

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

<b>BILL NO.</b>	<b>SPONSOR</b>	<b>TITLE</b>	<b>DATE INTRODUCED</b>	<b>DATE REFERRED</b>	<b>CMTE REFERRED</b>	<b>PUBLIC HEARING DATE</b>	<b>DATE COMMITTEE REPORT FILED</b>	<b>STATUS</b>
<b>8-32 (COR)</b>	R.J. Respicio	AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.	1/8/2013, 10:23 a.m.	<b>1/10/13</b>	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land;	02/01/2013, 9:00am	02/15/13 4:09 P.M.	<b>Fiscal Note Requested 2/13/13 Fiscal Note Received 03/13/13</b>



# COMMITTEE ON RULES

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

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

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Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

March 13, 2013

## Memorandum

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

**From:** Senator Thomas C. Ada *[Signature]*  
*Acting Chairperson, Committee on Rules*

**Subject:** Fiscal Notes

*Hafa Adai!*

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Bill Nos.: 8-32 (COR), 19-32 (COR), 22-32 (COR, and 45-32 (COR)

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

*Si Yu'os ma'åse'!*

2013 MAR 13 AM 11:51

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**JOHN A. RIOS**  
DIRECTOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**MAR 12 2013**

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

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: **8-32(COR), 19-32(COR), 22-32(COR), and 45-32(LS).**

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

  
JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 8-32 (COR)**

**AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Revenue & Taxation	Dept./Agency Head: John P. Camacho
Department's General Fund (GF) appropriation(s) to date:	9,164,180
Department's Other Fund (Specify) appropriation(s) to date: Tax Collection Enhancement Fund (\$686,717) / Better Public Service Fund (\$1,390,554)	2,077,271
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$11,241,451</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2013 Adopted Revenues	\$561,985,725	\$0	\$561,985,725
FY 2013 Appro. (P.L. 31-233)	(\$548,971,874)	\$0	(\$548,971,874)
Sub-total:	\$13,013,851	\$0	\$13,013,851
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$13,013,851</b>	<b>\$0</b>	<b>\$13,013,851</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

*7/15/13*

Analyst: Michael M. Aflague, B&M Analyst IV Date: 3/4/13 Director: John A. Rios, Director Date: **MAR 12 2013**

Footnotes: Based on data provided by the Department of Revenue and Taxation, the impact to the General Fund resulting from the expiration of the Bush Tax Cuts are estimated to be \$1.7M (preliminary projections). The Bureau would like to note the provisions of Section 5, Chapter I of Public Law 31-233 relative to prior year and future obligations is it pertains to excess revenues.



FILE COPY

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
THIRTY-SECOND GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

February 22, 2013

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

OFFICE OF THE GOVERNOR  
CENTRAL FILES

RECEIVED BY  
TIME 4:00 PM DATE 2/22/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Nos. 8-32(COR), 9-32(COR), 13-32(COR), 14-32(COR), 22-32(COR), 24-32(COR), 33-32(COR) and 40-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on February 22, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Rose Muña Barnes".

Tina Rose Muña Barnes  
Senator and Legislative Secretary

Enclosures (8)

FILE COPY

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

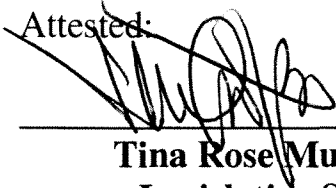
**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN***

This is to certify that **Bill No. 8-32 (COR)**, "AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS", was on the 22<sup>nd</sup> day of February, 2013, duly and regularly passed.



**Judith T. Won Pat, Ed.D.**  
**Speaker**

Attested:



**Tina Rose Muña Barnes**  
**Legislative Secretary**

This Act was received by *I Maga'lahen Guåhan* this 22<sup>nd</sup> day of Feb., 2013,  
at 4:00 o'clock P.M.



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

APPROVED:

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

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

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

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

**Bill No. 8-32 (COR)**

As amended on the Floor.

Introduced by:

R. J. Respicio  
Judith T. Won Pat, Ed.D.  
T. C. Ada  
V. Anthony Ada  
Frank B. Aguon, Jr.  
B. J.F. Cruz  
Chris M. Dueñas  
M. T. Lintiaco  
Brant T. McCreadie  
Tommy Morrison  
T. R. M. Barnes  
Dennis G. Rodriguez, Jr.  
Aline A. Yamashita, Ph.D.

**AN ACT TO APPROPRIATE TO THE DEPARTMENT  
OF EDUCATION ALL ADDITIONAL REVENUE  
DERIVED FROM THE EXPIRATION OF ANY PART OF  
THE BUSH TAX CUTS.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that it is clear that, through inaction or deliberate policy of the federal government,  
4 some or part of the “Bush Tax Cuts” will expire in 2013, with a resulting increase  
5 in federal income tax revenue. This will impact on government of Guam revenues  
6 as well, because most of the government’s revenues are raised from the Territorial  
7 Income Tax, which “mirrors” federal income tax law. Consequently, any changes  
8 to the federal income tax will automatically change the Territorial Income Tax

1 with an attendant increase in revenues. Such changes were *not* factored into the  
2 revenue estimate for the Government of Guam’s 2013 Budget as enacted by Public  
3 Law 31-233. Any additional revenue to come from the expiration of all or part of  
4 the Bush Tax Cuts is therefore unappropriated. *I Liheslatura* finds that these  
5 additional revenues should be utilized in support of education of our island’s  
6 children and should therefore be appropriated to the Department of Education.

7 **Section 2.** Within 30 days of the enactment of this Act, the Director of  
8 Revenue and Taxation *shall* provide a written estimate of the additional revenue  
9 that would accrue to the government of Guam as a result of the expiration of any  
10 part of the Bush Tax Cuts, which were originally enacted as part of the Economic  
11 Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) and extended by  
12 the Jobs and Growth Tax Relief Reconciliation Act of 2003 (JGTRRA) and the  
13 Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of  
14 2010. This estimate *shall* be transmitted immediately upon completion to *I*  
15 *Liheslaturan Guåhan*.

