COR)

Hafa Adai! The Department of Parks and Recreation (DPR) is in full support of Bill 290-32, which will provide a vehicle for DPR to directly solicit and accept donations for the development and operation of community recreational programs. The proposed legislation provides for a direct turn-around of funding recreational programs which will result in the increase of recreational programs available to the public.

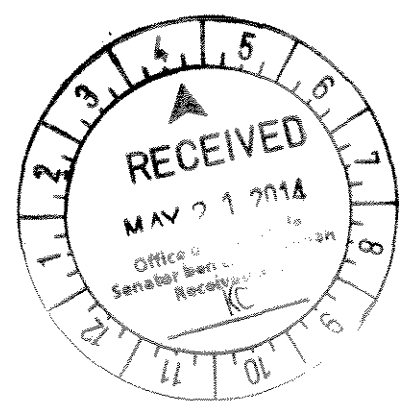
As a final note, we request that "*Memorandums of Agreements*" with Private be included as an additional vehicle for solicitation to further strengthen and encourage public-private partnerships as an alternative to funding and operating community based recreational programs.

Thank you for your continued support of DPR and for the opportunity to comment.

Regards,



RAYMOND F.Y. BLAS
Director





Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

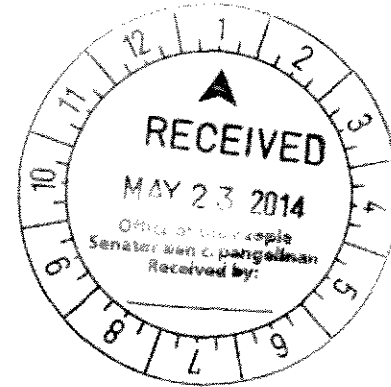
Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6295/6270



Raymond F.Y. Blas
Director

May 19, 2014

Honorable Vicente (Ben) Cabrera Pangelinan
Senator
32nd Guam Legislature
324 W. Soledad Ave., Suite 100
Hagatna, Guam 96910



Re: DPR Testimony in Support Bill No. 290-32 (COR)

Hafa Adai! The Department of Parks and Recreation (DPR) is in full support of Bill No. 290-32, however we recommend the following amendments:

1. Subsection 77114 (1): To maintain the word "parks", along side "sports/recreational" as part of the maintenance, upgrade and upkeep. This would allow for more flexibility in both areas that DPR oversees.
2. Subsection 77114 (a): We request that the authorization for the expenditure of the funds consistent with this Section be amended from, "the Commission", to, "under the discretion of the Director." This will allow us to address issues immediately such as light replacements, parts for our equipment and unforeseen emergencies that require immediate attention. As you may know, the Commission only meets once a month and as recently as this past March and April, were unable to meet due to a lack of quorum.
3. Subsection 77116 of the proposed bill will provide a vehicle for DPR to directly solicit and accept donations for the development and operation of community recreational programs. The proposed legislation provides for a direct turn-around of funding recreational programs which will result in the increase of recreational programs available to the public. We request that this Subsection be amended to include, "*Memorandum of Agreements*" as an additional vehicle for solicitation to further strengthen and encourage public-private partnerships as an alternative to funding and operating community based recreational programs and maintaining and enhancing park facilities.

We look forward to any additional assistance this body can provide the Department of Parks and Recreation so that we will be able to continue to provide safe and clean parks for our community as well as visitors and to continue to provide recreational programs that keep our youth active and healthy in a safe environment. Thank you for your continued support of DPR and for the opportunity to comment.

Regards,

A handwritten signature in black ink, reading "Raymond F.Y. Blas". The signature is written in a cursive, flowing style.

RAYMOND F.Y. BLAS
Director



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangefinan
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

May 29, 2014

Memorandum

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

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

Subject: **Fiscal Notes / Waivers**

Hafa Adai!

