



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

March 21, 2016

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina Trentai Tres Na Liheslaturan Guahan
155 Hesler Place
Hagåtña, Guam 96910

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

RE: Committee Report on Bill No. 253-33 (COR) As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 253-33 (COR) As Amended, "AN ACT TO AMEND § 1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66, RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 AND FISCAL YEAR 2014 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS."

Committee votes are as follows:

- 5 TO DO PASS
- _____ TO NOT PASS
- 2 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os ma'ase'.

Thomas C. Ada

2016 MAR 21 09:05
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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

**COMMITTEE REPORT
ON**

**Bill No. 253-33 (COR)
As Amended**

**AN ACT TO *AMEND* § 1(j)(2) OF CHAPTER 5,
PUBLIC LAW 33-66, RELATIVE TO THE
CARRYOVER OF FISCAL YEAR 2015 AND
FISCAL YEAR 2014 APPROPRIATIONS FOR
THE DEPARTMENT OF PUBLIC WORKS.**



Sen. Thomas Ada


Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

March 16, 2016

MEMORANDUM

To: **All Members**
Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement

From: **Senator Thomas C. Ada**, Committee Chairperson 

Subject: **Committee Report on Bill No. 253-33 (COR) As Amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 253-33 (COR) As Amended, "**AN ACT TO AMEND § 1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66, RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 AND FISCAL YEAR 2014 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS.**"

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 253-33 (COR), As Introduced
- Copy of Bill No. 253-33 (COR), As Amended
- Public Hearing Sign-in Sheet
- Written testimonies from: Felix Benavente (*Department of Public Works*) and Paul N.I. Cepeda (*Transportation Maintenance Division*)
- Copy of Fiscal Note Request
- Copy of Fiscal Note
- COR Referral of Bill No. 253-33 (COR)
- Notices of Public Hearing
- Public Hearing Agenda

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



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
 Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 253-33 (COR) As Amended, "AN ACT TO AMEND § 1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66, RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 AND FISCAL YEAR 2014 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS."

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		X				
SENATOR RORY J. RESPICIO Vice Chairperson	 3-18-16					
VICE SPEAKER BENJAMIN J.F. CRUZ Member						
SENATOR FRANK B. AGUON, JR. Member	 3/18/16					
SENATOR DENNIS RODRIGUEZ, JR. Member	 3/18/16					
SENATOR NERISSA UNDERWOOD Member						
SENATOR FRANK BLAS, JR. Member	 3/21/16					
SENATOR MARY TORRES Member						
SENATOR JAMES V. ESPALDON Member						



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 253-33 (COR) was introduced on February 12, 2016 by Senator Thomas C. Ada and was subsequently referred on February 15, 2016 by the Committee on Rules to the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement convened a public hearing on March 3, 2016 at 2:00 pm in *I Liheslaturan's* Public Hearing Room to receive public testimony on Bill No. 253-33 (COR).

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on February 24, 2016 (5-Day Notice) and again on February 29, 2016 (48-Hour Notice). Publication was conducted in the February 24, 2016 issue and February 29, 2016 issue of the **Guam Daily Post**, a newspaper of general circulation, fulfilling the 5-Day Notice and 48-Hour Notice of the Open Government Law requirement.

Senators Present

Senator Thomas C. Ada	<i>Committee Chairperson</i>
Senator Frank B. Aguon, Jr.	<i>Committee Member</i>
Senator Mary C. Torres	<i>Committee Member</i>
Senator James V. Espaldon	<i>Committee Member</i>

The public hearing was Called-to-Order at 2:00pm.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada calls the Public Hearing to order and as sponsor, introduces Bill No. 253-33. "Bill 253-33 amends Chapter 5, § 1(j)(2) of Public Law 33-66 to allow the use of lapsed funds from the FY 2015 and FY 2014 appropriations for the Department of Public Works for, in addition to the conduct of preventative and remedial maintenance of school buses, to also allow use of the lapsed funds for the purchase of new school buses to replace buses that have surpassed their economic service life. Bill 253-33 additionally clarifies that preventative and remedial maintenance shall include the purchase of automotive supplies, parts, tools and materials, radio units and other small equipment to support preventative and remedial maintenance services.

These balances shall be available until fully expended.”

Felix Benavente, Acting Director, *Department of Public Works* (written testimony): He reads his testimony in verbatim (see attached testimony). The Department of Public Works (DPW) is in favor of the bill because it authorizes the purchase of new buses to offset the ones that are already beyond its economic life. The testimony amended the bill by providing corrected and updated lapse balances as of March 2, 2016 in their attached detailed schedule of account names, balances, and BACIS account numbers. The testimony also amended the bill by adding fiscal year 2014 carryover appropriation.

Chairperson Ada: So, we are looking at a total of \$1,894,867 as being available and you already have authorization to spend against that for maintenance and repair parts. What you need is the additional authorization to allow you to expend some of those funds for the procurement of new buses and to that, I have two questions: (1) is, how many new buses is DPW planning to procure and (2), it seems that whenever DPW goes out to procure buses, inevitably, there's always a protest. Maybe some assurance from you that the procurement process will go a little smoother. To those two questions, how many buses does DPW think it will be procuring from these lapses and leaving enough funds for your maintenance requirements?

Mr. Benavente: We would like to estimate not more than ten and not less than five.

Chairperson Ada: So between five and ten buses? That's quite a spread.

Mr. Benavente: Yes. Interestingly, the prices of buses are that way. Sometimes you get a proposal that is at cost and sometimes a proposal is more than cost. But Mr. Chairman, can I get some assistance on this? Can I have Arlene, our controller, and Paul Cepeda come up to answer these questions.

Chairperson Ada: Sure. Ms. Pierce, is this \$1.9 million a paper entry or is that actually cash in the bank?

Arlene Pierce, Controller, *Department of Public Works*: I'm not able to answer the cash portion, it's a paper entry that I know of.

Chairperson Ada: Now if Adelup finds the cash to be able to back up a procurement of five to ten buses, how quickly can DPW put a solicitation out and how long can one anticipate that it will take for those buses to arrive?

Paul Cepeda, Superintendent, *Transportation Maintenance Division*: We currently have a bid with GSA, an indefinite quantity bid for one year. We got 27 buses coming in so when we go out to purchase with this funding at least 10 buses then the procurement is already set. We just have to cut a requisition, they do a purchase order, but it will take about 220 days to arrive on island.

Chairperson Ada: So it appears that the only delay is the front office finding the cash to be able to back up the procurement.