16 **Section 3.** There is hereby appropriated from the General Fund to the  
17 Department of Education those additional revenues as a result of the expiration of  
18 all or part of the Bush Tax Cuts, as determined by the Director of Revenue and  
19 Taxation in accordance of Section 2 of this Act. The Superintendent of Education  
20 is authorized to utilize this appropriation to fund school operations and school  
21 repairs and renovations as provided for by Public Law 31-229.





## COMMITTEE ON RULES

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Aline Yamashita  
Member

February 13, 2013

**VIA FACSIMILE**

(671) 472-2825

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


**RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)**

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

  
**Senator Rory J. Respicio**  
*Chairperson, Committee on Rules*

Attachments

Cc: Clerk of the Legislature

2013 FEB 14 AM 9:09

**Bill No. 1-32(LS) – J. T. Won Pat, Ed. D. / T.R. Muna Barnes**

An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure Our Schools Act of 2013, and for other purposes.

**Bill No. 2-32 (LS) – A. A. Yamashita**

An act to repeal and reenact Section 1105 of Chapter1, Title2, Guam Code Annotated, relative to term limits for senators of the Guam Legislature.

**Bill No. 3-32 (LS) – B.J.F. Cruz./ T.R. Muna-Barnes / V.A. Ada**

AN ACT TO ADD A NEW CHAPTER 82 TO TITLE 12 OF THE GUAM CODE ANNOTATED; RELATIVE TO AUTHORIZING CERTAIN CONTRACTUAL ARRANGEMENTS FOR PUBLIC PRIVATE PARTNERSHIPS IN ORDER TO MOBILIZE PRIVATE RESOURCES FOR THE PURPOSE OF FINANCING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE AND DEVELOPMENT PROJECTS NORMALLY FINANCED AND UNDERTAKEN BY THE GOVERNMENT.

**Bill No. 4-32 (LS) – T.A. Morrison / B.J.F. Cruz / V.A. Ada**

AN ACT TO REPEAL AND RE-ENACT ARTICLE 2 OF CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING THE OFFICE OF TECHNOLOGY.

**Bill No. 5-32 (LS) – T.A. Morrison**

AN ACT TO ADD A NEW §40128 CHAPTER 40 OF 5GCA RELATIVE TO PLACING THE FORMER FQ SANCHEZ ELEMENTARY SCHOOL FACILITY UNDER THE JURISDICTION OF THE UMATAC MAYOR'S OFFICE.

**Bill No. 6-32 (LS) – B.T. McCreadie, D.G. Rodriguez, Jr**

AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT"

**Bill No. 7-32 (COR) – J.T. Won Pat, Ed.D.**

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

**Bill No. 8-32 (COR) – R.J. Respicio**

AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.

**Bill No. 9-32 (COR) – V.C. Pangelinan**

AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.

**Bill No. 10-32 (COR) – B.J.F. Cruz**

AN ACT TO ADD A NEW CHAPTER 39A TO TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO CREATING THE UNIFORM CHILD ABDUCTION PREVENTION ACT.

**Bill No. 11-32 (COR) - B.J.F. Cruz**

AN ACT TO ADD A NEW ARTICLE 9, TO CHAPTER 63, AND TO AMEND §5215 OF CHAPTER 5; AND TO AMEND § 63101, TO ADD A NEW (c) AND (d) TO § 63116, AND TO AMEND § 63129 OF CHAPTER 63 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO CREATING THE GUAM CORAL AND MARINE LIFE PROTECTION ACT.

**Bill No. 12-32 (COR) - B.J.F. Cruz**

AN ACT TO AMEND §90A101 AND §90A102 OF CHAPTER 90A OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PROHIBITION AND SALE OF CANDY CIGARETTES.

**Bill No. 13-32 (COR) - B.J.F. Cruz**

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

**Bill NO. 14-32 (COR) – C.M. Duenas / V.A. Ada**

AN ACT TO ADD A NEW §(e) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PURCHASE OR LEASE OF VEHICLES BY THE GOVERNMENT OF GUAM SHALL MEET OR EXCEED A MINIMUM AVERAGE COMBINED CITY AND HIGHWAY MILES PER GALLON (MPG) OF TWENTY-FIVE MILES PER GALLON (25 MPG); TO ADD A NEW §(f) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATAED, TO ALLOW CERTAIN SPECIALTY VEHICLES TO BE EXCLUDED FROM THE PROVISION OF THIS ACT.

**Bill NO. 15-32 (COR) – T.R. Muna Barnes**

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE FAMILY DWELLING (R-2)

**Bill No. 16-32 (COR) – R.J. Respicio / C.M. Duenas**

AN ACT TO REZONE LOT 2181-4NEW1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1, LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT PARCEL 4) IN THE MUNICIPALITY OF 2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TIYAN, bARRIGADA FROM AGRICULTURAL ZONE (A) TO LICHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL.

**Bill No. 17-32 (COR) – R.J. Respicio / T.C. Ada**

AN ACT TO ALLOW FOR CONDITIONAL USE OF PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO FOR MEETINGS AND CULTURAL PURPOSES, SPECIFICALLY LOTS 15-3 AND 15-R3, BOTH OF TRACT 1413, WHICH ARE CURRENTLY ZONED “A” (AGRICULTURAL), CONTAINING AN AREA OF 4,208.7± SQUARE METERS, AND TIYAN, BARRIGADA FROM BORDERED BY ALAGETA ROAD.

