

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

APR 21 2016

The Honorable Judith T. Won Pat  
Speaker  
*I Mina'trentai Tres na Liheslaturan Guåhan*  
33<sup>rd</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96910

*Rory J. Respicio*

2016 APR 21 2 54  
*Judith T. Won Pat*

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

**RE: Committee Report on Bill No. 295-33 (COR), As Substituted by the Committee**

Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on Appropriations and Adjudication on Bill No. 295-33 (COR), As Substituted by the Committee - B. J.F. Cruz/N.B. Underwood, Ph.D - "An act to add Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven Hundred Ten Dollars (\$29,255,710) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations."

Committee votes are as follows:

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

Sincerely,

*Benjamin J.F. Cruz*  
BENJAMIN J.F. CRUZ  
Chairman



## **COMMITTEE REPORT**

### **Bill No. 295-33 (COR), As Substituted by the Committee**

**“An act to add Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven Hundred Ten Dollars (\$29,255,710) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations**

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guahan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

**APR 21 2016**

**MEMORANDUM**

**TO:** All Members  
**FROM:** Vice Speaker Benjamin J.F. Cruz  
*Chairman, Committee on Appropriations and Adjudication*

**SUBJECT:** Committee Report on Bill No. 295-33 (COR), As Substituted by the Committee

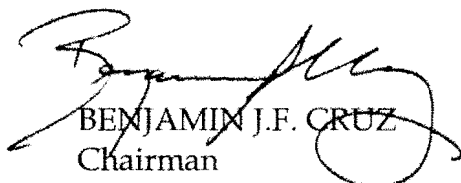
Transmitted herewith for your consideration is the Committee Report on Bill No. 295-33 (COR), As Substituted by the Committee - B. J.F. Cruz/N.B. Underwood, Ph.D - "An act to add Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven Hundred Ten Dollars (\$29,255,710) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 295-33 (COR), As Introduced
- Bill No. 295-33 (COR), As Substituted by the Committee
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 295-33 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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 me.

Sincerely,

  
BENJAMIN J.F. CRUZ  
Chairman

**SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER**

Committee on Appropriations and Adjudication  
 senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*  
**THE THIRTY-THIRD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
 T: (671) 477-2520/1 | F: (671) 477-2522

**COMMITTEE VOTING SHEET**

**Bill No. 295-33 (COR), As Substituted by the Committee** - B. J.F. Cruz/N.B. Underwood, Ph.D. - "An act to add Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven Hundred Ten Dollars (\$29,255,710) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations."

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson		<input checked="" type="checkbox"/>				
AGUON, Jr., FRANK B. Vice Chairperson	4/21/14	<input checked="" type="checkbox"/>				
WON PAT, Ed.D., JUDITH T. Speaker and <i>Ex-Officio</i> Member						
MUÑA BARNES, TINA ROSE Member						
RODRIGUEZ, Jr., DENNIS G. Member		<input checked="" type="checkbox"/>				
SAN NICOLAS, MICHAEL, F.Q. Member		<input checked="" type="checkbox"/>				
UNDERWOOD, Ph.D., NERISSA B. Member		<input checked="" type="checkbox"/>				
ADA, V. ANTHONY Member		<input checked="" type="checkbox"/>				
MORRISON, THOMAS A. Member		<input checked="" type="checkbox"/>				
TORRES, MARY C. Member		<input checked="" type="checkbox"/>				



## COMMITTEE REPORT DIGEST

**Bill No. 295-33 (COR), As Substituted by the Committee** – B. J.F. Cruz/N.B. Underwood, Ph.D. – “An act to add Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven Hundred Ten Dollars (\$29,255,710) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations.”

### **I. OVERVIEW**

**Bill No. 295-33 (COR)** was introduced by Vice Speaker Benjamin J.F. Cruz and Senator Nerissa B. Underwood, Ph.D. on April 12, 2016, and subsequently referred to the **Committee on Appropriations and Adjudication** on the same day.

The Committee on Appropriations and Adjudication convened a public hearing on Wednesday, April 20, 2016, beginning at 2:00PM in the Guam Legislature Public Hearing Room. The hearing for **Bill No. 295-33 (COR)** began at 2:03PM and ended at 2:15PM.

#### Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on April 13, 2016, and April 18, 2016, via email. Copies of the hearing notices are appended to the report.

#### Senators Present

**Vice Speaker Benjamin J.F. Cruz**, *Chairperson*

**Senator Frank B. Aguon, Jr.**, *Vice Chairperson*

**Senator Mary Camacho Torres**, *Member*

**Senator Nerissa B. Underwood, Ph.D.**, *Member*

**Senator Rory J. Respicio**

#### Appeared Before the Committee

**Ms. Christine W. Baleto**, *Acting Director, Guam Department of Administration*

**Ms. Taling Taitano**, *Deputy Superintendent, Finance and Administrative Services, Guam Department of Education*

#### Submitted Written Testimony

**Ms. Christine W. Baleto**, *Acting Director, Guam Department of Administration*

**Mr. Jon J.P. Fernandez**, *Superintendent of Education, Guam Department of Education*

## II. TESTIMONY & DISCUSSION

**Chairman Benjamin J.F. Cruz** announced Bill No. 295-33 (COR) and acknowledged **Ms. Christine Baleto** from the Guam Department of Administration (DOA) and **Ms. Taling Taitano** from the Guam Department of Education (GDOE) as the individuals present to testify.