Senator Frank Aguon, Jr.: I thank Mr. Chairman and thank you folks for representing your agency. As I look at the audience at all the men and women in uniform, on behalf of my colleagues, I want to extend my appreciation to you all for working everyday and supervising the students to ensure their safety. My question in this case would be directed to Mr. Benavente and Mr. Cepeda. I know that this is an amendment and I certainly support expanding this provision of the allowance for you to go procure new buses and that flexibility. Has the department exhausted any of the \$1.8 million that otherwise is going to be made available for this purpose in this fiscal year?

Ms. Pierce: For this fiscal year 2016, we have about \$370,000 in purchases for parts and supplies related to maintenance of the school buses.

Sen. Aguon: Does that categorize under fiscal year 2016 budget allocations or is it categorized under this section, the carryover provision? I'm asking these questions so that when we go through the budget process, we understand that this was provided above and beyond your regular operational needs and your regular operational budget so that we don't tap into your regular operational budget and continue to receive that moving forward. And this is in addition to because of the flexibility being provided. So you've already exhausted about \$370,000 just for supplies and materials but is that out of your fiscal year 2016 bus operations budget or out of this particular provision, the lapsed funds?

Mr. Cepeda: It's under the lapsed funds, senator.

Sen. Aguon: Good, I'm glad to hear that the department had utilized this particular provision to be able to procure some of the parts and supplies that you need because the following question would've been, we're five or six months into the fiscal year and you've had this flexibility, why has the department not expended any of the \$1.8 million made available by virtue of this provision? But you've already exhausted some so I appreciate that response and for bringing this to the attention of the chairman. You certainly have my support.

Senator James Espaldon: Mr. Benavente, I know that this is an amendment to the budget bill, but these funds are coming out of the territorial highway fund and I'm sure you are aware of what those funds are specifically for and that's for the repair of the roads and things like that. Why wasn't that money that lapsed used to repair the secondary and tertiary roads?

And I ask that because you've heard the outcry from the public about the condition of the roads and we know that the main routes are federally funded, but it's those secondary roads that people are really hitting the potholes, rough edges, and complaining about what it's doing to their suspension. There's always a concern on my part when we start dipping into special funds that have a specific purpose and then we take those funds and use it for another purpose. Not that it's undeserving, but as we go forward towards the next budget cycle to really try to understand if we need to amend the law of this special fund to allow for it to be used for buses or do we keep it as is and identify a different source of funding for the buses.

Ms. Pierce: Ok, that's a good question senator. The lapses resulted from many reasons. Number one, fuel was favorable to us because the prices have decreased and so that gave us a balance remainder as available for use. Secondly, a lot of our procurement at the end of the fiscal year, there would be cancellations that would revert the funds back rather than reserve it and that's the majority of our reasons for the lack of purchase orders to encumber it which makes it available for us. Also, there was liquidation of some of our purchase orders in which procurement had occurred, we have a purchase order, but there are services that we don't need anymore up to that certain number.

In reference to our budget setup between the Guam Highway Fund and the General Fund, we provide our budgets to BBMR and the Legislature so we had identified how much we need in General Fund and how much we need in the Guam Highway Fund. But when the bill becomes law, the General Fund was insufficient and the Guam Highway Fund was a lot more favorable so we had to sit down and identify what clearly is a definition of a Guam Highway Fund and so transportation related to roads was the way to balance our total needs provided the ceiling amount was passed. So, in the situation of bus operations, they have two funding sources: General Fund and Guam Highway Fund for bus operations. For transportation maintenance is Guam Highway Fund 100% and highways division is 100% of the Guam Highway Fund. So that's the cost allocation to balance into our ceiling amount.

Sen. Espaldon: I appreciate that. The problem I have in terms of your answer is I understand getting some funding for bus operations from the General Fund and I have to go back and take a look at how its really requested for in terms of funding for bus operations. But I have a special interest in trying to protect certain special funds so if you look at the law in the Guam Highway Fund, it basically says, "*No part or portion of the monies in the Territorial Highway Fund or from whatever source derived shall be used for the maintenance or operation of a public transit system.*" Again, it might be talking about mass transit but the argument can be made that the school bus system is a public transit system because it shuttles school students in general to and from. So I want to know because if we need to clarify the law to suit your purposes then so be it, but to try to perhaps derive a perspective that you can use these funds regardless of what the law says then we need to set that straight. You know what I'm saying?

Ms. Pierce: Yes, I understand. It's been several years now that our General Fund amount in the Budget Act is insufficient and it included bus operations. So given that limitation, and then we come for oversight hearings, that's what we layout. In order for us to operate, the only most reasonable because the Guam Highway Fund could not pay for building maintenance or capital projects or administration. So that leaves bus operations among the options because the others are already Guam Highway Fund related such as the transportation maintenance and highway division.

Sen. Espaldon: I appreciate what you're saying. I'm not trying to minimize the importance of the bus operations but because we've written a law to be very strict, it seems to me that we need to perhaps make an amendment in the law for the use of the Territorial Highway Fund to include bus operations because it really says you can't use it for any public transit system and the school bus system is a public transit system in which we don't charge anything for. I just need to make that point because we need to take a look at the law on how we can make this

work for you and so we don't have to do a notwithstanding clause to make something not allowed by law, we're going to do it anyway. I just wanted to clarify that and I'm not picking on the operations, there's a lot of other different special funds that are being used for other purposes than what they were set up for and so we just want to know the real needs of DPW and it'd be very interesting to see how all the agencies submit their budget going forward knowing some of the shortfalls that they've had just to be able to sustain or improve their operations. Out of the remaining funds from the Territorial Highway Fund, any idea of how much of fiscal year 2015 was used for secondary and tertiary road improvements?

Ms. Pierce: I don't have that information with me right now but we normally provide quarterly reports to your office as well. And we have capital projects reports illustrating all the sources and uses by us.

Sen. Espaldon: I appreciate that. Mr. Cepeda, you did say that you have 27 buses that have been procured and you're just waiting for them to come in?

Mr. Cepeda: Actually, the 27 buses are on island already, but we haven't received it yet because they are still going through the process through the vendor by inspecting and getting them ready for us to bring it to the compound. So, it's on island.

Sen. Espaldon: On average, how much do those buses cost?

Mr. Cepeda: I think it was \$96,000.

Sen. Espaldon: So if we're taking a look at this budget that we're providing for you, this could get you the 10 that you were looking for and you'll still have money leftover right?

Mr. Cepeda: Correct. I think the last set of buses, the 10 that we bought in 2014, they were like \$120,000.

Mr. Benavente: After that, we got these 27 at \$96,000 so the price dropped. We hope that the next batch will be close to \$96,000 but it could go up to 110 or 120.

Sen. Espaldon: Mr. Deputy Director, do you know how much of the Territorial Highway Fund was spent to repair secondary roads?