MESSAGE CONFIRMATION

FEB-13-2013 05:22 PM WED

FAX NUMBER : 4772240  
NAME : GNF

NAME/NUMBER : 4722825  
PAGE : 3  
START TIME : FEB-13-2013 05:21PM WED  
ELAPSED TIME : 01'00"  
MODE : STD ECM  
RESULTS : [ O.K ]



COMMITTEE ON RULES

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February 13, 2013

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(671) 472-2825

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

**RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (L.S) and Bill Nos. 7-32 through 17-32 (COR)**

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

**Senator Rory J. Respicio**  
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

*Recvd by: Anahyn Estagnio  
2/14/13  
Confirmed via phone w/ Joe 9:03am 2/14/13*



I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

FEB 15 2013

2013 FEB 15 PM 4:09 *VP*

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

Speaker

I Mina'trentai Unu Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio** *[Signature]*  
Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 8-32 (COR), As Introduced**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 8-32 (COR), as introduced, "An act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

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

*Si Yu'os Ma'åse',*

Vicente (Ben) Cabrera Pangelinan  
Chairman

**COMMITTEE REPORT  
ON**

**Bill No. 8-32 (COR), As Introduced**

**Sponsored by Senator Rory Respicio**

**“An act to appropriate to the Department of  
Education all additional revenue derived from  
the expiration of any part of the Bush Tax  
cuts.”**



I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

---

**FEB 15 2013**  
**MEMORANDUM**

**To: All Members**

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

**From:** Senator Vicente (Ben) Cabrera Pangelinan  
Chairman

**Subject:** Committee Report on Bill No. 8-32 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 8-32 (COR), as introduced, "An act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts" sponsored by Senator Rory Respicio.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 8-32 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note
7. Copy of COR referral
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

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

*Si Yu'os Ma'åse',*






Vicente (Ben) Cabrera Pangelinan  
Chairman

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

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

Bill No. 8-32 (COR): An act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	_____	_____	<input checked="" type="checkbox"/>	_____	_____
 Vice Speaker Benjamin J. F. Cruz Vice Chairperson	<input checked="" type="checkbox"/>	_____	_____	_____	_____
 Speaker Judith T. Won Pat, Ed.D Member	<input checked="" type="checkbox"/>	_____	_____	_____	_____
_____ Senator Tina Rose Muña-Barnes Member	_____	_____	_____	_____	_____
 Senator Dennis Rodriguez, Jr. Member	_____	_____	<input checked="" type="checkbox"/> 2/15/12	_____	_____
 Senator Michael San Nicolas Member	_____	_____	<input checked="" type="checkbox"/>	_____	_____
_____ Senator Michael Limtiaco Member	_____	_____	_____	_____	_____
_____ Senator Tommy Morrison Member	_____	_____	_____	_____	_____





I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

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Committee Report

Bill No. 8-32 (COR): An act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

**I. OVERVIEW**

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on February 1, 2013 at 9:00am in *I Liheslatura's* public hearing room.

**Public Notice Requirements**

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on January 25, 2013 (5-Day Notice), and again on January 30, 2013 (48 Hour Notice).

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

Senator Vicente (ben) C. Pangelinan, Chairman  
Vice Speaker BJ Cruz, Vice Chairman  
Speaker Judith Won Pat, Member  
Senator Tina-Rose Muña-Barnes, Member  
Senator Dennis Rodriguez, Member  
Senator Mike San Nicolas, Member  
Senator Mike Lintiaco, Member  
Senator Tommy Morrison, Member  
Senator Tom Ada  
Senator Rory Respicio  
Senator Tony Ada  
Senator Chris Duenas  
Senator Brant McCreadie  
Senator Aline Yamashita

**(b) Appearing before the Committee**

Mr. Robert Malay, Deputy Superintendent for Assessment and Accountability,  
Guam Department of Education

(c) **Written Testimonies Submitted**

Mr. Robert Malay, Guam Department of Education

**II. COMMITTEE PROCEEDINGS**

**Chairman Pangelinan:** Ok, thank you very much Mr. Malay. I know you have a ground breaking to go to, congratulations to the students of Oceanview Middle School and, that's right twelve years! (audience applauds). And so there is another bill that is before the Committee which affects the Department of Education and so I would like to go ahead and give you an opportunity to present testimony if you have such testimony on Bill No. 08, an act to appropriate to the Department of Education any additional revenue derived from the expiration of any part of the Bush Tax Cuts to the Department of Education and the author of the bill Senator Rory Respicio. I would like to recognize him and give him the opportunity to give us a short synopsis of the bill before, once again, you read your testimony.

(a) **Bill Sponsor Summary**

**Senator Respicio:** Thank you very much Mr. Speaker. All I want to do is thank you for hearing this bill and the title is self explanatory. I'll refer to DOE to provide testimony, whatever their position is on the bill. I just want to say that any additional revenue that comes to the General Fund should be earmarked for the Department of Education and this is what this bill proposes.

**Chairman Pangelinan:** Ok, thank you and Si Yu'us Ma'ase'. Mr. Malay? You may proceed.

(b) **Testimony**

**1. Mr. Robert Malay – Guam Department of Education**

**Mr. Robert Malay:** Thank you very much. I will now, and I'll be very brief as well. The Guam Department of Education is thankful to Senator Rory Respicio's support in introducing this legislation. While the amount of increased revenue is uncertain at this point in time, we know that resources are difficult to come by in the current fiscal environment. Should there be an agreement to appropriate these revenues to the Department of Education, it would be our preference to utilize this funding to address much needed school repairs or to provide school's with equipment or instructional supplies. So thank you Senator Respicio.

This concludes the testimony on Bill No. 8-32. There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at [senbenp@guam.net](mailto:senbenp@guam.net) or through our website at [senbenp.com](http://senbenp.com).

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

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 8-32 (COR) with the recommendation to report out only.