**Chairman Cruz** thanked both individuals and provided his statement as the main sponsor of the measure:

“The genesis of [Bill No. 295-33 (COR)] is that in the last Consolidated Revenue and Expenditure Report (CRER), we noted that collections from Territorial Educational Facilities (TEF) Fund were above projected revenues. And last year we had appropriated twenty eight million dollars (\$28,000,000) of what we thought was going to be on TEF Funds. I believe we were up at thirty five million dollars (\$35,000,000). There was an excess. There was twenty million (20,000,000) and there was twenty-eight million (28,000,000). But there was about eight million dollars (\$8,000,000) in there, [so] we thought that we should set all that money aside, since in the previous fiscal year, a shortfall in TEF was taken against GDOE. So I figured, [if] they get penalized when [TEF Funds] are short, they should benefit when there's a surplus. And I thank Senator Underwood [co-sponsor of Bill No. 295-33 (COR)]. Thank you.”

**Chairman Cruz** called upon **Ms. Taling Taitano** to provide testimony.

**Ms. Taitano** thanked Chairman Cruz and introduced herself as the Deputy Superintendent of Finance and Administrative Services for GDOE. She then proceeded to read the written testimony provided by Superintendent Jon J.P. Fernandez, in support of Bill No. 295-33 (COR) (*appended to this report*).

**Chairman Cruz** thanked Ms. Taitano for her testimony and prompted Ms. Christine Baleto to provide her testimony.

**Ms. Baleto** thanked Chairman Cruz and introduced herself as the Acting Director of the Guam Department of Administration. She then proceeded to read her written testimony (*appended to this report*) wherein Ms. Baleto expressed that, although the DOA supports the intent of Bill No. 295-33 (COR), the Department could not support the measure, as written. Ms. Baleto noted:

“We would need to fulfill the bond obligations first, and then any funds over and above that can be appropriated to the Department of Education. So in that

respect, we support it, but we're just concerned with the funds that are needed for the repayment of the one hundred million dollar (\$100,000,000) bond."

**Chairman Cruz** requested that Ms. Baleto elucidate on the interconnection between the bond and the TEF Funds and submit her commentary for the Committee on Appropriation and Adjudication's ("Committee") review.

**Ms. Baleto** responded that she would do so.

**Chairman Cruz** opened the floor for inquiries.

**Senator Nerissa Underwood**, addressing Ms. Baleto, inquired:

"Madam Director, this is just a matter of clarification for me. As I understand it, as [Bill No. 295-33 (COR)] is written, anything that is over the appropriation of [approximately] twenty eight point five million dollars (\$28,500,000) is what we're looking at. So my understanding is that that bond will be taken out of that [approximate] twenty eight point five million dollars (\$28,500,000). The bond repayment is not contingent upon anything excess of the collection. Am I correct with the intent of this [bill]?"

**Ms. Baleto** responded:

"I will clarify with the staff, but what I was briefed on was that this twenty eight million five hundred ninety six thousand eight hundred fifty three dollars (\$28,596,853) that was appropriated was not inclusive of the bond repayment. Has it already been completed? I don't believe it's been completed. So this money appropriated does not include the repayment, that's what we're seeing? Did I not understand the question? If it's not included, we would have to see what the bond obligations are first [to] make sure we cover the payments needed and then anything in excess of that would be used to transfer to GDOE."

**Chairman Cruz** inquired:

"What is the status of that one hundred million dollar (\$100,000,000) bond?"

**Ms. Baleto** responded:

"I don't know. I would have to defer to – I think GEDA is handling it."

**Ms. Taitano** commented:

“We are currently in negotiations with the number one vendor or proposer. And so those negotiations are ongoing.”

**Senator Frank B. Aguon** inquired:

“We understand the concern with regards to the debt service and that will continue to be a priority in regards to the legislative body being able to provide to the Department of Education one hundred million dollars (\$100,000,000) for facilities as well as Simon A. Sanchez High School [renovations]. The issue here is: between now and the time that the authorization is given to go out and complete that bond, acquire that bond, if there are any revenues in excess of that, then that would be automatically appropriated to DOE in the interim. Because as it usually applies, a lot of it is contingent, Ms. Baleto, on the kind of structure that is formulated. Whether it is interest payments in the first three years of the bond, and then principal payments thereafter, or it could be principal interest payments to be remitted within one year of receiving the proceeds. It’s still preliminary, quite preliminary in terms of looking and paying the one hundred million dollar (\$100,000,000) bond obligation, and how much that’s going to take out of the coffers, out of TEF. That’s why between now and the end of the fiscal year, if there’s anything above and beyond the appropriated amount of twenty eight point five million dollars (\$28,500,000), then that will automatically be appropriated to DOE. So you’re absolutely right. Debt service has to come off the top.”

**Ms. Baleto** responded:

“Right. We just wanted to make sure that there was an acknowledgment to that because there’s a requirement [within the measure] to deposit [the sum of the TEF Funds] within five (5) days of collection. There’s all these requirements on the DOA Director to ensure that the funds are transferred, which, of course, we will comply with, but if that comes to pass and we have that debt service, I just want to make sure that there’s no contradiction, and I won’t be in contempt because I didn’t deposit within five (5) days if we have to pay.”

**Chairman Cruz** noted:

“The Committee will make the appropriate amendments. We’ll take that into consideration. But anything in excess of that will be used for GDOE’s operations, because over the last three (3) fiscal years, your predecessors and the Bureau of



Budget and Management Research have said that the TEF Fund shortfall meant that they didn't have thirteen (13) million dollars to pay for their vendors. Now, what we're saying is: we will provide for the primary payment of the debt service, but everything else will and should go to the benefit of the [DOE]. We'll rewrite it that way [so that it is] very clear."

**Chairman Cruz**, addressing Ms. Taitano, inquired:

"What is your current vendor payable?"

**Ms. Taitano** responded:

"It's about seven million [dollars] (\$7,000,000). About one point five million [dollars] (\$1,500,000) is [over] ninety (90) days."

**Chairman Cruz** thanked both Ms. Baletto and Ms. Taitano. On account that there were neither additional questions from the Committee nor other individuals present to testify, the Chairman considered Bill No. 295-33 (COR) as heard.