Attached please find the fiscal notes and waivers for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

- Bill No. 290-32(COR)
- Bill No. 309-32(COR)
- Bill No. 327-32(COR)
- Bill No. 334-32(LS)
- Bill No. 274-32(COR)

WAIVERS:

- Bill No. 329-32(COR)
- Bill No. 330-32(LS)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

AD 00 111 0000 0000

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOSE S. CALVO
ACTING DIRECTORRAY TENORIO
LIEUTENANT GOVERNORJOHN AB PANGELINAN
ACTING DEPUTY DIRECTOR

MAY 28 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 290-32(COR), 309-32(COR), 327-32(COR), 334-32(LS) and Fiscal Note Waiver on the following Bill Nos.: 329-32(COR) and 330-32(LS).

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

JOSE S. CALVO

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 290-32 (COR)**

AN ACT TO AMEND §§77114 & 77116 RELATIVE TO DEDICATING THE RECREATION SERVICES FUND OF THE DEPARTMENT OF PARKS AND RECREATION EXCLUSIVELY FOR RECREATIONAL ACTIVITIES AND TO AUTHORIZE THE DEPARTMENT TO SOLICIT AND ACCEPT DONATIONS.

Department/Agency Appropriation Information

Dept./Agency Affected: Parks and Recreation	Dept./Agency Head: Raymond Y. Blas, Director
Department's General Fund (GF) appropriation(s) to date:	2,918,842
Department's Other Fund (Specify) appropriation(s) to date: Public Recreation Services Fund (\$187,028); Tourist Attraction Fund (\$749,377)	936,405
Total Department/Agency Appropriation(s) to date:	\$3,855,247

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
Public Recreation Services Fund	1/	\$0	1/	1/	1/	1/
Total	1/	\$0	1/	1/	1/	1/

1. Does the bill contain "revenue generating" provisions? /X/ Yes // No
 If Yes, see Attachment.
2. Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No
 If no, what is the additional amount required? \$ _____ /X/ N/A
3. Does the Bill establish a new program/agency? // Yes /X/ No
 If yes, will the program duplicate existing programs/agencies? // N/A // Yes /X/ 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: // Yes /X/ No
// Requested agency comments not received by due date /X/ Other: Time constraints

Analyst:  **Date:** 5/29/14 **Director:**  **Date:** MAY 23 2014
 John AB Pangelinan, BMR Supervisor Jose S. Calvo, Acting Director

Footnotes:

1/ See attached comments.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 290-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Public Recreation Services Fund	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>
Total	1/	1/	1/	1/	1/

Comments:

1/ Bill 290 amends §77116 of Chapter 77 of 21 GCA which provides for the solicitation and acceptance of donations. The Department of Parks and Recreation is authorized to solicit or accept donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations are to be used in a manner consistent with the purposes for which they were donated or with the policies of the Commission. The amount of money, supplies, equipment and services are undetermined at this time.

Comments on Bill 290-32

This proposed legislative bill is seeking to revise the enabling legislation of the Public Recreation Services Fund (PRSF). The goal of this bill is to provide the flexibility of using the revenues of this Special Revenue Fund for sport and recreational activities throughout the island by:

1. Restricting the use of the cash revenues generated by recreational and sport activity fees for only sport and recreational activities;
2. Keeping cash revenues generated free from the annual appropriation so the Department of Parks and Receptions (DPR) would have immediate access to the funding source as a revolving fund;
3. Paying stipends to coaches and instructors of sport/recreational activities; and
4. Authorizing DPR to solicit and accept donation of cash, equipment, supplies and services.

The above proposed revisions are designed to provide flexibility to DPR in the department's development of sports activities throughout the island. This flexibility is needed in order for DPR to purchase much needed sporting goods and supplies in a timely manner. As noted above, this bill is proposing to provide stipends to coaches and instructors as an impetus to re-develop the various recreational sports activities that were once available throughout the various island villages in the nineties.