Mr. Benavente: No, I don't senator, I'm sorry. We can get that to you though because we do provide quarterly reports.

Sen. Espaldon: I'll look for it. Thank you Mr. Chairman.

Ms. Pierce: Senator, if you don't mind, if I may add also that the Guam Highway Fund has also had special appropriations to University of Guam, GCC, and other areas that are not highway related so I just wanted to bring this up.

Sen. Espaldon: I think we need to start getting away from the practice of taking these dedicated funds and using them elsewhere that they weren't really meant for and so if we need to change the law to reflect your needs then I think it has to be in the provision that created the Territorial Highway Fund as opposed to every year doing a notwithstanding clause because if bus operations is going to be part of the funding from the Territorial Highway Fund then maybe we should go ahead and include it in the law so that we don't have to break the law every time we do that. Thank you Mr. Chairman.

Chairperson Ada: I just want to note for the record that you indicated in 2014, DPW received 10 new buses and you've got 27 that just recently arrived on-island and we're possibly looking at upwards of another 10. But you also, in an earlier conversation, indicated about 60% of your school bus fleet are already beyond their economic service life. The new buses that you're getting in are not necessarily to expand the 133 but also to replace some of the existing that are still being kept in operation.

Mr. Cepeda: Yes, that's correct. We'll slowly replace the older model buses instead of drastically change them all at one time and then we're back to square one. So as they go out for major repairs, we'll just start pulling them off the list.

Senator Mary Torres: What is the life span of a bus in general?

Mr. Cepeda: Generally, it's about 10-12 years depending on what we follow. We have a guideline that we follow, but I didn't bring it. But it's usually 12 years depending on how durable and how much maintenance has gone into it. Some buses can last more than 12 years as long as it's maintained properly.

Sen. Torres: You've done a remarkable job keeping them on the fleet for 25 years if the average life span is half of that so we recognize that.

Sen. Aguon: These 27 buses that you're bringing in are outright purchases. Has the agency ever considered leasing vs. outright purchase?

Mr. Cepeda: No, not really.

Sen. Aguon: In today's world, perhaps looking at leasing the buses will be given to DPW, you'll have full control of it with the exception of occasional checkups with the buses. That may be more cost-effective. Do you have a bus master plan in terms of the aging of many of these buses?

Mr. Cepeda: No master plan as far as?

Sen. Aguon: Master plan as far as replacement. For example, your recommended date of replacement should be this and then you have a list of all your busing. You've provided part of the list here showing that this has already exceeded the projected life span by 10 years or so.

Mr. Cepeda: No, we don't, senator.

Sen. Espaldon: There is a bill coming up and it deals with easements and basically inverse condemnation proceedings where private property has been taken for the roadways. One of the allowances under the Territorial Highway Fund is to pay for those easements. In this past year, since there are some lapsed funds, has there been any taking of property that would require that we pay for the property using these funds? Are there going to be needs going forward on any property that the government has taken to expand roads or to fix roads?

Mr. Benavente: In terms of federal highway projects, there are condemnation cases that are being started and ongoing.

Sen. Espaldon: They've probably taken more from the secondary roads on those lines because that's what these funds are supposed to be used for. Have there been any widening in the secondary roads that we would need to compensate the taking of private property?

Mr. Benavente: In general, when we do maintenance of roads, we get rights of way clear. If we need it then we get Land Management to assist us to determine the edges of the rights of way and that's when we proceed but we don't normally do opening or maintenance of roads unless we know that it's an actual Government of Guam easement. There could be cases where landowners allow the government to continue but that's not our policy. Our policy is that we only fix roads that are clearly marked as Government of Guam rights of ways for maintenance purposes. With my term and the director, Glenn, that's how we look at maintenance. We only stay within the government rights of ways. If there's an issue with the private property or inverse condemnation, we just stay away from it. That's a policy decision by somebody else and not ours for maintenance purposes.

Chairperson Ada: So, there being no further questions, we'll consider Bill 253-33 as having been duly heard. Thank you very much.

Chairperson Ada adjourns the Public Hearing for Bill No. 253-33 (COR).

Written Testimonies Received:

Felix Benavente, Acting Director (*Department of Public Works*)

Mr. Benavente is in support of Bill No. 253-33.

Paul Cepeda, Superintendent (*Transportation Maintenance Division*)

Mr. Cepeda is in support of Bill No. 253-33

III. Findings and Recommendation

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement finds, based on the public hearing and submitted testimony by Acting Director, *DPW*, Felix Benavente:

1. According to Attachment B, there is **\$1,894,867** in combined lapsed funds from fiscal years 2014 and 2015 that is appropriated to DPW for the maintenance of school buses.
2. Of the \$1.8 million, DPW has exhausted about \$370,000 in purchases of materials and supplies for bus operations.
3. The General Fund is insufficient for DPW budget needs and requires appropriation from the Guam Highway Fund for transportation and highway maintenance.
4. Since 2014, DPW succeeded in procuring 10 new buses. The procurement of 27 new buses have arrived on island, pending inspection by vendors, for operation. With the authorization of these lapsed funds, 5 to 10 additional new buses can be procured to slowly replace the older buses in the fleet that have exceeded its economic service life. According to Attachment A, of the 133 buses that DPW maintains, **45 buses** are '*reaching their expected lifespan*', **11 buses** have '*reached their expected lifespan*', and **67 buses** are '*beyond their life span*.'

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement, hereby reports out **Bill 253-33 (COR) as introduced**, with the recommendation to pass.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2016 (SECOND) Regular Session

Bill No. 257-33 (COR)

Introduced by:

T. C. Ada

2016 FEB 2 PM

1 AMAL

AN ACT TO AMEND §1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66 RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan*

Guahan finds that the Department of Public Works operates a fleet of 133 school buses. Fifty-Nine Percent (59%) of the school bus fleet are beyond economic service using the mileage or the years in service criteria.

I Liheslaturan Guahan further finds that an effective preventative maintenance program serves to improve the reliability of the buses and lowers the overall operating cost of operation, and

I Liheslaturan Guahan further finds that, when feasible, the higher cost of operating and maintaining a vehicle that has surpassed its economic service life is best addressed through the outright replacement of the older buses with newer and more efficient buses.

I Liheslaturan Guahan finds that there is a total balance of **\$1,175,147 in FY2015 lapsed funds**, \$356,794 from the General Fund and \$818,353 from the Guam Highway Fund.

I Liheslaturan Guahan further finds that there is a total balance of **\$524,963 in FY2014 lapsed funds**, \$206,879 from the General Fund

1 Fleet/Fuel Monitoring System, \$256,376 from Bus Operations and \$64,708
2 from the Guam Highway Fund Bus Operations Fuel.