### **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Appropriations and Adjudication ("Committee") finds that Bill No. 295-33 (COR) appropriates the sum collected above twenty eight million five hundred ninety six thousand eight hundred fifty three dollars (\$28,596,853) from the Territorial Educational Facilities (TEF) Fund in Fiscal Year 2016 to the Guam Department of Education (GDOE). Public Law 33-66, the General Appropriations Act of FY 2016, projected that twenty eight million five hundred ninety six thousand eight hundred fifty three dollars \$28,596,853 would be collected in the TEF Fund.

In the Committee's review of Section 22425(q) of Chapter 22, Title 5, Guam Code Annotated, which states:

Any additional real property tax revenues above the amount of Twenty Million Seven Hundred Fifty Five Thousand Seven Hundred Ten Dollars (\$20,755,710) (the average of the actual collections of real property taxes between Fiscal Years 2012 and 2014) is hereby continuously appropriated annually, not to exceed Eight Million Five Hundred Thousand Dollars (\$8,500,000), from the Territorial Educational Facilities Fund...

the Committee has determined that the amount of six hundred fifty eight thousand eight hundred fifty seven dollars (\$658,857) that is collected in excess of twenty eight million five hundred ninety six thousand eight hundred fifty three dollars (\$28,596,853)

in the Territorial Educational Facilities Fund has already been appropriated pursuant to Section 22425(q)(1) through (11), Chapter 22, Title 5 of the Guam Code Annotated.

Therefore, the Committee has amended Bill No. 295-33 (COR) to ensure that the eight million five hundred thousand dollars (\$8,500,000) above the amount of twenty million seven hundred fifty five thousand seven hundred ten dollars (\$20,755,710) is preserved for the purposes set forth in the aforementioned section of the Guam Code Annotated, and that all funds collected in excess of twenty nine million two hundred fifty five thousand seven hundred ten dollars (\$29,255,710) [ $\$20,755,710 + \$8,500,000$ ], is appropriated to the Guam Department of Education.

The Committee on Appropriations and Adjudication to which was referred **Bill No. 295-33 (COR) - B. J.F. Cruz /N.B. Underwood, Ph.D.** - "An act to add Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven Hundred Ten Dollars (\$29,255,710) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations" hereby submits these findings to *I Mina'trentai Tres na Liheslaturan Guåhan* and reports out **Bill No. 295-33 (COR), As Substituted by the Committee**, with a recommendation TO DO PASS.

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

Bill No. 295-33 (COR)

Introduced by:

B. J. F. Cruz  
N.B. Underwood, Ph.D.

**AN ACT TO ADD SECTION 18 TO PART I, CHAPTER II OF PUBLIC LAW 33-66, RELATIVE TO APPROPRIATING AND DEPOSITING FY 2016 TERRITORIAL EDUCATIONAL FACILITIES FUND REVENUES COLLECTED IN EXCESS OF TWENTY EIGHTY MILLION FIVE HUNDRED NINETY SIX THOUSAND EIGHT HUNDRED FIFTY THREE DOLLARS (\$28,596,853) TO THE GUAM DEPARTMENT OF EDUCATION OPERATIONS FUND BANK ACCOUNT FOR FY 2016 GDOE OPERATIONS.**

2016 FEB 19 11 21 17

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

**Section 1.** Section 18 is hereby *added* to Part I, Chapter II of Public Law 33-66 to read:

**Section 18.** Notwithstanding any other provision of law, rule, or regulation, funds collected, recorded, and/or recognized during FY 2016 in the Territorial Educational Facilities (TEF) Fund in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) is hereby appropriated to the Guam Department of Education Operations Fund for Fiscal Year 2016 for GDOE operations. The Director of the Department of Administration *shall* deposit into the GDOE Operations Fund bank account, the sum of the TEF Funds collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) within five (5) days of the collection of said cash funds. Such deposits *shall* be in addition to

1 the cash transferred/provided to the GDOE for the appropriations in Section 1 of  
2 this Part, of this Chapter. The Director of the Department of Administration *shall*  
3 submit a cash remittance report to the Speaker of *I Liheslaturan Guåhan* no later  
4 than ten (10) days after the end of each month during Fiscal Year 2016 which *shall*  
5 include the aggregate amount collected, recorded, and/or recognized in the TEF  
6 Fund in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight  
7 Hundred Fifty Three Dollars (**\$28,596,853**) and the aggregate amount of such  
8 excess deposited into the GDOE Operations Fund bank account. It *shall* be a  
9 ministerial duty of the Director of the Department of Administration to make the  
10 deposits to the GDOE Operations Fund bank account as required by this Section.  
11 Notwithstanding any other provision of law, the appropriation in this Section *shall*  
12 continue to be available until fully expended and is *not* subject to transfer or use  
13 for any other purpose. Section 1303, Article 3, Chapter 1, Title 5 GCA *shall not*  
14 apply to the appropriation in this Section.

15 **Section 2. Effective Date.** This Act *shall* become effective upon enactment.

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

20

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

**Bill No. 295 33 (COR)**

As Substituted by the Committee on  
Appropriations and Adjudication

Introduced by:

B.J.F. Cruz  
N.B. Underwood, Ph.D.