A review of the past would show that much of the youth activities revolved around the village mayors in FY 1998 and FY 1999. During this period there were two recreational funds. One fund was established by the Governor's Executive Order no. 76-30 and was known as the Recreational Revolving Fund. The second fund was established by Public Law 16-44 and was known as the Parks and Recreational Revolving Fund. The combined total of both funds for FY 1998 and FY 1999 were \$270,297 and \$242,460 respectively. These two funds were later merged together under the Public Recreational Services Fund. In FY 2000, the only sport revenues identified in the FY 2000 Government of Guam Audited Report was only \$75,824 for the Park and Recreational Revolving Fund. In FY 2012, revenues earned by the Public Recreational Services Fund reached \$186,025 which represents approximately 69% of the revenues received in FY 1999. By reintroducing sports activities in the island villages, the fiscal expectation as the result of these revision is that such increase in sport activities would generate additional revenues due to increased participation, which would hopefully generate the same revenue levels that were once received in FY 1998 and FY 1999.

There are two fiscal concerns that may impact the operational mandates of DPR with respect to existing maintenance programs funded by PRSF. For FY 2014 the total appropriation of \$187,028 was appropriated to DPR of which \$150,000 is committed to the maintenance of recreational facilities and \$37,028 for recreational supplies. There are no stipends included in the FY 2014 budget breakdown. For FY 2015, a total of \$199,546 is budgeted to cover maintenance repair to the Sports Complex, Paseo Stadium, and tennis court facilities of \$137,028, purchase of recreational supplies and materials of \$50,000, and maintenance equipment of \$12,518. There are no stipends included in the FY 2015 budget

of DPR as well. The inclusion of stipends to coaches and instructors for sport and recreational activities island-wide may be quite substantial that could impact the mandatory operations of DPR in FY 2015. The second fiscal concern is the management of donated monies, materials, equipment and supplies. There is the potential of mishandling of donated items that may impact the integrity of the PSRF. To avoid or minimize these two concerns, administrative protocol, covering stipend payments and donations, approved by the Park and Recreational Commission should be in place prior to the implementation of stipend payments and the solicitation and acceptance of donated items.



COMMITTEE ON RULES

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

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MAJORITY LEADER

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Member

March 12, 2014

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 290-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 290-32(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 Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
290-32 (COR)	Tommy Morrison Brant T. McCreadie Aline A. Yamashita, Ph.D.	AN ACT TO AMEND §§77114 & 77116 RELATIVE TO DEDICATING THE RECREATION SERVICES FUND OF THE DEPARTMENT OF PARKS AND RECREATION EXCLUSIVELY FOR RECREATIONAL ACTIVITIES AND TO AUTHORIZE THE DEPARTMENT TO SOLICIT AND ACCEPT DONATIONS.	03/11/14 10:57 a.m.	03/12/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			



Lisa Dames <cipo@guamlegislature.org>

Revised Public Hearing - FIRST Notice

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, May 16, 2014 at 3:43 PM

Please disregard the previous email regarding notification of the public hearing. See revised agenda.

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Friday, May 23, 2014 beginning at 8:30am at the Guam Legislature Public Hearing Room. The following is on the agenda:

Confirmation Hearing:

Michael J. Borja, Chairman, Chamorro Land Trust Commission

Pa'le Michael C. Crisostomo, Member, Criminal Injuries Compensation Commission

Bills:

Bill 309-32 (COR) – Introduced by Senator Vicente (ben) Cabrera Pangelinan:

An Act to Add a New Section 7 to Chapter I of Public Law 32-068 and to *repeal* and *re-enact* Section 13109(a) (5), Chapter 13 Title 2 of the Guam Code Annotated, relative to prioritizing the uses of additional Section 30 revenues and to increase transparency and accountability in the reporting of Section 30 revenues to be received by the Government of Guam.

Bill 334-32 (LS) – Introduced by Senator Rory Respicio:

An Act to appropriate the sum of One Hundred Thirty Four Thousand Two Hundred Fifty Dollars (\$134,250) from the General Fund for the purchase of a Ballot Tabulation System, and the sum of Forty Eight Thousand Five Hundred Dollars (\$48,500) from the General Fund for the purchase of Ballot Stock and Coding Services, to be utilized by the Guam Election Commission to conduct the November, 2014, and future elections.