3 **Section 2. Chapter 5, Section 1(j)(2)** of Public Law 33-66 is
4 hereby amended to read:

5 **“(2) Carryover of FY 2015 Appropriations for the Department of**
6 **Public Works.** Notwithstanding any provision of law, any balance of
7 unused funds appropriated to the Department of Public Works for Fiscal
8 Year 2015 and Fiscal Year 2014 *shall not* lapse and *shall* carry over into
9 Fiscal Year 2016 for the conduct of preventative and remedial maintenance
10 of school buses, and for the purchase of new school buses to replace buses
11 that have surpassed their economic service life. Preventative and remedial
12 maintenance shall include the purchase of automotive supplies, parts, tools
13 and materials, radio units and other small equipment to support preventative
14 and remedial maintenance services. These balances shall be available until
15 fully expended.

16 **Section 3. Severability.** If any provision of this law or its
17 application to any person or circumstance is found to be invalid or contrary
18 to law, such invalidity *shall not* affect other provisions or applications of this
19 law, which can be given effect without the invalid provisions or applications
20 and to this end the provisions of this act are severable.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 253-33 (COR)
As Amended by the Author

Introduced by:

T. C. Ada

AN ACT TO AMEND § 1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66, RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 AND FISCAL YEAR 2014 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan*

3 finds that the Department of Public Works has a fleet of 133 school buses.
4 Seventy-Eight (78) or Fifty-Nine Percent (59%) of the school bus fleet are
5 beyond economic service using the mileage or the years in service criteria.

6 *I Liheslaturan Guahan* further finds that an effective preventative
7 maintenance program serves to improve the reliability of the buses and
8 lowers the overall operating cost of operation, and

9 *I Liheslaturan Guahan* further finds that, when feasible, the higher
10 cost of operating and maintaining a vehicle that has surpassed its economic
11 service life is best addressed through the outright replacement of the older
12 buses with newer and more efficient buses.

13 *I Liheslaturan Guahan* finds that there is a total balance of **\$1,369,904**
14 **in FY2015 lapsed funds**, \$356,794 from the General Fund and \$1,013,110
15 from the Guam Highway Fund.

16 *I Liheslaturan Guahan* further finds that there is a total balance of

1 **\$524,963 in FY2014 lapsed funds**, \$206,879 from the General Fund
2 Fleet/Fuel Monitoring System, \$253,376 from Bus Operations and \$64,708
3 from the Guam Highway Fund Bus Operations Fuel.

4 It is the intent of *I Liheslaturan Guahan* to authorize the carryover of
5 unused funds from FY2014 and FY2015 to the Department of Public Works
6 for the purchases of new school buses.

7 **Section 2. Chapter 5, § 1(j)(2)** of Public Law 33-66 is hereby
8 amended to read:

9 **“(2) Carryover of FY 2015 and FY 2014 Appropriations for the**
10 **Department of Public Works.** Notwithstanding any provision of law, any
11 balance of unused funds appropriated to the Department of Public Works for
12 Fiscal Year 2015 and Fiscal Year 2014 shall *not* lapse and *shall* carry over
13 into Fiscal Year 2016 for the conduct of preventative and remedial
14 maintenance of school buses, and for the purchase of new school buses to
15 replace buses that have surpassed their economic service life. Preventative
16 and remedial maintenance shall include the purchase of automotive supplies,
17 parts, tools and materials, radio units and other small equipment to support
18 preventative and remedial maintenance services. These balances shall be
19 available until fully expended.”

20 **Section 3. Severability.** If any provision of this law or its
21 application to any person or circumstance is found to be invalid or contrary
22 to law, such invalidity *shall not* affect other provisions or applications of this
23 law, which can be given effect without the invalid provisions or applications
24 and to this end the provisions of this act are severable.

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement
 Public Hearing
 March 03, 2016
 2:00p.m.
 I Liheslaturan Guåhan, Hagåtña

Bill No. 253-33 (COR) – T.C. Ada

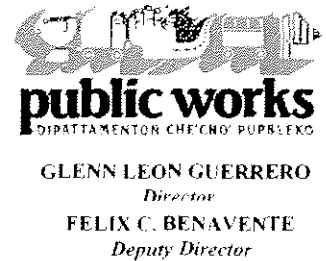
An act to amend §1(j)(2) of Chapter 5, Public Law 33-66 relative to the carryover of fiscal year 2015 appropriations for the Department of Public Works.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER	EMAIL ADDRESS
Cepeda, Paul	DPW TMD		✓	✓		646-3139	paul.Cepeda@dpw.guam.g
BENAVENTE, Felix	DPW-Dir	✓	✓	✓		646-3131	felix.benavente@dpw.guam.gov



The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY TENORIO
Lieutenant Governor



March 3, 2016

The Honorable Senator Thomas C. Ada
Assistant Majority Leader
Committee on Transportation, Infrastructure Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina' Trentai Tres na Liheslaturan Guåhan
33rd Guam Legislature
Suite 207, Ada Plaza Center
173 Aspinall Avenue
Hagåtña, Guam 96910

Reference: Bill No. 253-33(COR), An act to amend §1(j)(2) of Chapter 5, Public Law 33-66 relative to the carryover of fiscal year 2015 Appropriation for the Department of Public Works

Buenas yan Hafa Adai Senator Ada:

The Department of Public Works (DPW) is in favor of Bill 253-33 (Cor), which amends Section 1(j)(2) of Chapter 5, Public Law 33-66 Relative to the carryover of Fiscal Year 2015 appropriations for DPW.

DPW provides busing transportation to both private and public school students throughout the island. We have about 31,000 and over student passengers who rides the bus for school calendar Year FY15 to FY16. DPW's daily bus routes amounts to 179 island wide. We have approximately 133 school buses in our current fleet. Majority of our school bus fleet are aged and over its economic useful life. As a result, DPW spends close to a million a year in repair and maintenance costs to maintain its bus fleet. As the aging of the buses increase costs associated to maintain each bus also increases due to the wear and tear of the motor engines and other parts of the bus due to weather and the road conditions.

Bill 253-33 (Cor) provides available balances from 2014 and 2015 DPW lapse funds, to be used by DPW for repairs, routine maintenance, preventive maintenance and purchases of supplies and materials related to DPW's existing bus fleet. In addition, DPW would like to purchase new buses to offset our existing fleet as our older buses are already operating beyond its economic life. Provided to this testimony is our summary listing of all of our bus fleet that illustrates the aging of each bus and the model and make of each bus. Please refer to Attachment A.