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

Bill No. 8-32(COR)

Introduced by:

R.J. RESPICIO 

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AN ACT TO APPROPRIATE TO THE DEPARTMENT OF  
EDUCATION ALL ADDITIONAL REVENUE DERIVED  
FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX  
CUTS.

2013 JAN -8 AM 10:23 

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

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

3 finds that it is clear that, through inaction or deliberate policy of the federal

4 government, some or part of the “Bush Tax Cuts” will expire in 2013 with a

5 resulting increase in federal income tax revenue. This will impact on

6 Government of Guam revenues as well, because most of the government’s

7 revenues are raised from the Territorial Income Tax, which “mirrors”

8 federal income tax law. Consequently, any changes to the federal income

9 tax will automatically change the Territorial Income Tax with an attendant

10 increase in revenues. Such changes were not factored into the revenue

11 estimate for the Government of Guam’s 2013 Budget as enacted by Public

12 Law 31-233. Any additional revenue to come from the expiration of all or

13 part of the Bush Tax Cuts is therefore unappropriated. *I Liheslatura* finds

14 that these additional revenues should be utilized in support of education of

1 our island's children and should therefore be appropriated to the  
2 Department of Education.

3 **Section 2.** Within thirty (30) days of the enactment of this Act, the  
4 Director of Revenue and Taxation shall provide a written estimate of the  
5 additional revenue that would accrue to the Government of Guam as a  
6 result of the expiration of any part of the Bush Tax Cuts which were  
7 originally enacted as part of the Economic Growth and Tax Relief  
8 Reconciliation Act of 2001 (EGTRRA) and extended by the Jobs and  
9 Growth Tax Relief Reconciliation Act of 2003 (JGTRRA) and the Tax Relief,  
10 Unemployment Insurance Reauthorization, and Job Creation Act of 2010.  
11 This estimate shall be transmitted upon completion immediately to *I*  
12 *Liheslaturan Guahan*.

13 **Section 3.** There is hereby appropriated from the General Fund to the  
14 Department of Education those additional revenues for FY 2013 as a result  
15 of the expiration of all or part of the Bush Tax Cuts as determined by the  
16 Director of Revenue and Taxation in accordance of Section 2 of this Act.  
17 The Superintendent of Education is authorized to utilize this appropriation  
18 to fund school operations and school repairs and renovations as provided  
19 for by Public Law 31-229.

-0-



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

**Senator Vicente "ben" Cabrera Pangelinan**

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

**Friday, February 1, 2013**

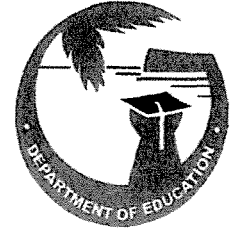
**Bill No. 8-32 (COR)  
SIGN UP SHEET**

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Robert Malay	DOE	300 1631	rhmalay@ gdoe.net	/			Y

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



# DEPARTMENT OF EDUCATION OFFICE OF THE SUPERINTENDENT



www.gdoe.net  
P.O. Box D.E., Hagatña, Guam 96932  
Telephone: (671)475-0457 or 300-1547/1536 • Fax: (671)472-5001  
Email: jonfernandez@gdoe.net

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

February 1, 2013

The Honorable Vicente "ben" C. Pangelinan  
Chairman, Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic  
Preservation and Land  
32<sup>ND</sup> Guam Legislature  
155 Hesler Place  
Hagatna, GU 96910

Dear Senator Pangelinan:

The following is hereby submitted as written testimony on **Bill No. 1-32**, the "Secure Our Schools Act"; **Bill No. 8-32**, relative to appropriating to the Department of Education any additional revenue derived from the expiration of the Bush tax cuts; and **Bill No. 19-32**, relative to capturing license fees and taxes from gaming operators. Thank you for the opportunity to testify.

### **Bill No. 1-32: Secure Our Schools Act**

**Bill No. 1-32** would authorize the Government of Guam to enter into a contract with a third-party vendor to finance, purchase, install, monitor and maintain electronic security systems in Guam public schools. Such systems would include security cameras, intrusion detection and alarm systems, and related equipment. Funding to help finance the initiative would come a pledge of up to \$1.28 million in Section 30 funds for no longer than a period of seven years. Alternative financing made available through partnership with the Guam Economic Development Authority is also contemplated.

The Guam Department of Education ("GDOE") fully supports Bill No. 1-32 and thanks Speaker Judith Won Pat and Senator Tina Muna-Barnes for introducing this bill. This legislation would help provide our public schools with security equipment that would help in both the detection and prevention of criminal activity on school grounds. Today, our public schools continue to experience a high number of school break-ins and vandalism. These incidents, taken together, have cost GDOE an estimated \$1.6 million over the past three years, which accounts for loss and replacement of property as well as labor and materials for facility repairs. The proposed investment in additional security would help to not only prevent loss and damage to our schools, but to help reassure our employees, children and families that our schools remain safe learning environments. (*See Attachment 1: School Security Facts*)

### **Bill No. 8-32, Relative to Appropriating Additional Revenue from Bush Tax Cuts to Guam DOE**

**Bill No. 8-32** would appropriate any additional revenues in FY 2013, deriving from the expiration of all or part of the Bush tax cuts, to the Guam Department of Education. The Bush tax cuts refer to changes to the tax code during President George W. Bush's administration, which lowered the marginal income tax rates for most Americans with further reductions to taxes on capital gains, dividends, and estates. These cuts have been continually extended but were due to expire at the end of 2012. On January 2, 2013, President Obama signed into law the American Taxpayer Relief Act of 2012, which further extended all of the cuts but allowed the increase to the highest marginal tax rate to go into effect, raising it from 35 percent to 39.6 percent. This would apply to individuals earning more than \$400,000 and married couples earning more than \$450,000. Because the Guam income tax code mirrors the Internal Revenue Code,

this tax increase would apply to Guam earners as well. Revenues resulting from this unanticipated revenue increase in FY 2013 would be appropriated by this bill for use by the Guam Department of Education for operations, school repairs and maintenance.