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Yanggen un nisisita espesiât na setbision, put fabot ágang i Ifsinan 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 Yanggen para un na'hálom testigu-mu, chule' para i ifsinan-mámi gi 324 West Soledad Avenue gi iya Hagátña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi 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 Vicente (ben) Cabrera Pangelinan at 473-4236/7. 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 Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagátña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at office@senbenp.com

--
Lisa Dames
Chief of Staff
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
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Lisa Dames <cipo@guamlegislature.org>

Revised Public Hearing - FIRST Notice

Lisa Dames <cipo@guamlegislature.org>

Fri, May 16, 2014 at 3:41 PM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, marvic@mvguam.com, louella@mvguam.com, rgibson@k57.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, kstokish@gmail.com, Lifestyles_PDN <life@guampdn.com>

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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 - SECOND Notice

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Wed, May 21, 2014 at 9:35 AM

Please note that Bill No 271 has been removed from the agenda.

Hafa Adai,

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On Wed, May 21, 2014 at 8:59 AM, Lisa Dames <cipo@guamlegislature.org> wrote:

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND Notice

Lisa Dames <cipo@guamlegislature.org>

Wed, May 21, 2014 at 9:37 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, marvic@mvguam.com, louella@mvguam.com, rgibson@k57.com, kstokish@gmail.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, Lifestyles_PDN <lfe@guampdn.com>, Senator ben pangelinan <senbenp@guam.net>

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As of March 13, 2014**

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I Mina'trentai Dos na Liheslaturan Guåhan

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 23 gi Máyu, 2014
Friday, May 23, 2014

Kuátton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas ocho I media gi egga'an
(8:30 AM)

**TAREHA
(AGENDA)**

Para Komfitmasion:
(Confirmation Hearing)

Michael J. Borja, Chairman, Chamorro Land Trust Commission
**Pa'le Michael C. Crisostomo, Member, Criminal Injuries Compensation
Commission**

Priniponi Siha:
(Bills)

Bill 309-32 (COR) – Introduced by Senator Vicente (ben) Cabrera Pangelinan:
An Act to Add a New Section 7 to Chapter I of Public Law 32-068 and to *repeal* and *re-enact* Section 13109(a)(5), Chapter 13 Title 2 of the Guam Code Annotated, relative to prioritizing the uses of additional Section 30 revenues and to increase transparency and accountability in the reporting of Section 30 revenues to be received by the Government of Guam.

Bill 334-32 (LS) – Introduced by Senator Rory Respicio:
An Act to appropriate the sum of One Hundred Thirty Four Thousand Two Hundred Fifty Dollars (\$134,250) from the General Fund for the purchase of a Ballot Tabulation System, and the sum of Forty Eight Thousand Five Hundred Dollars (\$48,500) from the General Fund for the purchase of Ballot Stock and Coding Services, to be utilized by the Guam Election Commission to conduct the November, 2014, and future elections.

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

Bill 290-32 (COR) – Introduced by Senator Tommy Morrison:

An Act to Amend §§77114 & 77116 relative to dedicating the Recreation Services Fund of the Department of Parks & Recreation exclusively for recreational activities and to authorize the Department to solicit and accept donations.

Bill 303-32 (COR) – Introduced by Senator Vicente (ben) Cabrera Pangelinan: An Act to appropriate the sum of One Million Dollars (\$1,000,000) from the fund balance of the Guam Board of Accountancy Fund to the University of Guam Endowment Foundation, Inc. for the creation and implementation of the Herminia Dierking and John Phillips Visiting Professor and Lecturer Program.

Yanggen un nisisita espiat 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 Guåhan gi www.guamlegislature.com Yanggen para un na'hálom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuaatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapåsi 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 Vicente (ben) Cabrera Pangelinan at 473-4236/7. 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 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

This ad paid with government funds.

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Mina'trentai Dos na Liheslaturan Guåhan
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 23 gi Mãyu, 2014
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Kuåtton Inekungok Pupbleko gi Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas ocho l media gi egga'an
(8:30 AM)

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(AGENDA)**

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Michael J. Borja, Chairman, Chamorro Land Trust Commission
Pále' Michael C. Crisostomo, Member, Criminal Injuries Compensation Commission

**Priniponi Siha:
(Bills)**

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GCC Eco-Warriors separated recyclables from trash at the GovGuam Labor Day picnic at Gov. Joseph Flores Memorial Park on Sept. 1, 2013. Photos courtesy of GCC



through our students' efforts and our LEED buildings, but we also try to promote self-sustainability for our students, providing them with marketable skills such as photovoltaic installer, that they can use to build a career," said Dr. Mary Okada, GCC president/CEO. "It's an honor that in D.C., they notice what we are doing out here in the western Pacific," Okada added.