We would like to bring to the committee's attention the corrected and updated lapse balances as of March 2, 2016. A detailed schedule of account names, balances and BACIS account numbers are attached. Please refer to Attachment B. We are recommending changes in the dollar amounts on the bill as follows:

Section 1, paragraph 4 (page 1):

Line item number 13, the correct amount should be \$1,369,904 instead of \$1,175,147.
Line item number 14, the correct amount should be \$1,013,110 instead of \$818,353.

Section 1, paragraph 5 (page 2):

Line item number 1, the correct amount should be \$253,376 instead of \$256,376.

In addition to the above changes in the dollar amounts, we recommend the following changes:

Section 2 (2) paragraph 2 (page 2):

Line item number 5, after the FY2015 please add "and FY2014".

By passing Bill 253-33 (Cor), DPW will be given the opportunity to address the critical needs of busing these school children to and from school by increasing the number of buses in our current bus fleet and by repairing and maintaining the existing aging bus fleet. We urge all of the senators to pass Bill 253-33. This bill will provide great benefits as DPW will provide to all of our students a safer and more reliable bus ride.

Thank you for taking your time and attention and more importantly assisting DPW in this matter.

Senseramente,



FELIX BENAVENTE
DPW Acting Director

Attachments:

- A Listing of DPW Bus Fleet
- B Listing of DPW Lapse Funds for FY2014 & FY2015

TM

DEPARTMENT OF PUBLIC WORKS
SUMMARY OF SCHOOL BUS FLEET (as of 2/11/16)

DODEA BUS-60 pax

MAKE	YEAR	QUANTITY	AGE	OPERATIONAL EXPECTANCY
GMC 65 pax	1998	12	18	Beyond Life Span
FORD 45 pax	1998	1	18	Beyond Life Span
GMC 65 pax	1999	2	17	Beyond Life Span
INTERNATIONAL 71 pax	1998 - 1999	6	17	Beyond Life Span

TOTALS 21

BLUEBIRD BUS-60 pax

YEAR	QUANTITY	AGE	OPERATIONAL EXPECTANCY
1990	1	26	Beyond Life Span
1992	13	25	Beyond Life Span
1996	16	20	Beyond Life Span
1998	16	18	Beyond Life Span

TOTALS 46

THOMAS BUILT -84pax

YEAR	QUANTITY	AGE	OPERATIONAL EXPECTANCY
2014	10	2	NEW

TOTALS 10

THOMAS BUILT - 60pax

YEAR	QUANTITY	AGE
2004	11	12
2005	45	11

** Reaching expected lifespan **

TOTALS 56

TOTAL

DODEA	21
BLUEBIRD	46
THOMAS BUILT.1	10
THOMAS BUILT.2	56
TOTAL BUSES	133

DEPARTMENT OF PUBLIC WORKS
 SCHEDULE OF FY 2015 CARRYOVER FOR MAINTENANCE OF SCHOOL BUSES
 P.L. 33-66, Chapter V, Section 1 (j)(2)
 Report as of March 2, 2016

FY 2015 Existing Accounts

Division	Account No.	FY 2015 Carryover Total
General Fund		
Director's Office	5100A151000GA001	125,965
CIP	5100A151010GA005	40,594
Bus Operations	5100A151030SE016	177,615
Building Maint.	5100A151040SE001	12,620
	Sub Total	\$ 356,794
Guam Hwy Fund		
Bus Operations	5208A151030SE206	329,018
Trans. Maint.	5208A151020GA207	181,253
Highway	5208A151060SE208	308,082
	Sub Total	\$ 818,353
	Total	\$ 1,175,147

FY 2014 Carryover for Bus Maintenance

General Fund		
Fleet/Fuel Mgmt Monitoring Sys	5100C141030GA019	206,879
Bus Operations	5100C141030SE020	253,376
	Sub Total	\$ 460,255
Guam Hwy Fund		
Bus Operations - Fuel	5208C141030SE207	64,708
	Sub Total	\$ 64,708
	Total	524,963

FY 2015 Additional Balances for Carryover due to Purchase Order Liquidations

Guam Hwy Fund		
Trans. Maint.	5208A151020GA207	158,197
Highway	5208A151060SE208	36,560
	Total	\$ 194,757

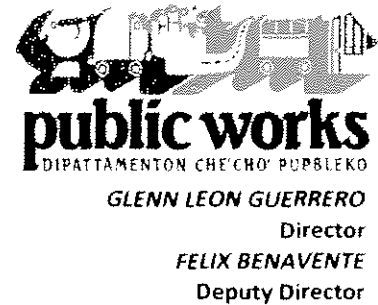
GRAND TOTAL:		\$ 1,894,867
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	GF	GHF	Total
FY 2015	\$ 356,794	\$ 818,353	\$ 1,175,147
FY 2015 (Add'l)	\$ -	\$ 194,757	\$ 194,757
Total 2015:	\$ 356,794	\$ 1,013,110	\$ 1,369,904
FY 2014	\$ 460,255	\$ 64,708	\$ 524,963
Grand Total	\$ 817,049	\$ 1,077,818	\$ 1,894,867



The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY TENORIO
Lt. Governor



March 03, 2016

Senator Thomas C. Ada
Chairperson, Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina 'Trentai Tres Na Liheslaturan Guahan
33rd Guam Legislature
Suite 207, Ada Plaza Center
173 Aspinall Avenue
Hagatna, Guam 96910

Reference: Bill No. 253-33(COR), An act to amend §1(j)(2) of Chapter 5, Public Law 33-66 relative to the carryover of Fiscal Year 2015 Appropriation for the Department of Public Works

Buenas yan Hafa Adai Senator Ada:

Please accept the following as testimony in support of Bill No. 253-33:

As stated in the proposed action, the Department of Public Works (DPW) currently maintains and operates a fleet of 133 school buses, fifty nine percent (59%) of which have surpassed their economic lifespan. Despite the expected influx of (45) new buses this year, it is noteworthy to mention that by 2017, an additional (45) buses from our existing fleet will have reached their economical service thresholds. Along with an ailing fleet, we have been subjected to the effects of antiquated tools and equipment hindering the ability of our mechanics to perform efficiently. With that being said, a consistent rise in maintenance cost should be anticipated. However, the implementation of Bill No. 253 would put us on a path towards optimal operations.

Currently, the proceeds of the subject carryover fund share dedicated to parts, materials and supplies for preventive and remedial maintenance; however, I am of the opinion that an investment towards the purchase of new buses, tools and equipment would produce the best results, lower maintenance cost. Therefore, I am in full support of this and any legislation that would keep our operations on pace with the growing demands of student transport. Furthermore, the passing of this bill would send a strong message to the community and to our federal counterparts that the Territory is committed to maintaining a fundamental aspect of a sound education, safe, reliable transportation.