The Guam Department of Education is thankful for Senator Rory Respicio's support in introducing this legislation. While the amount of increased revenue is uncertain, we know that new resources are difficult to come by in the current fiscal environment. Should there be agreement to appropriate these revenues to GDOE, it would be my preference to utilize this funding to address much-needed school repairs or to provide schools with equipment or instructional supplies.

**Bill No. 19-32, Relative to Capturing License Fees and Taxes from Gaming Operations**

**Bill No. 19-32** amends current law to grant the Director of Revenue and Taxation the temporary authority to promulgate rules and regulations related to limited gaming and to assess an interim tax rate of twenty percent on all currently untaxed gaming activities on Guam. The proceeds of this tax – after accounting for administrative costs – would be allocated to the Mayors Council of Guam in year one for the repair and construction of village recreation centers; the Department of Parks and Recreation in year two for the repair and construction of its facilities; and the Department of Education in year three for the repair and construction of its sports facilities, with the allocation schedule repeating beginning in year four. Current law allocates these funds to the Department of Education's Interscholastic Sports Programs, the Guam National Olympic Committee, and the Northern and Southern Sports Complexes.

The Guam Department of Education thanks Senator Chris Duenas, Vice-Speaker B.J. Cruz, and Senator Tommy Morrison for their support for GDOE sports programs and facilities. In this particular case, GDOE would be a beneficiary both under current law as well as under the proposed amendment to the law. The major challenge appears to be that the legal authority to collect fees and taxes on gaming has not been exercised and, therefore, has not produced revenues to be allocated for any purpose. The Department would appreciate any resources that could be made available to ensure a robust Interscholastic Sports Program as well as improve our sports facilities. We would be happy to continue discussing the best use of funds that could be made available for these purposes.

Thank you for this opportunity to submit the testimony. Please feel free to contact me with any further questions or comments.

*Senseramente,*



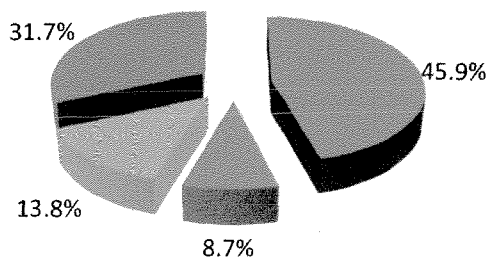
**JON J. P. FERNANDEZ**



## Attachment 1: School Security Facts

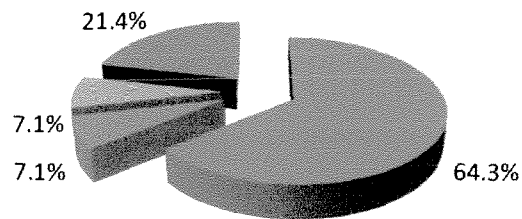
Over the past three school years, GDOE has had 218 instances of some form of “break-in”, a term that covers ranging from vandalism to destruction or theft of property. The majority of the break-ins have taken place in our Lagu (Northern) region, which continues to be the area of greatest concern. The Lagu schools make up nearly 46 percent of all break-ins in the district since the beginning of the 2010-2011 school year. They are followed by Haya (31.7%), Kattan (13.8%) and Luchan (8.7%), respectively. The rate of incidents for this current year shows that Lagu schools have reported 64% of all break-ins, compared to Haya (21.4%), and Kattan and Luchan (each at 7.1%). This information is shown below.

**% of 3-Year Total**



■ Lagu ■ Luchan ■ Kattan ■ Haya

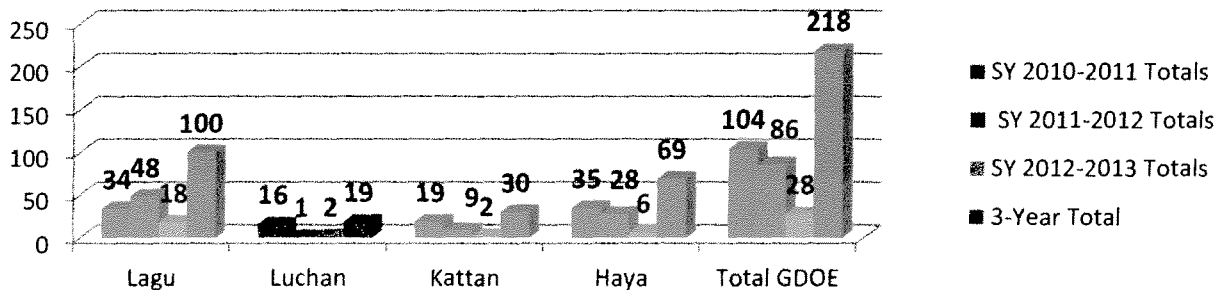
**% of SY 2012-2013 Total**



■ Lagu ■ Luchan ■ Kattan ■ Haya

An overall look at the real numbers by regions shows the break down by year for each region and the totals for GDOE below:

### GDOE Schools Break-in Data SY 2010/11 - SY 2012/13 By Region





- **Repair of Damaged Property** (Supplies, Materials and Labor): this has included broken window, doors, door knobs, lighting, fence line damage, and other general destruction of building interiors.
- **Replacement of Property** (Supplies, Materials and Equipment): this has included classroom and instructional supplies and materials, food, technology such as computers, laptops, tv's, vcr's, projectors and copper wiring).
- **Restoration of Facility** (Supplies, Materials and Labor): this has included cleaning supplies and materials and recharging of fire extinguishers.
- **Purchase of Security Measures** (Equipment and Labor): this has included hiring security guards and installation of security systems.