The Green Genome Framework is the product of The Kresge Foundation, the American Association of Community Colleges, and the Sustainability, Education and Economic Development Center, an AACC initiative.

It is designed to help community colleges expand their local green economies by aligning green-focused workforce education programs with other campus and community sustainability initiatives. The framework can also help colleges to gauge their sustainability efforts today and show them where to prioritize future investments.

More than 50 community colleges and a national advisory panel made up of industry representatives, the U.S. Department of Energy, and other national experts collaborated to develop the Green Genome Framework. The document is available online at <http://www.guamlegislature.com>



COMMITTEE ON RULES

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

May 29, 2014

Memorandum

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

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

Subject: **Fiscal Notes / Waivers**

Hafa Adai!

Attached please find the fiscal notes and waivers for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

- Bill No. 290-32(COR)
- Bill No. 309-32(COR)
- Bill No. 327-32(COR)
- Bill No. 334-32(LS)
- Bill No. 274-32(COR)

WAIVERS:

- Bill No. 329-32(COR)
- Bill No. 330-32(LS)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
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2014 MAY 29 PM 4:04

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOSE S. CALVO
ACTING DIRECTORRAY TENORIO
LIEUTENANT GOVERNORJOHN AB PANGELINAN
ACTING DEPUTY DIRECTOR

MAY 28 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 290-32(COR), 309-32(COR), 327-32(COR), 334-32(LS) and Fiscal Note Waiver on the following Bill Nos.: 329-32(COR) and 330-32(LS).

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

A handwritten signature in black ink, appearing to read "J. S. Calvo".
JOSE S. CALVO

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 290-32 (COR)**

AN ACT TO AMEND §§77114 & 77116 RELATIVE TO DEDICATING THE RECREATION SERVICES FUND OF THE DEPARTMENT OF PARKS AND RECREATION EXCLUSIVELY FOR RECREATIONAL ACTIVITIES AND TO AUTHORIZE THE DEPARTMENT TO SOLICIT AND ACCEPT DONATIONS.

Department/Agency Appropriation Information	
Dept./Agency Affected: Parks and Recreation	Dept./Agency Head: Raymond Y. Blas, Director
Department's General Fund (GF) appropriation(s) to date:	2,918,842
Department's Other Fund (Specify) appropriation(s) to date: Public Recreation Services Fund (\$187,028); Tourist Attraction Fund (\$749,377)	936,405
Total Department/Agency Appropriation(s) to date:	\$3,855,247

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
Public Recreation Services Fund	1/	\$0	1/	1/	1/	1/
Total	1/	\$0	1/	1/	1/	1/

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

Analyst: <u>John A. B. Pangelinan</u> John A. B. Pangelinan, BMR Supervisor	Date: <u>5/27/14</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Acting Director	Date: <u>5/27/14</u> 2014
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Footnotes:
1/ See attached comments.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 290-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Public Recreation Services Fund	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/

Comments:

1/ Bill 290 amends §77116 of Chapter 77 of 21 GCA which provides for the solicitation and acceptance of donations. The Department of Parks and Recreation is authorized to solicit or accept donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations are to be used in a manner consistent with the purposes for which they were donated or with the policies of the Commission. The amount of money, supplies, equipment and services are undetermined at this time.

Comments on Bill 290-32

This proposed legislative bill is seeking to revise the enabling legislation of the Public Recreation Services Fund (PRSF). The goal of this bill is to provide the flexibility of using the revenues of this Special Revenue Fund for sport and recreational activities throughout the island by:

1. Restricting the use of the cash revenues generated by recreational and sport activity fees for only sport and recreational activities;
2. Keeping cash revenues generated free from the annual appropriation so the Department of Parks and Recreations (DPR) would have immediate access to the funding source as a revolving fund;
3. Paying stipends to coaches and instructors of sport/recreational activities; and
4. Authorizing DPR to solicit and accept donation of cash, equipment, supplies and services.