**AN ACT TO ADD SECTION 18 TO PART I, CHAPTER II OF  
PUBLIC LAW 33-66, RELATIVE TO APPROPRIATING AND  
DEPOSITING FY 2016 TERRITORIAL EDUCATIONAL  
FACILITIES FUND REVENUES COLLECTED IN EXCESS OF  
TWENTY NINE MILLION TWO HUNDRED FIFTY FIVE  
THOUSAND SEVEN HUNDRED TEN DOLLARS (\$29,255,710)  
TO THE GUAM DEPARTMENT OF EDUCATION  
OPERATIONS FUND BANK ACCOUNT FOR FY 2016 GDOE  
OPERATIONS.**

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

**Section 1.** Section 18 is hereby *added* to Part I, Chapter II of Public Law 33-66 to read:

**“Section 18.** Notwithstanding any other provision of law, rule, or regulation, except Section 22425(q), Chapter 22, Title 5 of the Guam Code Annotated, funds collected, recorded, and/or recognized during FY 2016 in the Territorial Educational Facilities (TEF) Fund in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven Hundred Ten Dollars (**\$29,255,710**) is hereby appropriated to the Guam Department of Education Operations Fund for Fiscal Year 2016 for GDOE operations. The Director of the Department of Administration *shall* deposit into the GDOE Operations Fund bank account, the sum of the TEF Funds collected in excess of Twenty Nine Million Two Hundred

1 Fifty Five Thousand Seven Hundred Ten Dollars (**\$29,255,710**) within five (5)  
2 days of the collection of said cash funds. Such deposits *shall* be in addition to the  
3 cash transferred/provided to the GDOE for the appropriations in Section 1 of this  
4 Part, of this Chapter. The Director of the Department of Administration *shall*  
5 submit a cash remittance report to the Speaker of *I Liheslaturan Guåhan* no later  
6 than ten (10) days after the end of each month during Fiscal Year 2016 which *shall*  
7 include the aggregate amount collected, recorded, and/or recognized in the TEF  
8 Fund in excess of Twenty Nine Million Two Hundred Fifty Five Thousand Seven  
9 Hundred Ten Dollars (**\$29,255,710**) and the aggregate amount of such excess  
10 deposited into the GDOE Operations Fund bank account. It *shall* be a ministerial  
11 duty of the Director of the Department of Administration to make the deposits to  
12 the GDOE Operations Fund bank account as required by this Section.  
13 Notwithstanding any other provision of law, the appropriation in this Section *shall*  
14 continue to be available until fully expended and is *not* subject to transfer or use  
15 for any other purpose. Section 1303, Article 3, Chapter 1, Title 5 GCA *shall not*  
16 apply to the appropriation in this Section.

17 **Section 2. Effective Date.** This Act *shall* become effective upon enactment.

18 **Section 3. Severability.** *If* any provision of this Act or its application to any  
19 person or circumstance is held invalid, the invalidity *shall not* affect other  
20 provisions or applications of this Act which can be given effect without the invalid  
21 provision or application and to this end the provisions of this Act is severable.

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication  
 senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan  
 THE THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
 T: (671) 477-2520/1 | F: (671) 477-2522

**PUBLIC HEARING SIGN-IN SHEET**

2:00 PM, Wednesday, April 20, 2016

Guam Legislature Public Hearing Room • Hagåtña, Guam

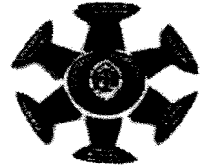
**Bill No. 295-33 (COR)** - B.J.F. Cruz / N.B. Underwood, Ph.D - "An act to *add* Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
Talungtanino	GDOE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	308 856	talungtanino@gdoe.net
CHRISTINE BRET	SEA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	475-1234	christine@seagov.gu
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		



**Eddie Baza Calvo**  
Governor  
**Ray Tenorio**  
Lieutenant Governor

**Department of Administration**  
(DIPATTAMENTON ATEMENSTRASION)  
**DIRECTOR'S OFFICE**  
(UFISINAN DIREKTOT)  
Post Office Box 884 Hagatña, Guam 96932  
Tel: (671) 475-1101/1250 Fax: (671) 477-6788



**Christine W. Baleto**  
Acting Director  
**Anisia B. Terlaje**  
Deputy Director

**April 18, 2016**

The Honorable Benjamin J.F. Cruz  
Vice Speaker  
Chairman, Committee on Appropriations and Adjudication  
*I Mina' Trentai Tres Na Liheslaturan Guåhan*  
Suite 107  
155 Hesler Place.  
Hagatña, Guam 96910

RE: Testimony: Bill 295-33 (COR)

**Buenas yan Håfa Adai** Mr. Chairman and members of the Committee,

Thank you for the opportunity to provide comments on Bill 295-33 (COR).

**AN ACT TO ADD SECTION 18 TO PART 1, CHAPTER II OF PUBLIC LAW 33-66, RELATIVE TO APPROPRIATING AND DEPOSITING FY 2016 TERRITORIAL EDUCATIONAL FACILITIES FUND REVENUES COLLECTED IN EXCESS OF TWENTY EIGHT MILLION FIVE HUNDRED NINETY SIX THOUSAND EIGHT HUNDRED FIFTY THREE DOLLARS (\$28,596,853) TO THE GUAM DEPARTMENT OF EDUCATION OPERATIONS FUND BANK ACCOUNT FOR FY 2016 GDOE OPERATIONS.**

The Department of Administration (DOA) supports the intent of Bill 295-33. However, the funding source identified has already been committed through previous Public Law i.e.: PL32-121, PL 32-120 and PL31-229, and cannot support Bill 295-33 as written.

DOA cannot support Bill 295-33 as written based on the commitments already place on the funding source.

Should you have any questions, please feel free to contact me at 475-1221.