A single incident can range in cost from as low as \$1,000 to the well published recent occurrences regarding the copper wire thefts of more than \$90,000. Our estimate for the past three years is that school break-ins have costs the district an estimated \$1.6 million.

A breakdown of the recent copper wire thefts experienced in December of 2012 shows that the 8 occurrences came at a cost of \$231,374.99 to GDOE.

**Initial Re-Wiring**

Item	PO #	Cost
Manpower	GDOE	\$1,652.55
Supplies and Materials	20130114	\$11,225.08
Supplies and Materials	20130117	\$2,009.00
Supplies and Materials	20130126	\$121.50
Supplies and Materials	20130128	\$6,168.40
<b>Subtotal</b>		<b>\$21,176.53</b>

**Foot Patrol Services**

Vendor	Schools	PO #	Cost
Denanche	5	20130144	\$16,831.50
Hawk	5	20130145	\$18,060.00
G4S	5	20130143	\$19,425.00
<b>Subtotal</b>			<b>\$54,316.50</b>

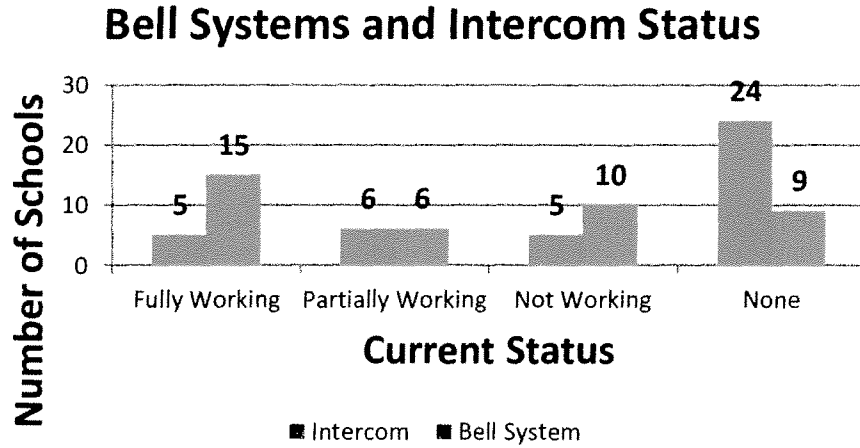
**Contracted Re-Wiring**

Schools	Vendor	PO #	Cost
	DCK		
FBLG/SSHS	Worldwide Z4	20130174	\$86,461.03
Wettengel	Corporation Z4	20130173	\$49,769.01
Finegayan	Corporation	20130170	\$19,651.92
<b>Subtotal</b>			<b>\$155,881.96</b>

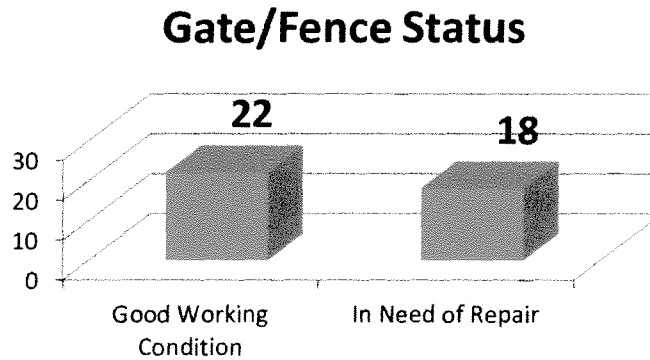
**Grand  
Total      \$231,374.99**

**Infrastructural Security Needs.** Many of our schools lack basic communication technology to assist during an emergency on campus. While the primary use of bell systems is to signal starting and ending times of instructional blocks, they are also valuable tools when signaling an emergency by the number and/or type of ringing. Likewise, while intercom systems are commonly used for school-wide announcements, they can also serve in providing instructions during an emergent situation.

The following indicates the number of schools that have bell systems and intercom systems that are fully working, partially working, not working, or do not exist:



Additionally, 18 of our 40 schools have indicated a need for repairs on the gates and/or perimeter fencing as indicated below (note – Inarajan Elementary does not have a fence):





## COMMITTEE ON RULES

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

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

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

Senator

Rory J. Respicio

CHAIRPERSON

MAJORITY LEADER

Senator

Thomas C. Ada

VICE CHAIRPERSON

ASSISTANT MAJORITY LEADER

Senator

Vicente (Ben) C. Pangelinan

Member

Speaker

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

Member

Senator

Dennis G. Rodriguez, Jr.

Member

Vice-Speaker

Benjamin J.F. Cruz

Member

Legislative Secretary

Tina Rose Muña Barnes

Member

Senator

Frank Blas Aguon, Jr.

Member

Senator

Michael F.Q. San Nicolas

Member

Senator

V. Anthony Ada

Member

MINORITY LEADER

Senator

Aline Yamashita


Member

January 8, 2013

### MEMORANDUM

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

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

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

Subject: **Referral of Bill No. 8-32 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 8-32(COR).

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

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

*Si Yu'os Ma'åse!*

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
8-32 (COR)	R.J. Respicio	AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.	1/8/2013, 10:23 a.m.	1/10/13		Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land;			

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN AFFAIRS;  
HUMAN & NATURAL RESOURCES; AND ELECTION REFORM



*I Mina' trentai Dos na Libeslaturan Guåban*  
**THIRTY-SECOND GUAM LEGISLATURE**

February 1, 2013

**VIA EMAIL**

*senbenp@guam.net*

**The Honorable vicente c. pangelinan**  
Chairman, Committee on Appropriations,  
Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation and Land  
*I Mina' trentai Dos Na Libeslaturan Guåhan*  
155 Hesler Place  
Hagåtña, Guam 96910

**Re: Sponsor Statement on Bill No. 8-32 (COR)**

Dear Senator pangelinan:

Thank you for scheduling Bill No. 8-32 (COR) for a public hearing. I introduced Bill No. 8-32 (COR) "AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS," which would earmark for the Department of Education any additional tax revenue that Government of Guam would collect this year as a result of the recent "fiscal cliff" deal in Washington.