The above proposed revisions are designed to provide flexibility to DPR in the department's development of sports activities throughout the island. This flexibility is needed in order for DPR to purchase much needed sporting goods and supplies in a timely manner. As noted above, this bill is proposing to provide stipends to coaches and instructors as an impetus to re-develop the various recreational sports activities that were once available throughout the various island villages in the nineties.

A review of the past would show that much of the youth activities revolved around the village mayors in FY 1998 and FY 1999. During this period there were two recreational funds. One fund was established by the Governor' Executive Order no. 76-30 and was known as the Recreational Revolving Fund. The second fund was established by Public Law 16-44 and was known as the Parks and Recreational Revolving Fund. The combined total of both funds for FY 1998 and FY 1999 were \$270,297 and \$242,460 respectively. These two funds were later merged together under the Public Recreational Services Fund. In FY 2000, the only sport revenues identified in the FY 2000 Government of Guam Audited Report was only \$75,824 for the Park and Recreational Revolving Fund. In FY 2012, revenues earned by the Public Recreational Services Fund reached \$186,025 which represents approximately 69% of the revenues received in FY 1999. By reintroducing sports activities in the island villages, the fiscal expectation as the result of these revision is that such increase in sport activities would generate additional revenues due to increased participation, which would hopefully generate the same revenue levels that were once received in FY 1998 and FY 1999.

There are two fiscal concerns that may impact the operational mandates of DPR with respect to existing maintenance programs funded by PRSF. For FY 2014 the total appropriation of \$187,028 was appropriated to DPR of which \$150,000 is committed to the maintenance of recreational facilities and \$37,028 for recreational supplies. There are no stipends included in the FY 2014 budget breakdown. For FY 2015, a total of \$199,546 is budgeted to cover maintenance repair to the Sports Complex, Paseo Stadium, and tennis court facilities of \$137,028, purchase of recreational supplies and materials of \$50,000, and maintenance equipment of \$12,518. There are no stipends included in the FY 2015 budget

of DPR as well. The inclusion of stipends to coaches and instructors for sport and recreational activities island-wide may be quite substantial that could impact the mandatory operations of DPR in FY 2015. The second fiscal concern is the management of donated monies, materials, equipment and supplies. There is the potential of mishandling of donated items that may impact the integrity of the PSRF. To avoid or minimize these two concerns, administrative protocol, covering stipend payments and donations, approved by the Park and Recreational Commission should be in place prior to the implementation of stipend payments and the solicitation and acceptance of donated items.



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V. Anthony Ada
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Senator
Aline Yamashita
Member

March 19, 2014

VIA E-MAIL

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. 290-32 (COR) through 292-32(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 of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
290-32 (COR)	Tommy Morrison Brant T. McCreadie Aline A. Yamashita, Ph.D.	AN ACT TO AMEND §§77114 & 77116 RELATIVE TO DEDICATING THE RECREATION SERVICES FUND OF THE DEPARTMENT OF PARKS AND RECREATION EXCLUSIVELY FOR RECREATIONAL ACTIVITIES AND TO AUTHORIZE THE DEPARTMENT TO SOLICIT AND ACCEPT DONATIONS.
291-32 (COR)	FRANK B. AGUON, JR.	AN ACT TO APPROPRIATE THE SUM OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FROM THE GENERAL FUND TO THE OFFICE OF THE MAYOR OF YONA FOR THE DEMOLITION AND DISPOSAL OF THE TAGA'CHANG BEACH PARK MAIN PAVILION DUE TO ITS ADVANCED STATE OF DISREPAIR AS TO ENDANGER THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE COMMUNITY.
292-32 (COR)	FRANK B. AGUON, JR	AN ACT TO ADD A NEW SUBSECTION §4104.2 TO §4104 OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO THE PROOF OF ELIGIBILITY FOR VETERANS PREFERENCE CREDIT.