*Senseramente,*

**Christine W. Baleto**  
Acting Director, DOA





**DEPARTMENT OF EDUCATION  
OFFICE OF THE SUPERINTENDENT**

www.gdoe.net  
500 Mariner Avenue  
Barrigada, Guam 96913  
Telephone: (671) 300-1547/1536 • Fax: (671) 472-5001  
Email: jonfernandez@gdoe.net



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

April 19, 2016

Honorable Benjamin J.F. Cruz  
Vice-Speaker  
I Mina'Trentai Tres Na Liheslaturan Guahan  
Ste. 107 155 Hesler Place  
Hagatna, Guam 96910

**RE: Bill No. 295-33 (COR) Testimony – An Act to Add Section 18 to Part I, Chapter II of PL 33-66, Relative to Appropriating and Depositing FY2016 Territorial Educational Facilities Fund (TEFF) Revenues Collected in Excess of Twenty-Eight Million Five Hundred Ninety-Six Thousand Eight Hundred Fifty-Three Dollars (\$28,596,853) to the Guam Department of Education (GDOE) Operations Fund Bank Account for FY2016 GDOE Operations**

Dear Vice-Speaker B. J. Cruz,

Thank you for the opportunity to provide testimony on **Bill No. 295-33 (COR)** to supplement the Guam Department of Education (GDOE) FY2016 funding for operations and ultimately, to begin addressing carry forward cash shortages in GDOE's annual appropriations. Cash shortages, over \$13 million, in GDOE's Territorial Education Facilities Fund (TEFF) appropriations over the last three (3) fiscal years, has hampered GDOE current operations and consequently impacted its ability to keep up with vendor payables.

Bill No. 295-33 appropriates supplemental funding that shall not lapse until fully expended, to be derived from FY2016 TEFF collections in excess of \$28.5M. It further prescribes the 3% reserve (Section 1303, Article 3, Chapter 1, Title 5 GCA) shall not apply. These provisions will greatly help GDOE address current, as well as, outstanding vendor payables.

However, with regards to utilizing TEFF as a funding source, it is unclear whether Bill No. 295-33 will impact appropriations under P.L. 32-120 as further amended by P.L. 33-29. Under this statute, a \$20.7M threshold in real property tax revenues triggers an additional \$8.5M in TEFF appropriations. Nearly \$6.1M of that amount is tied, as a payment source, to the \$100M bid currently being processed for school repairs and renovations under lease back financing.

We fully support the intent of Bill No. 295-33 and look forward to working with you and members of the Legislature on finalizing a remedy to address GDOE's funding needs.

Senseramente,



**JON J.P. FERNANDEZ**

CC: Senator Nerissa Bretania Underwood, 33<sup>rd</sup> Guam Legislature



# COMMITTEE ON RULES

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

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

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muna Barnes  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
Nerissa Bretania Underwood  
Member

V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

April 13, 2016

VIA E-MAIL

[joey.calvo@bbmr.guam.gov](mailto: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. 292-33(COR) through 295-33(COR)**

*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
292-33 (COR)	FRANK B. AGUON, JR.	AN ACT TO AMEND SUBSECTION (a) OF § 11107 OF CHAPTER 11, TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO THE COMPOSITION OF THE PUBLIC DEFENDER SERVICE CORPORATION BOARD OF TRUSTEES.
293-33 (COR)	Judith T. Won Pat, Ed.D. T. R. Muña Barnes R. J. Respicio N. B. Underwood, Ph.D. Tommy Morrison	AN ACT TO AMEND §106119(K) OF PART A OF ARTICLE 1, CHAPTER 106 OF TITLE 11, GUAM CODE ANNOTATED;RELATIVE TO DEPOSITING ESCHEATED FUNDS INTO THE HOUSING TRUST FUNDS FOR THE FIRST-TIME HOMEOWNER'S ASSISTANCE PROGRAM ACT.
294-33 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW SECTION 1(ee)(5) TO CHAPTER V OF PUBLIC LAW 33-66 RELATIVE TO PROVIDING SUPPLEMENTAL FUNDING AND AUTHORIZATION TO THE GUAM ELECTION COMMISSION FOR ITS FY 2016 OPERATIONS AND FOR PAYMENTS ON OBLIGATIONS INCURRED IN PRIOR YEARS.
295-33 (COR)	B. J.F. Cruz N. B. Underwood, Ph.D.	AN ACT TO ADD SECTION 18 TO PART I, CHAPTER II OF PUBLIC LAW 33-66, RELATIVE TO APPROPRIATING AND DEPOSITING FY 2016 TERRITORIAL EDUCATIONAL FACILITIES FUND REVENUES COLLECTED IN EXCESS OF TWENTY EIGHTY MILLION FIVE HUNDRED NINETY SIX THOUSAND EIGHT HUNDRED FIFTY THREE DOLLARS (\$28,596,853) TO THE GUAM DEPARTMENT OF EDUCATION OPERATIONS FUND BANK ACCOUNT FOR FY 2016 GDOE OPERATIONS.



# COMMITTEE ON RULES

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

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

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

Senator

Rory J. Respicio

CHAIRPERSON

MAJORITY LEADER

Senator

Thomas C. Ada

VICE CHAIRPERSON

ASSISTANT MAJORITY LEADER

Speaker

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

Member

Vice-Speaker

Benjamin J.F. Cruz

Member

Legislative Secretary

Tina Rose Muna Barnes

Member

Senator

Dennis G. Rodriguez, Jr.

Member

Senator

Frank Blas Aguon, Jr.

Member

Senator

Michael F.Q. San Nicolas

Member

Senator

Nerissa Bretania Underwood

Member

V. Anthony Ada

MINORITY LEADER

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. 295-33 (COR) –B. J.F. Cruz, N.B. Underwood, Ph.D., "AN ACT TO ADD SECTION 18 TO PART I, CHAPTER II OF PUBLIC LAW 33-66, RELATIVE TO APPROPRIATING AND DEPOSITING FY 2016 TERRITORIAL EDUCATIONAL FACILITIES FUND REVENUES COLLECTED IN EXCESS OF TWENTY EIGHTY MILLION FIVE HUNDRED NINETY SIX THOUSAND EIGHT HUNDRED FIFTY THREE DOLLARS (\$28,596,853) TO THE GUAM DEPARTMENT OF EDUCATION OPERATIONS FUND BANK ACCOUNT FOR FY 2016 GDOE OPERATIONS."**– on April 13, 2016. COR hereby certifies that BBMR confirmed receipt of this request April 14, 2016 at 8:11 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 295-33 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:



**Senator Rory J. Respicio**

*Chairperson, Committee on Rules*

April 21, 2016

**Date**



## COMMITTEE ON RULES

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

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

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muna Barnes  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
Nerissa Bretania Underwood  
Member

V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

April 12, 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. 295-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 295-33(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
295-33 (COR)	B. J.F. Cruz N. B. Underwood, Ph.D.	AN ACT TO ADD SECTION 18 TO PART I, CHAPTER II OF PUBLIC LAW 33-66, RELATIVE TO APPROPRIATING AND DEPOSITING FY 2016 TERRITORIAL EDUCATIONAL FACILITIES FUND REVENUES COLLECTED IN EXCESS OF TWENTY EIGHTY MILLION FIVE HUNDRED NINETY SIX THOUSAND EIGHT HUNDRED FIFTY THREE DOLLARS (\$28,596,853) TO THE GUAM DEPARTMENT OF EDUCATION OPERATIONS FUND BANK ACCOUNT FOR FY 2016 GDOE OPERATIONS.	04/12/16 3:17 p.m.	04/12/16	Committee on Appropriations and Adjudication			



Sarah Elmore &lt;sarah.elmore@senatorbjcruz.com&gt;

---

**FIRST NOTICE of Public Hearing – April 20, 2016**

---

Dani Reyes &lt;danireyes@senatorbjcruz.com&gt;

Wed, Apr 13, 2016 at 2:00 PM

To: PH Notice &lt;phnotice@guamlegislature.org&gt;

Cc: "Senator Rory J. Respicio" &lt;cor@guamlegislature.org&gt;, Clerks &lt;clerks@guamlegislature.org&gt;, Management Information System &lt;mis@guamlegislature.org&gt;, "Sergeant-at-Arms (Legislature)" &lt;sgtarms@guamlegislature.org&gt;

April 13, 2016

**MEMORANDUM**

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing – April 20, 2016**

*Håfa Adai!* The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **2:00 PM** on **Wednesday, April 20, 2016**, in the **I Liheslatura Public Hearing Room** with the following schedule:

**2:00 PM - PUBLIC HEARING OF BILLS**

- **Bill No. 294-33 (COR)** – B.J.F. Cruz – “An act to *add* a new Section 1(ee)(5) to Chapter V of Public Law 33-66 relative to providing supplemental funding and authorization to the Guam Election Commission for its FY 2016 Operations and for payments on obligations incurred in prior years.”
- **Bill No. 295-33 (COR)** – B.J.F. Cruz / N.B. Underwood, Ph.D - “An act to *add* Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations.”

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; or via e-mail to [senator@senatorbjcruz.com](mailto:senator@senatorbjcruz.com). Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at [carlo.branch@senatorbjcruz.com](mailto:carlo.branch@senatorbjcruz.com).

We look forward to your attendance and participation.

cc: COR  
Sgt-at-Arms  
MIS  
Clerks  
Media

--  
**Dani Reyes**  
Policy Analyst

**Vice Speaker Benjamin J.F. Cruz**  
*I Mina'trentai Tres na Liheslaturan Guåhan*

T 671-477-2520 | F 671-477-2522

<http://www.senatorbjcruz.com>

---

**2 attachments**

 **FIRST NOTICE MEMO PH 04202016.pdf**  
195K

 **FIRST NOTICE PR PH 04202016.pdf**  
194K



---

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

---

April 13, 2016

**MEMORANDUM**

To: All Members/ All Senators  
From: Vice Speaker Benjamin J.F. Cruz, Chairman

**Re: FIRST NOTICE of Public Hearing - April 20, 2016**

---

*Håfa Adai!* The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **2:00 PM on Wednesday, April 20, 2016**, in the *I Liheslatura Public Hearing Room* with the following schedule:

**2:00 PM - PUBLIC HEARING OF BILLS**

- **Bill No. 294-33 (COR)** - B.J.F. Cruz - "An act to *add* a new Section 1(ee)(5) to Chapter V of Public Law 33-66 relative to providing supplemental funding and authorization to the Guam Election Commission for its FY 2016 Operations and for payments on obligations incurred in prior years."
- **Bill No. 295-33 (COR)** - B.J.F. Cruz / N.B. Underwood, Ph.D - "An act to *add* Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations."

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; or via e-mail to senator@senatorbjcruz.com. Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at carlo.branch@senatorbjcruz.com.

We look forward to your attendance and participation.

---

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

---

FOR IMMEDIATE RELEASE

April 13, 2016

## **FIRST NOTICE OF PUBLIC HEARING**

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as five (5) days' notice for a Public Hearing of Bills by the **Committee on Appropriations and Adjudication** scheduled on **Wednesday, April 20, 2016**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

### **2:00 PM - PUBLIC HEARING OF BILLS**

- **Bill No. 294-33 (COR)** – B.J.F. Cruz – “An act to *add* a new Section 1(ee)(5) to Chapter V of Public Law 33-66 relative to providing supplemental funding and authorization to the Guam Election Commission for its FY 2016 Operations and for payments on obligations incurred in prior years.”
- **Bill No. 295-33 (COR)** – B.J.F. Cruz / N.B. Underwood, Ph.D - “An act to *add* Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations.”

Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

###



Sarah Elmore <sarah.elmore@senatorbjcruz.com>

## SECOND NOTICE of Public Hearing – April 20, 2016

Dani Reyes <danireyes@senatorbjcruz.com>

Mon, Apr 18, 2016 at 12:30 PM

To: PH Notice <phnotice@guamlegislature.org>

Cc: "Senator Rory J. Respicio" <cor@guamlegislature.org>, Clerks <clerks@guamlegislature.org>, Management Information System <mis@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>

April 18, 2016

### MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing – April 20, 2016**

*Håfa Adai!* The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **2:00 PM** on **Wednesday, April 20, 2016**, in the **I Liheslatura Public Hearing Room**, on the following:

#### **2:00 PM - PUBLIC HEARING OF BILLS**

- **Bill No. 294-33 (COR)** – B.J.F. Cruz – “An act to add a new Section 1(ee)(5) to Chapter V of Public Law 33-66 relative to providing supplemental funding and authorization to the Guam Election Commission for its FY 2016 Operations and for payments on obligations incurred in prior years.”
- **Bill No. 295-33 (COR)** – B.J.F. Cruz / N.B. Underwood, Ph.D - “An act to add Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations.”

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; or via e-mail to [senator@senatorbjcruz.com](mailto:senator@senatorbjcruz.com). Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at [carlo.branch@senatorbjcruz.com](mailto:carlo.branch@senatorbjcruz.com).

We look forward to your attendance and participation.

cc: COR  
Sgt-at-Arms  
MIS  
Clerks  
Media

--  
**Dani Reyes**  
Policy Analyst

**Vice Speaker Benjamin J.F. Cruz**  
*I Mina'trentai Tres na Liheslaturan Guåhan*

T 671-477-2520 | F 671-477-2522  
<http://www.senatorbjcruz.com>

---

**2 attachments**

 **SECOND NOTICE MEMO PH 04202016.pdf**  
194K

 **SECOND NOTICE PR PH 04202016.pdf**  
194K



April 18, 2016

**MEMORANDUM**

To: All Members/ All Senators  
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing - April 20, 2016**

---

*Håfa Adai!* The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **2:00 PM on Wednesday, April 20, 2016**, in the *I Liheslatura Public Hearing Room*, on the following:

**2:00 PM - PUBLIC HEARING OF BILLS**

- **Bill No. 294-33 (COR)** – B.J.F. Cruz – “An act to *add* a new Section 1(ee)(5) to Chapter V of Public Law 33-66 relative to providing supplemental funding and authorization to the Guam Election Commission for its FY 2016 Operations and for payments on obligations incurred in prior years.”
- **Bill No. 295-33 (COR)** – B.J.F. Cruz / N.B. Underwood, Ph.D - “An act to *add* Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations.”

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; or via e-mail to senator@senatorbjcruz.com. Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at carlo.branch@senatorbjcruz.com.

We look forward to your attendance and participation.

---

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbicruz.com | www.senatorbicruz.com



*I Mina'trentai Tres na Liheslaturan Guahan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

---

FOR IMMEDIATE RELEASE

April 18, 2016

## SECOND NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as forty-eight (48) hours' notice for a Public Hearing by the **Committee on Appropriations and Adjudication** scheduled on **Wednesday, April 20, 2016**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

### 2:00 PM - PUBLIC HEARING OF BILLS

- **Bill No. 294-33 (COR)** - B.J.F. Cruz - "An act to *add* a new Section 1(ee)(5) to Chapter V of Public Law 33-66 relative to providing supplemental funding and authorization to the Guam Election Commission for its FY 2016 Operations and for payments on obligations incurred in prior years."
- **Bill No. 295-33 (COR)** - B.J.F. Cruz / N.B. Underwood, Ph.D - "An act to *add* Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations."

Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; or by e-mail to [senator@senatorbjcruz.com](mailto:senator@senatorbjcruz.com). Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at [carlo.branch@senatorbjcruz.com](mailto:carlo.branch@senatorbjcruz.com).

###

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

Updated: March 1, 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	joan@kuam.com
admin2@guamrealtors.com	dcrisost@guam.gannett.com	joe@toduguam.com
aguon4guam@gmail.com	debbieretuyan@judiwonpat.com	joesa@guamlegislature.org
agusto.aflague@gmail.com	delisleduenas@judiwonpat.com	john.calvo@noaa.gov
ahernandez@guamlegislature.org	desori623@hotmail.com	john@postguam.com
alerta.jermaine@gmail.com	cyrus@senatorada.org	johnluces@toduguam.com
aline4families@gmail.com	divider_j_jimenez@hotmail.com	johnaoconnor@gmail.com
am800guam@gmail.com	dleddy@guamchamber.com.gu	jon.calvo@mail.house.gov
amandalee.shelton@mail.house.gov	dmgeorge@guampdn.com	jontalk@gmail.com
amcborja@gmail.com	duenasenator@gmail.com	jpmanuel@gmail.com
amier@mvguam.com	ed@tonyada.com	jstedtaotao@gmail.com
anitaataligmani@gmail.com	edelynn1130@hotmail.com	itenorio@guamcourts.org
ang.duenas@gmail.com	editor@postguam.com	julian.c.janssen@gmail.com
ann@toduguam.com	editor@saipantribune.com	juliette@senatorada.org
assist_editor@glimpsesofguam.com	edpocaigne@judiwonpat.com	kai@spbgum.com
ataligba@gmail.com	eflores@senatorbjcruz.com	kcharfauros74@gmail.com
av@guamlegislature.org	elena.garcia@senatorbjcruz.com	kcn.kelly@gmail.com
avon.guam@gmail.com	emqcho@gmail.com	keepinginformed.671@gmail.com
baza.matthew@gmail.com	eo@guamrealtors.com	kelly.toves@mail.house.gov
bdydasco@senatorada.org	etajalle@guamlegislature.org	kennylg@guamlegislature.org
bernice@tinamunabarnes.com	ewinstoni@yahoo.com	kenq@kuam.com
berthaduenas@guamlegislature.org	fbtorres@judiwonpat.com	khmg@hbcguam.net
bmkelman@guampdn.com	fes22744@gmail.com	koreannews@guam.net
brantforguam@gmail.com	flores@senatorada.org	koreatv@kuentos.guam.net
bruce.lloyd.media@gmail.com	frank.blasjr@gmail.com	kstokish@gmail.com
bshringi@moylans.net	frank@judiwonpat.com	kstone@ite.net
carlaborja.73@yahoo.com	frank@mvguam.com	kurtzman.guamlegis@gmail.com
carlo.branch@gmail.com	gerry@postguam.com	law@guamag.org
carlo.branch@senatorbjcruz.com	gerrypartido@gmail.com	legislativecounsel@guamlegislature.org
carlsanchez@judiwonpat.com	ginaflores2595@gmail.com	leling@judiwonpat.com
carlsonc@pstripes.osd.mil	gktv23@hotmail.com	life@guampdn.com
ccastro@guamchamber.com.gu	guadalupeignacio@gmail.com	ljaleairo@gmail.com
ccharfauros@guamag.org	guam.avon@gmail.com	lfmatthews@guampdn.com
ccolbert@guamlegislature.org	guam@pstripes.osd.mil	louella@mvguam.com
cheerfulcatunao@yahoo.com	guamnativesun@yahoo.com	louise@tonyada.com
christine.quinata@takecareasia.com	hana@guam-shinbun.com	m.salaila@yahoo.com
chucktanner@toduguam.com	hermina.certeza@senatorbjcruz.com	managingeditor@glimpsesofguam.com
cipo@guamlegislature.org	hill.bruce@abc.net.au	mabuhaynews@yahoo.com
clerks@guamlegislature.org	hottips@kuam.com	mahoquinene@guam.net
clynt@spbgum.com	info@chinesetimesguam.com	malainse@gmail.com
cmduenas@guamlegislature.org	ihernandez@guamlegislature.org	maria.pangelinan@gec.guam.gov
committee@frankaguonjr.com	jason@kuam.com	marycamachotorres@gmail.com
communications@frankaguonjr.com	jason@senatormorrison.com	maryfejeran@gmail.com

