

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
204-32 (COR)	Michael T. Limitiaco, Aline A. Yamashita, Ph.D., Tommy Morrison, Chris M. Duenas, V. Anthony Ada	AN ACT TO AMEND §§7105-7108 OF 17 GCA, RELATIVE TO THE AUTHORIZATION OF COMMERCIAL ADVERTISING LEASES; TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ESTABLISH A COMMERCIAL ADVERTISING SPACE PROGRAM ON SCHOOL BUSES; AND, TO ESTABLISH THE DPW BUS MAINTENANCE FUND.	10/09/13 1:18 p.m.	10/09/13	Committee on Education, Public Library and Women's Affairs			Fiscal Note Request 10/14/13 Fiscal Note Received 12/27/13



COMMITTEE ON RULES

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
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

December 27, 2013

Memorandum

To: Rennae Meno
Clerk of the Legislature

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

Subject: Fiscal Notes /Waivers

Hafa Adai!

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

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

FISCAL NOTES:

Bill No. 204-32 (COR)

WAIVERS:

Bill No. 231-32 (COR)

Bill No. 232-32 (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 DEC 27 AM 10:24

**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***FACSIMILE INFORMATION PAGE***PLEASE DELIVER TO: Senator Rory RespicioFACSIMILE NUMBER: 472-3547FROM: BBMRTotal Pages including this page: 6

If you do not receive legible copies of all the pages, please call back as soon

as possible. Phone numbers (671) 475-9412/9450. Fax number (671) 472-2825

RE: Fiscal Note on the following Bill Nos.: 204-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 231-32(COR), and 232-32(COR).**COMMENTS:** Fiscal Notes to be picked up via Central Files.

Thank You!

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNOR

DEC 24 2013

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

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 204-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 231-32(COR), and 232-32(COR).

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

A handwritten signature in black ink, appearing to read "J. Rios".

JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 204-32 (COR)**

AN ACT TO AMEND §§7105-7108 OF 17 GCA, RELATIVE TO THE AUTHORIZATION OF COMMERCIAL ADVERTISING LEASES; TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ESTABLISH A COMMERCIAL ADVERTISING SPACE PROGRAM ON SCHOOL BUSES; AND, TO ESTABLISH THE DPW BUS MAINTENANCE FUND.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Department of Education	Dept./Agency Head: Jon J.P. Fernandez, Superintendent
Department's General Fund (GF) appropriation(s) to date: Includes FY2015 Advance Appropriation (\$1,500,000)	189,969,835
Department's Other Fund (Specify) appropriation(s) to date: Territorial Educational Facilities Fund (\$18,333,190); Public Library Resources Fund (\$796,323); School Lunch Child Nutritional Meal (\$10,869,218); Cash Collection (\$1,095,091); Healthy Futures Fund (\$891,754)	31,185,576
Total Department/Agency Appropriation(s) to date:	\$221,155,411

Dept./Agency Affected: Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	11,235,337
Department's Other Fund (Specify) appropriation(s) to date: DPW Building & Design Fund (\$597,019); Guam Highway Fund (\$8,132,517)	8,729,536
Total Department/Agency Appropriation(s) to date:	\$19,964,873

Fund Source Information of Proposed Appropriation			
	General Fund:	DPW Bus Maintenance Fund: 1/	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 1(+S))	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Interscholastic Sports Fund 1/	1/	1/	1/	1/	1/	1/
DPW Bus Maintenance Fund 1/	1/	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/	1/

- Does the bill contain "revenue generating" provisions? /X/ Yes // No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No
If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? /X/ Yes // No
If yes, will the program duplicate existing programs/agencies? // 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 by due date /X/ Other: Time constraints

Analyst: Angela Flores, BMA IV Date: 12/16/13 Director: John A. Rios, Director Date: DEC 24 2013

Footnotes: 1/ See Attachment.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 204-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Interscholastic Sports Fund 1/	1/	1/	1/	1/	1/
DPW Bus Maintenance Fund: 1/	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/

Comments:

1/ The establishment of the 'DPW Bus Maintenance Fund' is for the purpose of supplementing costs associated with maintaining the Department of Public Works' (DPW) school buses and for the management fees of the commercial advertising space program, through lease agreements. The language in § 50A105 reflects that this Fund is to be administered by DPW; and in §50A104 that DPW shall issue request for proposals for the management of the program. Details are *not* included with regard to 'management of the program' and 'administration of the Fund' pending development by DPW per §50A102 and §50A103. Expenditures from the Fund shall be by written authorization of the DPW Director. Based on bus ads in 200 markets, the cost ranges from \$150 to \$4,500 per ad per 4 week period for bus exterior ads; and \$20 to \$125 per ad per 4 week period for bus interior ads. And assuming that ads for 1 school bus are approved, 1 for exterior and 8 for interior at minimum rates of \$150 and \$20, respectively over a 4 week period, then a total of \$150 for exterior and \$160 for interior would be realized, or a total of \$310 for a 4 week period for one bus, or \$3,720 annually. And if this is applied to 55 school buses out of the current 110 roadworthy school buses, then a total of \$204,600 would be realized in revenue under the Fund.

It is noted that the bill amends §§7105 thru 7108 relative to Interscholastic Sports Fund to reflect the non-inclusion of fees for commercial leasing of advertising space at Department of Public Works' (DPW) school buses. To date, no advertising has been made on school buses, and as such, the bill will not negatively impact on current collections under the Interscholastic Sports Fund.



COMMITTEE ON RULES

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 14, 2013

VIA E-MAIL
john.rios@bbmr.guam.gov

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

RE: Request for Fiscal Notes– Bill Nos. 204-32 (COR) through 208-32 (COR)

Hafa Adai Mr. Rios:

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

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

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 OCT 14 PM 4:45

Bill Nos.	Sponsor	Title
204-32 (COR)	Michael T. Limitiaco, Aline A. Yamashita, Ph.D., Tommy Morrison, Chris M. Duenas, V. Anthony Ada	AN ACT TO AMEND §§7105-7108 OF 17 GCA, RELATIVE TO THE AUTHORIZATION OF COMMERCIAL ADVERTISING LEASES; TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ESTABLISH A COMMERCIAL ADVERTISING SPACE PROGRAM ON SCHOOL BUSES; AND, TO ESTABLISH THE DPW BUS MAINTENANCE FUND.
205-32 (COR)	Dennis G. Rodríguez, Jr. Brant T. McCreadie R. J. Respicio	AN ACT TO PROMOTE ECONOMIC DEVELOPMENT BY AUTHORIZING THE ISSUANCE OF TAX CREDITS TO ENTITIES WHO ASSIST WITH THE DEVELOPMENT OF GUAM'S AGRICULTURAL AND "GUAM PRODUCT SEAL" PRODUCTS EXPORT INITIATIVE THROUGH CONTRIBUTIONS TO OFFSET SHIPPING COSTS, BY ADDING A NEW ARTICLE 6 TO CHAPTER 77, DIVISION 2 OF TITLE 12, GUAM CODE ANNOTATED.
206-32 (COR)	B. J.F. Cruz	AN ACT TO AMEND SUBSECTION (C) OF §26603, OF ARTICLE 6, CHAPTER 26, OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING TAX PARITY BETWEEN CIGARETTES AND CHEWING TOBACCO.
207-32 (COR)	T.C. Ada R.J. Respicio	AN ACT TO ADD §8241.1 OF TITLE 12 OF THE GUAM CODE ANNOTATED AND TO APPROVE THE TERMS AND CONDITIONS OF GUAM POWER AUTHORITY REVENUE BONDS TO FINANCE CAPITAL IMPROVEMENTS TO THE ISLAND-WIDE POWER SYSTEM.
208-32 (COR)	T. R. Muña Barnes	AN ACT TO ADD § 51112 OF CHAPTER 51, TITLE 18 GUAM CODE ANNOTATED RELATIVE TO PROVIDING AN ADDITIONAL SOURCE OF FUNDING TO THE GUAM HOUSING CORPORATION'S HOUSING TRUST FUND BY AUTHORIZING THE TRANSFER TO THE SAME OF INTEREST ON SECURITY DEPOSITS ARISING FROM LANDLORD TENANT RENTAL AGREEMENTS.