COMMITTEE ON RULES

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MINORITY LEADER

Senator
Aline Yamashita
Member

March 12, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 290-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 290-32(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 GUÁHAN
2014 (SECOND) Regular Session

Bill No. 290-32 (WP)

Introduced by:

T.A. Morrison
B.T. McCreadie
A.A. Yamashita, Ph.D.

AN ACT TO AMEND §§77114 & 77116 RELATIVE TO DEDICATING THE RECREATION SERVICES FUND OF THE DEPARTMENT OF PARKS AND RECREATION EXCLUSIVELY FOR RECREATIONAL ACTIVITIES AND TO AUTHORIZE THE DEPARTMENT TO SOLICIT AND ACCEPT DONATIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 77114 of Chapter 77 of 21GCA is *amended* to read as follows:

§77114. Public Recreation Services Fund.

(a) Notwithstanding any other provision of law, there is hereby created, within the Department of Parks and Recreation, the 'Public Recreation Services Fund', which shall be a fund separate and apart from the General Fund and from any other special funds of the government of Guam. Any and all funds generated through department fees, fines and assessments by the Department of Parks and Recreation shall be deposited into the Public Recreation Services Fund. The Director of the Department shall administer said funds independently from the General Fund, with a minimum requirement of dual signatures for the expenditure of any funds within the authorized guidelines.

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Expenditures of the Public Recreation Services Fund shall be restricted to expenditures in the following areas, and for the following purposes:

(1) the maintenance, upgrade and upkeep of all ~~parks and~~ sports/recreational facilities within the jurisdiction of the Department;

(2) the purchase of supplies, materials and equipment to support the activities outlined in Subsection (i) ~~(1) above~~ supra; and

(3) the creation or continuance of existing community related programs and activities for the benefit of the island.

(4) to pay for stipends for coaches/instructors of sports/recreational competitive activities exclusively under the jurisdiction of the Department of Parks and Recreation.

Funds from the Public Recreation Services Fund shall *not* be expended for personnel services, but used *solely* for operations as highlighted above. ~~The expenditure of all funds in the Public Recreation Services Fund shall be subject to legislative appropriation. Beginning in fiscal year 2015, all revenues of the Public Recreation Services Fund are continually appropriated to Department of Parks and Recreation and shall remain in the fund until the Commission authorizes its expenditure consistent with this Section.~~ Department of Parks and Recreation The Director of the Department of Parks and Recreation shall provide a monthly financial report on the funds generated each month, within ~~ten~~ (10) twenty (20) days following the preceding month.

(b) The establishment of the Public Recreation Services Fund shall replace all funds previously identified in Chapter 77 of Title 21, Guam Code Annotated, including the 'Parks Fund', 'Parks and Recreation Revolving Fund', and the 'Recreation Revolving Fund', with said funds to be closed immediately. The balances of all the funds following reconciliation of the respective accounts

shall be included in a written report to be provided to the Speaker of *Liheslaturan Guåhan*, no later than ten (10) days after such transaction.

(c) Notwithstanding any other provision of law, the Parks and Recreation Services Fund is exempt any transfer authority unless expressly authorized by *Liheslatura*. Notwithstanding any other provision of law, the Parks and Recreation Services Fund shall not be comingled with any other funds of the Government of Guam and shall not be used for any other purposes other than those authorized by this Chapter.

Section 2. Section 77116 of Chapter 77 of 21GCA is *amended* to read as follows:

§77116. ~~Same: Donations: Provide~~ Solicitation and acceptance.

~~Money or the proceeds of any property donated, granted or bequeathed generally for the benefit of the Guam Territorial Park System shall be deposited in the Parks Fund; provided, however, that money or property donated, granted or bequeathed for specific purposes, concerning the System or any part thereof shall be held in trust by the Director, and may be used for such purposes only upon authorization by the Legislature. The Department is authorized to solicit for donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations has be used in a manner consistent with the purposes for which they were solicited. The Department is authorized to accept donations of money, supplies, equipment and services that are consistent with the mission of the Department. Such donations has be used in a manner consistent with the purposes for which they were donated. Absent any expressed intentions by a donor, the Department shall use such donations consistent with the policies of the Commission.~~

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