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

Updated: March 1, 2016

marym@guamlegislature.org	senator@senatorbjcruz.com
marilyntablante@gmail.com	senator@tinamunabarnes.com
marvic@mvguam.com	senatorbrantmccreadie@gmail.com
matthew.santos@senatorbjcruz.com	senatorrodriguez@gmail.com
mcarlson@guamlegislature.org	senatorsannicolas@gmail.com
mcperson.kathryn@abc.net.au	senatortonyada@guamlegislature.org
mcruz@hitradio100.com	senatorunderwood@guamlegislature.org
media@frankaguonjr.com	senjvespaldon@gmail.com
menchu@toduguam.com	sgfarms@guamlegislature.org
millie@tinamunabarnes.com	sitarose2@yahoo.com
mindy@kuam.com	sixquintanilla@gmail.com
mis@guamlegislature.org	slimtiaco@guampdn.com
mlwheeler2000@yahoo.com	smendiola@guamlegislature.org
monty.mcdowell@amiguam.com	sonedera-salas@guamlegislature.org
mspeps4873@gmail.com	speaker@judiwonpat.com
mwatanabe@guampdn.com	staff@frankaguonjr.com
natasha@toduguam.com	stephaniemendiola@gmail.com
news@guampdn.com	tasigirl@gmail.com
news@spbg Guam.com	tcastro@guam.net
nick@kuam.com	team5andahalfstar@gmail.com
norman.aguilar@guamecc.edu	tefo.taitague@visitguam.org
nsantos@guamlegislature.org	tessa@senatorbjcruz.com
office@senadora.org	tina.alicto@yahoo.com
officeassistant@frankaguonjr.com	tina@tinamunabarnes.com
oliviampalacios@gmail.com	tjtaitano@cs.com
onlyonguam@acubedink.com	tom@senadora.org
orleen@senatorbjcruz.com	tommy@senatormorrison.com
oyaol.ngirairikl@gmail.com	tony@senadora.org
pacificjournalist@gmail.com	tony@tonyada.com
parroyo@k57.com	tritten@pstripes.osd.mil
pdkprg@gmail.com	tterlaje@guam.net
pete@tonyada.com	vparriola1@gmail.com
policy@frankaguonjr.com	vpaulino@guamlegislature.org
publisher@glimpsesofguam.com	xiosormd@gmail.com
rennae@guamlegislature.org	xiosormd@yahoo.com
responsibleguam@gmail.com	ylee2@guam.gannett.com
rfeehan@yahoo.com	30thguamyouthcongress@gmail.com
rgibson@k57.com	
ricknauta@hitradio100.com	
rlimtiaco@guampdn.com	
robert@postguam.com	
rolly@ktkb.com	
rorryforguam@gmail.com	
rowena@senatormorrison.com	
sabrina@kuam.com	
sarah.elmore@senatorbjcruz.com	



---

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

---

## **PUBLIC HEARING AGENDA**

**Wednesday, April 20, 2016**

Guam Legislature Public Hearing Room • Hagåtña, Guam

**2:00 PM**

**Bill No. 294-33 (COR)** – B.J.F. Cruz – “An act to *add* a new Section 1(ee)(5) to Chapter V of Public Law 33-66 relative to providing supplemental funding and authorization to the Guam Election Commission for its FY 2016 Operations and for payments on obligations incurred in prior years.”

**Bill No. 295-33 (COR)** – B.J.F. Cruz / N.B. Underwood, Ph.D - “An act to *add* Section 18 to Part I, Chapter II of Public Law 33-66, relative to appropriating and depositing FY 2016 Territorial Educational Facilities Fund Revenues collected in excess of Twenty Eight Million Five Hundred Ninety Six Thousand Eight Hundred Fifty Three Dollars (\$28,596,853) to the Guam Department of Education Operations Fund bank account for FY 2016 GDOE Operations.”