Under the terms of the deal reached by President Obama and Congress, the "Bush tax cuts" were allowed to expire for incomes more than \$400,000 per year, with a resulting increase in revenues for the federal government. Because Guam's Territorial Income Tax Code, which is collected by Revenue & Taxation, mirrors the federal tax code, that tax increase was automatically applied to the Guam's tax code as well, and is expected to also bring in more revenue to GovGuam.

This increase in revenue was not part of the revenue estimate for the FY 2013 Budget, and is therefore unappropriated. In Bill No. 8-32 (COR), the increase in revenue would be determined by the Director of Revenue and Taxation and then automatically appropriated to the Department of Education for operations or school repairs and renovations.

Although the amount of additional revenue has yet to be determined, it is clear DOE is in need of additional funding and should be a priority. Any additional tax revenue resulting from the changes to the tax code that occurs this year should be earmarked to DOE.

Thank you, again, for this opportunity. I respectfully request that this statement be included with your committee's report on Bill No. 8-32 (COR).

Very Truly Yours,

  
Rory J. Respicio



I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan


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

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January 25, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

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The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am, on Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

**Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.**

**Bill No. 7-32 (COR): An Act to *Add* a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.**

**Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.**

**Bill No. 9-32 (COR): An Act to *add* new §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *amend* sections of Chapter 58 of Title 12 Guam Code Annotated, Relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency Website, and for other purposes.**

**Bill No. 18-32 (COR): An Act to Appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents (\$392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.**





I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

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Memo to Senators

January 25, 2013

Page 2

**Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.**

*Yanggen un nisisita espesiåt na setbision put fabot ågang i Ifisinin Senadot ben pangelinan gi 473-* Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi [www.guamlegislature.com](http://www.guamlegislature.com) Yanggen para un na'hålom testigu-mu, chule' para i ifisinin-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [senbenp@guam.net](mailto:senbenp@guam.net). Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com) Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at [senbenp@guam.net](mailto:senbenp@guam.net)



Lisa Dames <cipo@guamlegislature.org>

**Public Hearing - FIRST NOTICE**

1 message

**Lisa Dames** <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 11:01 AM  
 To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Michael Limtiaco <mlimtiaco671@gmail.com>, Tommy Morrison <tommy@senatormorrison.com>  
 Cc: Senator ben pangelinan <senbenp@guam.net>

**INEKUNGOK PUPBLEKO**  
**(PUBLIC HEARING)**

*gi Betnes, gi diha 1 gi Fibreru, 2013)*

Friday, February 1, 2013

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

*alas nuebi gi eggan'an*

**(9:00 AM)**

**TAREHA**

**(AGENDA)**

***Priniponi Siha:***

**(Bills)**

**Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority**

**to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.**

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--  
Lisa Dames  
Chief of Staff

Office of Senator ben c. pangelinan

(671) 473-4236

cipo@guamlegislature.org

mailto:cipo@guamlegislature.org



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Lisa Dames <cipo@guamlegislature.org>

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**Public Hearing - FIRST NOTICE**

1 message

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

Fri, Jan 25, 2013 at 10:56 AM

**INEKUNGOK PUPBLEKO**  
**(PUBLIC HEARING)**

***gi Betnes, gi diha 1 gi Fibreru, 2013)***

**Friday, February 1, 2013**

***Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan***  
**(Guam Legislature Public Hearing Room)**

***alas nuebi gi eggan'an***

**(9:00 AM)**

**TAREHA**

**(AGENDA)**

***Priniponi Siha:***

**(Bills)**

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Lisa Dames  
Chief of Staff  
Office of Senator ben c. pangelinan  
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[cipo@guamlegislature.org](mailto:cipo@guamlegislature.org)

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Lisa Dames <cipo@guamlegislature.org>

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## Public Hearing - FIRST NOTICE

1 message

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Lisa Dames <cipo@guamlegislature.org>

Fri, Jan 25, 2013 at 10:58 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

### ***INEKUNGOK PUPBLEKO***

***(PUBLIC HEARING)***

***gi Betnes, gi diha 1 gi Fibreru, 2013)***

**Friday, February 1, 2013**

***Kuátton Inekungok Pubbleko gi I Liheslaturan Guáhan***

**(Guam Legislature Public Hearing Room)**

***alas nuebi gi eggan'an***

**(9:00 AM)**

**TAREHA**

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Office of Senator ben c. pangelinan  
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I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan


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

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January 30, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – SECOND NOTICE

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The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am**, on **Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

**Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.**

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I Mina'trentai Dos na Liheslaturan Guåhan

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Senator Vicente (ben) Cabrera Pangelinan

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

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Memo to Senators  
January 30, 2013  
Page 2

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Lisa Dames &lt;cipo@guamlegislature.org&gt;

## Public Hearing - SECOND NOTICE

1 message

Lisa Dames &lt;cipo@guamlegislature.org&gt;

Wed, Jan 30, 2013 at 10:16 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Office of Senator ben c. pangelinan  
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Lisa Dames &lt;cipo@guamlegislature.org&gt;

## Public Hearing - SECOND NOTICE

2 messages

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

Wed, Jan 30, 2013 at 10:17 AM

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

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**Adam Bearce** <adam@guamlegislature.org>  
To: Lisa Dames <cipo@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Wed, Jan 30, 2013 at 10:19 AM

Hi. confirmed posted.

[Quoted text hidden]



Lisa Dames <cipo@guamlegislature.org>

## Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:23 AM

To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <rorjfor Guam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatorTonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantfor Guam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Senator Michael Limtiaco <mike@mikelimtiaco.com>, Tommy Morrison <tommy@senatormorrison.com>

Cc: Senator ben pangelinan <senbenp@guam.net>

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gi senbenp@guam.net. Este na nutisiu inapási nu i fendon gubetnamento.