COMMITTEE ON RULES

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 9, 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. 204-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 204-32(COR)**.

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

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

Si Yu'os Ma'åse!

Attachment

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

Bill No. 204-32(02)

Introduced by:

Michael T. Limtiaco
A. A. Yamashita, Ph.D.
T. A. Morrison
Chris M. Duenas
V. A. Ada

AN ACT TO AMEND §§7105-7108 OF 17 GCA, RELATIVE TO THE AUTHORIZATION OF COMMERCIAL ADVERTISING LEASES; TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ESTABLISH A COMMERCIAL ADVERTISING SPACE PROGRAM ON SCHOOL BUSES; AND, TO ESTABLISH THE DPW BUS MAINTENANCE FUND.

2013 OCT -9 PM 1:18 M

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

2 **Section 1. §7105 of 17 GCA is amended to read:**

3 "**§ 7105. Authorization of Commercial Advertising Leases.** Within ninety (90) days of the
4 enactment of this Chapter, the Department shall review and revise all existing Department rules and
5 regulations for the management and control of school property in order to authorize the commercial
6 leasing of advertising space at Department and Tiyan sports facilities [~~and on Department of Public~~
7 ~~Works' school buses~~], consistent with government of Guam standard property regulations. Within
8 ninety (90) days of enactment of this Chapter, the Department of Education [~~in conjunction with the~~
9 ~~Bus Operations Division of the Department of Public Works,~~] shall develop standard size and
10 placement regulations for the leasing of commercial advertising space at Department and Tiyan
11 sports facilities [~~and on Department of Public Works' school buses~~]. Immediately upon completion,
12 the proposed revisions shall be transmitted to the Board for approval. Within thirty (30) days of
13 receipt, the Board shall adopt the revised rules and regulations with any amendments deemed
14 necessary and appropriate."

15 **Section 2. §7106 of 17 GCA is amended to read:**

16 "**§ 7106. Schedule of Commercial Advertising Fees.** Within ninety (90) days of the
17 enactment of this Chapter, the Department of Education shall develop a schedule of fees for the

1 commercial leasing of advertising space at Department of Education and Tiyan sports facilities [~~and~~
2 ~~Department of Public Works' school buses~~]. Immediately upon completion, the proposed schedule of
3 fees shall be transmitted to the Board for approval. Within thirty (30) days of receipt, the Board shall
4 approve the schedule of fees with any amendments deemed necessary and appropriate."

5 **Section 3. §7107 of 17 GCA is amended to read:**

6 **"§ 7107. Standard Lease Agreement for Commercial Advertising.** Within ninety (90)
7 days of the enactment of this Act, the Department of Education shall develop a standard lease
8 agreement for commercial advertising at Department of Education and Tiyan sports facilities [~~and on~~
9 ~~Department of Public Works' school buses~~]. Such standard lease agreement shall specify the
10 Department's rules and regulations, schedule of fees and legal liabilities for private entities seeking
11 to advertise at Department of Education and Tiyan sports facilities [~~and on Department of Public~~
12 ~~Works' school buses~~]. Such standard lease agreement shall specifically prohibit any advertising
13 which promotes substances which are controlled by law, or are illegal to distribute to minors,
14 including, without limitation, alcohol; establishments selling primarily alcohol products, such as
15 bars; tobacco products; firearms; obscenity and as may be otherwise determined by the
16 Board. Immediately upon completion, the proposed standard lease agreement shall be transmitted to
17 the Board for approval. Within thirty(30) days of receipt, the Board shall adopt the standard lease
18 agreement with any amendments deemed necessary and appropriate."

19 **Section 4. §7108 of 17 GCA is amended to read:**

20 **"§ 7108. Interscholastic Sports Fund.** There is hereby created, separate and apart from all
21 other funds of the government of Guam, a fund known as the 'Interscholastic Sports Fund' ("Fund")
22 into which shall be deposited all fees collected from the commercial leasing of advertising space at
23 Department of Education and Tiyan sports facilities, [~~and on Department of Public Works' school~~
24 ~~buses~~] and other monies deemed appropriated by the Department of Education.