Page 2 of 2
Senator Thomas C. Ada
Bill 253-33

In closing, I would like to thank you and the members of the Thirty-Third Guam Legislature for continuing to provide DPW with the resources to fulfill its mandates. I look forward to favorable results.



PAUL N.I. CEPEDA
Superintendent, Transportation Maintenance Division



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator

Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator

Thomas C. Ada
VICE CHAIRPERSON
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Member

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Michael F.Q. San Nicolas
Member

Senator

Nerissa Bretania Underwood
Member

V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

February 17, 2016

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo

Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

RE: Request for Fiscal Notes – Bill Nos. 253-33(COR) through 264-33(LS)

Hafa Adai Mr. Calvo:

Transmitted herewith is a listing of *I Mina'trentai Tres 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.	Sponsor	Title
253-33 (COR)	T. C. Ada	AN ACT TO AMEND §1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66 RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS.
254-33 (LS)	T. R. Muña Barnes	AN ACT TO TRANSFER TRACT 3620, LOT 9, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 929.04± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.
255-33 (LS)	T. R. Muña Barnes	AN ACT TO TRANSFER TRACT 3620, LOT 10, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 941.65± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.
256-33 (LS)	T. R. Muña Barnes	AN ACT TO TRANSFER TRACT 3620, LOT 11, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 929.03± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.
257-33 (LS)	T. R. Muña Barnes	AN ACT TO TRANSFER TRACT 3620, LOT 12, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 929.03± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.
258-33 (LS)	T. R. Muña Barnes	AN ACT TO TRANSFER TRACT 3620, LOT 13, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 946.34± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.
259-33 (LS)	T. R. Muña Barnes	AN ACT TO TRANSFER TRACT 3620, LOT 14, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 929.03± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.

<p>260-33 (LS)</p>	<p>T. R. Muña Barnes</p>	<p>AN ACT TO TRANSFER TRACT 3620, LOT 15, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 929.02± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.</p>
<p>261-33 (LS)</p>	<p>T. R. Muña Barnes</p>	<p>AN ACT TO TRANSFER TRACT 3620, LOT 16, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 929.02 ± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.</p>
<p>262-33 (LS)</p>	<p>T. R. Muña Barnes</p>	<p>AN ACT TO TRANSFER TRACT 3620, LOT 17, MUNICIPALITY OF INARAJAN, WITH AN AREA OF 929.04 ± SQUARE METERS, FROM THE CHAMORRO LAND TRUST INVENTORY AND TO THE ADMINISTRATIVE JURISDICTION OF THE INARAJAN MAYOR'S OFFICE FOR THE CONSTRUCTION OF A MULTI-PURPOSE FACILITY FUNDED THROUGH FEDERAL SOURCES.</p>
<p>263-33 (LS)</p>	<p>T. C. Ada</p>	<p>AN ACT TO AMEND PUBLIC LAW 30-46, AUTHORIZATION TO SELL THE EASEMENT KNOWN AS THE "GOVERNMENT ALLEY" IN THE MUNICIPALITY OF AGANA TO MR. AND MRS. RALPH SABLAN AT THE CORRECTED SIZE OF SEVENTY-THREE (73) MORE OR LESS SQUARE METERS.</p>
<p>264-33 (LS)</p>	<p>T. A. Morrison V.A. Ada T.R. Muña Barnes R.J. Respicio F.B. Aguon, Jr. B.T. McCreadie F.F. Blas, Jr.</p>	<p>AN ACT TO <i>AMEND</i> § 68605 OF ARTICLE 6, CHAPTER 68, AND TO <i>ADD</i> A NEW § 68602.1 TO ARTICLE 6, CHAPTER 68, BOTH OF DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE SOUTHERN DEVELOPMENT MASTER PLAN.</p>



COMMITTEE ON RULES

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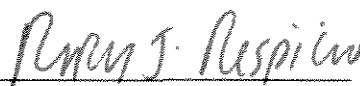
Mary C. Torres
MINORITY MEMBER

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 253-33 (COR) – T.C. Ada, "AN ACT TO AMEND §1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66 RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS."**– on February 17, 2016. COR hereby certifies that BBMR confirmed receipt of this request February 18, 2016 at 7:39 A.M.

COR further certifies that a response to this request was not received. Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on **Bill 253-33 (COR)** to be included in the committee report on said bill, is hereby waived.

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules

March 24, 2016
Date



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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Member

V. Anthony Ada
MINORITY LEADER


Mary C. Torres
MINORITY MEMBER

February 15, 2016

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. 253-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 253-33(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 Tres 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 Tres 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
253-33 (COR)	T. C. Ada	AN ACT TO AMEND §1(j)(2) OF CHAPTER 5, PUBLIC LAW 33-66 RELATIVE TO THE CARRYOVER OF FISCAL YEAR 2015 APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS.	02/12/16 5:22 p.m.	02/15/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



Senator Tom Ada

Peter Tran <peter@senatorada.org>

1st Notice of Information Briefing and Public Hearing: March 3, 2016 at 9:00 a.m. and 2:00 p.m.

1 message

Charlene Flores <flores@senatorada.org>

Wed, Feb 24, 2016 at 4:03 PM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, Martin Gerber <martinjerber@gmail.com>, arios@guamairport.net, chuck.ada@guamairport.net, peterroy@guamairport.net, Glenn LG <glenn.leonguerrero@dpw.guam.gov>, Michael Borja <michael.borja@land.guam.gov>, DLMDIR <dlmdir@land.guam.gov>, benito.servino@disid.guam.gov, MELISSA SAVARES <melissa.savares@gmail.com>, mcogadmin@teleguam.net, arleen.pierce@dpw.guam.gov, paul.cepeda@dpw.guam.gov, Joey Calvo <joey.calvo@bbmr.guam.gov>, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>

February 24, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Information Briefing and Public Hearing: March 3, 2016 at 9:00 a.m. and 2:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting an information briefing and public hearing on **Thursday, March 3, 2016 at 9:00 a.m. and 2:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

9:00 a.m.

The A.B. Won Pat International Airport Authority Information Briefing.

2:00 PM**Bill No.253-33 (COR) – T.C. Ada**

An act to amend §1(j)(2) of Chapter 5, Public Law 33-66 relative to the carryover of fiscal year 2015 appropriations for the Department of Public Works.

Bill No.263-33 (LS) – T.C. Ada

An act to amend Public Law 30-46, authorization to sell the easement known as the “government alley” in the municipality of *Agana* to Mr. and Mrs. Ralph Sablan at the corrected size of seventy-three (73) more or less square meters.