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...

--  
Lisa Dames  
Chief of Staff  
Office of Senator ben c. pangelinan  
(671) 473-4236  
[cipo@guamlegislature.org](mailto:cipo@guamlegislature.org)

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WEDNESDAY, JANUARY 30, 2013 - MARIANAS VARIETY GUAM EDITION

WEDNESDAY, JANUARY 30, 2013



## I Mina'Trenta Na Liheslaturan Guåhan

### THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan  
Office of the People  
Website: www.senben.com

#### INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi dina 1 gi Fibreru, 2013  
(Friday, February 1, 2013)

Kuåtton inekungok Pubbleko gi I Liheslaturan Guåhan  
(Guam Legislature Public Hearing Room)

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

#### TAREHA (AGENDA)

##### Prinsipni Siha: (Bills)

**Bill No. 1-32 (1S):** An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

**Bill No. 7-32 (COR):** An Act to Add a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

**Bill No. 8-32 (COR):** An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

**Bill No. 9-32 (COR):** An Act to add new §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and amend sections of Chapter 58 of Title 12, Guam Code Annotated, Relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency Website, and for other purposes.

**Bill No. 10-32 (COR):** An Act to appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents (\$392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.

**Bill No. 19-32 (COR):** An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

*Yanggen un nisisita espesial na setorsio put fabot agang i lhisinan Senadot ben pangelinan gi 473- Yanggen un nisisita espesial na setorsio, put fabot agang i lhisinan Senadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i prinsipni siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guåhan gi [www.guamlegislature.com](http://www.guamlegislature.com) Yanggen para un na halom testigu-mu, chule para i lhisinan-mami gi 324 West Soledad Avenue gi iya Hagåtña, pat quatto gi i Kuatton-katna gi Liheslatura, put faks gi 473-4238, potsimo imel gi [senben@guam.net](mailto:senben@guam.net). Este na nutria inapasi na l'fendon gubetramento.*

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

**INEKUNGOK PUPBLEKO  
(PUBLIC HEARING)**

*gi Betnes, gi diha 1 gi Fibreru, 2013  
(Friday, February 1, 2013)*

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

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

**TAREHA  
(AGENDA)**

**Priniponi Siha:  
(Bills)**

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**Bill No. 7-32 (COR):** An Act to Add a new §480105(j) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

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**Bill No. 18-32 (COR):** An Act to appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents (\$392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGM, including Change Order No. 1 and Change Order No. 2.

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I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

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**INEKUNGOK PUPBLEKO  
(PUBLIC HEARING)**

*gi Betnes, gi diha 1 gi Fibreru, 2013)*  
Friday, February 1, 2013

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

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

**TAREHA  
(AGENDA)**

***Priniponi Siha:***  
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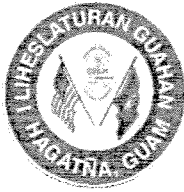
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I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

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

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**UPDATED 2013.02.11**

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**32GL Senator Staff**

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## COMMITTEE ON RULES

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
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Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

January 8, 2013

-  
**MEMORANDUM**

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

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

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

**Subject:** **Referral of Bill No. 8-32 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 8-32(COR).

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

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

*Si Yu'os Ma'åse!*

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

Bill No. 8-32(COR)

Introduced by:

R.J. RESPICIO   
\_\_\_\_\_

2013 JAN-8 AM 10:23 

AN ACT TO APPROPRIATE TO THE DEPARTMENT OF  
EDUCATION ALL ADDITIONAL REVENUE DERIVED  
FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX  
CUTS.

1           BE IT ENACTED BY THE PEOPLE OF GUAM:

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

3 finds that it is clear that, through inaction or deliberate policy of the federal  
4 government, some or part of the “Bush Tax Cuts” will expire in 2013 with a  
5 resulting increase in federal income tax revenue. This will impact on  
6 Government of Guam revenues as well, because most of the government’s  
7 revenues are raised from the Territorial Income Tax, which “mirrors”  
8 federal income tax law. Consequently, any changes to the federal income  
9 tax will automatically change the Territorial Income Tax with an attendant  
10 increase in revenues. Such changes were not factored into the revenue  
11 estimate for the Government of Guam’s 2013 Budget as enacted by Public  
12 Law 31-233. Any additional revenue to come from the expiration of all or  
13 part of the Bush Tax Cuts is therefore unappropriated. *I Liheslatura* finds  
14 that these additional revenues should be utilized in support of education of



1 our island's children and should therefore be appropriated to the  
2 Department of Education.

3 **Section 2.** Within thirty (30) days of the enactment of this Act, the  
4 Director of Revenue and Taxation shall provide a written estimate of the  
5 additional revenue that would accrue to the Government of Guam as a  
6 result of the expiration of any part of the Bush Tax Cuts which were  
7 originally enacted as part of the Economic Growth and Tax Relief  
8 Reconciliation Act of 2001 (EGTRRA) and extended by the Jobs and  
9 Growth Tax Relief Reconciliation Act of 2003 (JGTRRA) and the Tax Relief,  
10 Unemployment Insurance Reauthorization, and Job Creation Act of 2010.  
11 This estimate shall be transmitted upon completion immediately to *I*  
12 *Liheslaturan Guahan*.

13 **Section 3.** There is hereby appropriated from the General Fund to the  
14 Department of Education those additional revenues for FY 2013 as a result  
15 of the expiration of all or part of the Bush Tax Cuts as determined by the  
16 Director of Revenue and Taxation in accordance of Section 2 of this Act.  
17 The Superintendent of Education is authorized to utilize this appropriation  
18 to fund school operations and school repairs and renovations as provided  
19 for by Public Law 31-229.

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