Bill No. 270-33 (COR) – T.C. Ada

An act to transfer Lot 5138-2-R3 NEW-1-2 and Lot 5138-2-R3 NEW-1-R2, *Ipao-Tumon*, municipality of *Dededo* to the CLTC land inventory for commercial leasing, and to provide for lease revenue sharing with DISID, and to identify land from the CLTC lands inventory for the construction of a DISID facility.

Testimony on **Bill No. 253-33 (COR)**, **Bill No. 263-33 (LS)**, and **Bill No. 270-33 (COR)**, should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, March 11, 2016 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.

--

Charlene Flores

Policy Analyst

Office of Senator Thomas C. Ada

I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature

671-473-3301

 **1st PH Notice.pdf**
409K



Senator Tom Ada

Peter Tran <peter@senatorada.org>

2nd Notice of Information Briefing and Public Hearing: Thursday, March 3, 2016 at 9:00 a.m. and 2:00 p.m.

1 message

Charlene Flores <flores@senatorada.org> Mon, Feb 29, 2016 at 10:03 AM
To: Media <media@senatorada.org>, phnotice@guamlegislature.org, Martin Gerber <martinigerber@gmail.com>, arios@guamairport.net, chuck.ada@guamairport.net, peterroy@guamairport.net, Glenn LG <glenn.leonguerrero@dpw.guam.gov>, Michael Borja <michael.borja@land.guam.gov>, DLMDIR <dlmdir@land.guam.gov>, benito.servino@disid.guam.gov, MELISSA SAVARES <melissa.savares@gmail.com>, mcogadmin@teleguam.net, arleen.pierce@dpw.guam.gov, paul.cepada@dpw.guam.gov, Joey Calvo <joey.calvo@bbmr.guam.gov>, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, greg.amguam@gmail.com

February 29, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*Subject: **2nd Notice of Information Briefing and Public Hearing: Thursday, March 3, 2016 at 9:00 a.m. and 2:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs, and Procurement will be conducting an information briefing and public hearing on **Thursday, March 3, 2016 at 9:00 a.m. and 2:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

9:00 a.m.

Information Briefing: A.B. Won Pat International Airport Authority

- Status of CIPs funded by the Series 2013 Bond issuance
- Status of CIPs funded by the FAA and other federal sources
- Status of Land acquisition surrounding GIAA

2:00 PM**Bill No.253-33 (COR) – T.C. Ada**

An act to amend §1(j)(2) of Chapter 5, Public Law 33-66 relative to the carryover of fiscal year 2015 appropriations for the Department of Public Works.

Bill No.263-33 (LS) – T.C. Ada

An act to amend Public Law 30-46, authorization to sell the easement known as the “government alley” in the municipality of *Agana* to Mr. and Mrs. Ralph Sablan at the corrected size of seventy-three (73) more or less square meters.


Bill No. 270-33(COR) – T.C. Ada

An act to transfer Lot 5138-2-R3 NEW-1-2 and Lot 5138-2-R3 NEW-1-R2, *Ipao-Tumon*, municipality of *Dededo* to the CLTC land inventory for commercial leasing, and to provide for lease revenue sharing with DISID, and to identify land from the CLTC lands inventory for the construction of a DISID facility.

Testimony on **Bill No. 253-33 (COR)**, **Bill No. 263-33 (LS)**, and **Bill No. 270-33 (COR)**, should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, March 11, 2016 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.

--

Charlene Flores
Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature
671-473-3301

 **2nd notice.pdf**
408K

Public Hearing Notice Listserv
phnotice@guamlegislature.org (Media, All Senators, and Staff)

Updated: February 15, 2016

action@weareguahan.com	communications@guam.gov	jasmine@postguam.com
admin@frankaguonjr.com	cor@guamlegislature.org	jennifer.lj.dulla@gmail.com
admin@guamrealtors.com	coy@senatorada.org	jean@tinamunabarnes.com
admin@weareguahan.com	danireyes@senatorbjcruz.com	jespaldonesq@gmail.com
admin2@guamrealtors.com	dcrisost@guam.gannett.com	joan@kuam.com
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Updated: February 15, 2016

maryfejeran@gmail.com	sarah.elmore@senatorbjcruz.com
marym@guamlegislature.org	senator@senatorbjcruz.com
marilyntablante@gmail.com	senator@tinamunabarnes.com
marvic@mvguam.com	senatorbrantmccreadie@gmail.com
matthew.santos@senatorbjcruz.com	senatordrodriguez@gmail.com
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mcruz@hitradiol00.com	senatorunderwood@guamlegislature.org
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monty.mcdowell@amiguam.com	speaker@judiwonpat.com
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nsantos@guamlegislature.org	tina.alicto@yahoo.com
office@senatorada.org	tina@tinamunabarnes.com
officeassistant@frankaguonjr.com	tjtaitano@cs.com
oliviampalacios@gmail.com	tom@senatorada.org
onlyonguam@acubedink.com	tommy@senatormorrison.com
orleen@senatorbjcruz.com	tony@senatorada.org
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rlimtiaco@guampdn.com	
robert@postguam.com	
rolly@ktkb.com	
roryforguam@gmail.com	
rowena@senatormorrison.com	
sabrina@kuam.com	



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

AGENDA

PUBLIC HEARING

Thursday, March 03, 2016

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

2:00pm

Bill No. 253-33 (COR) – T.C. Ada

An act to amend §1(j)(2) of Chapter 5, Public Law 33-66 relative to the carryover of fiscal year 2015 appropriations for the Department of Public Works.

Bill No. 263-33 (LS) – T.C. Ada

An act to amend Public Law 30-46, authorization to sell the easement known as the “government alley” in the municipality of *Agana* to Mr. and Mrs. Ralph Sablan at the corrected size of seventy-three (73) more or less square meters.

Bill No. 270-33 (COR) – T.C. Ada

An act to transfer Lot 5138-2-R3 NEW-1-2 and Lot 5138-2-R3 NEW-1-R2, *Ipao-Tumon*, municipality of *Dededo* to the CLTC land inventory for commercial leasing, and to provide for lease revenue sharing with DISID, and to identify land from the CLTC lands inventory for the construction of a DISID facility.

Testimony on **Bill No. 253-33 (COR)**, **Bill No. 263-33 (LS)**, and **Bill No. 270-33 (COR)**, should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, March 11, 2016 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

PRESS RELEASE

Contact: Joseph Borja
Phone: 473-3301
Email: jborja@senatorada.org

FOR IMMEDIATE RELEASE

Sen. Tom Ada Introduces Bill to Purchase New School Buses

Hagåtña, Guam: On February 12, 2016, Sen. Tom Ada introduced Bill 253-33 to authorize the use of approximately \$1.7 million in lapsed funds for the purchase of new school buses. Currently, DPW operates a fleet of 133 school buses. However, approximately 60% of the school buses are beyond their economic service life in terms of years and mileage. Operating the older buses incurs higher maintenance costs and jeopardizes the bus fleet's operational reliability.

"The higher cost of operating and maintaining a vehicle that has surpassed its economic service life is best addressed through the outright replacement of the older buses with newer and more efficient buses," said Senator Tom Ada. It is estimated that the purchase cost for a bus is about \$90,000.

The budget laws that were passed for FY2014 and FY2015 mandated that *"any balance of unused funds appropriated to DPW shall not lapse and shall carry over into FY2016 for the conduct of maintenance services for the school buses."* Bill 253-33 expands the authorized use of the lapsed funds to include the purchase of new buses.

A copy of Bill 253-33(COR) is attached or may be downloaded from the Office of Senator Tom Ada's website (www.senatorada.org) and the Guam Legislature's website (www.guamlegislature.com). For more information, please contact Senator Tom Ada's office at 473-3301.

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Senator Tom Ada introduces bill to purchase new school buses

Posted: Feb 15, 2016 11:11 AM
Updated: Feb 15, 2016 11:11 AM

By Sabrina Salas Matanane [CONNECT](#)

Senator Tom Ada has introduced Bill 253. The legislation would use \$1.7 million in lapsed funds to buy new school buses. According to Sen. Ada the Department of Public Works currently operates a fleet of 133 school buses, but 60% of them are beyond their economic service life in terms of years and mileage. Operating the older buses incurs higher maintenance costs and jeopardizes the bus fleet's operational liability.

"The higher cost of operating and maintaining a vehicle that has surpassed its economic service life is best addressed through the outright replacement of the older buses with newer and more efficient buses," said Senator Tom Ada. It is estimated that the purchase cost for a bus is about \$90,000. The budget laws that were passed for FY2014 and FY2015 mandated that "any balance of unused funds appropriated to DPW shall not lapse and shall carry over into FY2016 for the conduct of maintenance services for the school buses."

Bill 253 expands the authorized use of the lapsed funds to include the purchase of new buses.

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Bill would enable purchase of new school buses

Sabrina Lynn S Monteverde, Pacific Daily News 1:35 a.m. ChST February 16, 2016



(Photo: Frank San Nicolas/PDN)

The Department of Public Works has already ordered 45 new school buses to replace aging buses within its fleet of more than 130. A bill introduced in the Legislature on Friday could enable the department to add 10 more to that number.

The bill would allow DPW to buy no less than five and up to 10 buses with funds originally appropriated for bus maintenance only, according to DPW Bus Maintenance Superintendent Paul Cepeda.

Budget laws passed for fiscal years 2015 and 2014 mandated that any unused funds appropriated to DPW would carry over into the current fiscal year to conduct maintenance services for school buses, according to a press release from Sen. Tom Ada's office. Ada introduced Bill 253-33 on Friday to expand the use of these funds, about \$1.7 million, to include the purchase of new buses.

DPW currently has a fleet of 133 school buses, of which only 110 are operational, Cepeda said. The remaining 23 buses are out of service until repair parts are available to complete maintenance.



PACIFIC DAILY NEWS

[POLL: How satisfied are you with school bus services?](#)

<http://www.guampdn.com/story/news/2016/02/15/poll-how-satisfied-you-school-bus-services/80393954/>

Outdated buses

More than half of the buses are beyond economic service life, in terms of years in operation and mileage, so it's critical for DPW to start replacing them now that funds are available, he said.

Ada said the department has known they've needed to replace buses for a long time.

"But if you don't have the money, then you just continue to repair it and keep it on the road as long as you can," Ada said.

Cepeda said DPW would use at least half of the funds to buy new buses and the other half to buy maintenance parts, materials and supplies.

The new 60-passenger school buses cost about \$96,000 each and are supposed to be more fuel-efficient than the older buses, he said.

Cepeda expects maintenance costs for the fleet to drop significantly as the new school buses are cycled into service.



PACIFIC DAILY NEWS

[School bus drivers trained in suicide prevention](#)

<http://www.guampdn.com/story/life/2015/08/31/school-bus-drivers-trained-suicide-prevention/71413740/>

Even with the large number of school buses on order, it's still not enough to replace all 78 buses that are beyond their economic service life, Ada explained.

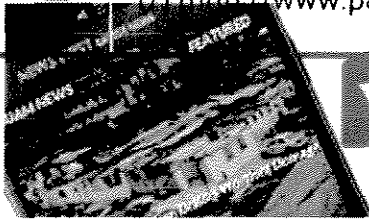
Although the new buses will increase reliability of the fleet, DPW Bus Operation Superintendent Frank Taitano said an additional 56 buses—and bus drivers—are needed to take the fleet total up to 189 and properly serve all 179 bus runs that shuttle elementary, middle and high schools around the island.

The bill could help DPW get back on track with maintaining the aging school bus fleet, Ada said.

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Monday, 15 February 2016

Senator Tom Ada Introduces Bill to Purchase New School Buses

Written by Roselle Romanes (/local/author/4982-roselle-romanes)



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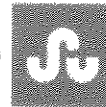
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Ada says, in this situation, it saves more by buying new buses.

Guam - Senator Tom Ada introduced Bill 253, which would authorize the use of about \$1.7 million dollars in lapsed funds for the purchase of new school buses.

According to a release from the Senator's office, the Department of Public Works currently operates a fleet of 133 school buses, however, about 60% of those buses are beyond their service life in terms of years and mileage. Senator Tom Ada says instead of paying high maintenance costs for the older buses, the government would save more by replacing some of the fleet with newer and more efficient buses. The budget laws that were passed for FY2014 and FY2015 mandated that "any balance of unused funds appropriated to DPW shall carry over into FY2016 for the conduct of maintenance services for the school buses." Bill 253-33 expands the authorized use of the lapsed funds to include the purchase of new buses. It is estimated that the purchase cost for a bus is about \$90-thousand dollars.

Ada says, "Sometimes in those situations, it's less expensive to simply replace those really old vehicles and replace them with new ones. I think they will still use the funds available to continue with maintenance but also identify buses that are more economical to be replaced with newer ones so Bill 253 would give them the authority to purchase new vehicles or buses."

For more information, please contact Senator Tom Ada's office at 473-3301.

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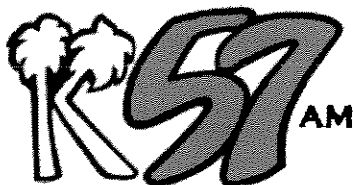


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