25 (a) **Same: Administration.** The Fund shall be administered by the Department of Education
26 and shall not be commingled with the General Fund or any other fund of the government of Guam.
27 The Fund shall be maintained in a separate bank account and monies deposited therein shall not be
28 subject to *I Maga'lahaen Guåhan's* transfer authority. The Department of Education is authorized to
29 accept for the Fund gifts, bequests, donations and other kinds of contributions for the purposes of the
30 Fund.

1 **(b) Same: Expenditures.** Expenditures from the Fund shall be made exclusively for the
2 purpose of supplementing the costs associated with operating the Department of Education
3 interscholastic sports programs. The Department of Education may transfer from the Interscholastic
4 Sports Fund to the Department of Public Works such funds as are necessary to fund in whole or in
5 part interscholastic bus transportation.

6 **(c) Same: Distribution of the Interscholastic Sports Fund.** Elementary schools may
7 participate in the solicitation of commercial advertising in their respective schools as provided
8 through the Interscholastic Sports Fund Act. However, because the interscholastic sports program
9 exists in the middle and high school levels only, the elementary school that solicits and receives
10 monies for commercial advertising shall deposit all funds into the Interscholastic Sports Fund. The
11 Department of Education shall transfer forty percent (40%) of the total sum of any fees, monetary
12 gifts, donations or contributions collected or derived from the commercial leasing of any part of the
13 facilities for advertising, or other such purposes of an elementary school, into '*I Salappe Facilidat*'
14 account of that respective elementary school. The remaining sixty percent (60%) will remain in the
15 Interscholastic Sports Fund to support interscholastic sports programs. Funds transferred to '*I*
16 *Salappe Facilidat*' accounts of a respective elementary school pursuant to this Subsection shall be
17 expended in accordance with the provisions of 17 GCA §1704, as enacted through Public Law
18 Number 23-67. The distribution of advertising funds for both middle and high schools will be as
19 follows: sixty percent (60%) will remain in the Interscholastic Sports Fund and forty percent (40%)
20 will be retained at the school for its respective sports programs. Any advertising funds collected for
21 the Tiyan Facility or the Staff Development Center (behind George Washington High School in
22 Mangilao) will be distributed as follows: sixty percent (60%) to the Interscholastic Sports Fund and
23 forty percent (40%) for maintenance of those facilities.

24 **(d) Same: Annual Financial Report.** Within sixty (60) days after the closing of each fiscal
25 year, the administrator or authorized custodian of the Interscholastic Sports Fund shall transmit to
26 the Board and the Superintendent of the Department of Education an annual report of the
27 expenditures of the Fund, including, but not limited to, a balance sheet, a statement of receipts and
28 expenses, and a general description of the income sources of the Fund and the expenses thereof."

1 which shall be deposited all fees collected from the commercial leasing of advertising space on
2 school buses. Expenditures from the Fund shall be by written authorization of the Director of Public
3 Works.

4 (a) **Same: Administration.** The Fund shall be administered by the Department of Public
5 Works and shall not be commingled with the General Fund or any other fund of the government of
6 Guam. The Fund shall be maintained in a separate bank account and monies deposited therein shall
7 not be subject to *I Maga'lahaen Guåhan's* transfer authority. The Department of Public Works is
8 authorized to accept for the Fund gifts, bequests, donations and other kinds of contributions for the
9 purposes of the Fund.

10 (b) **Same: Expenditures.** Expenditures from the Fund shall be made exclusively for the
11 purpose of supplementing the costs associated with maintaining the Department of Public Works'
12 school buses and for program management fees.

13 (c) **Same: Annual Financial Report.** Within sixty (60) days after the closing of each fiscal
14 year, the administrator or authorized custodian of the DPW Bus Maintenance Fund shall transmit to
15 the Director of the Department of Public Works an annual report of the expenditures of the Fund,
16 including, but not limited to, a balance sheet, a statement of receipts and expenses, and a general
17 description of the income sources of the Fund and the expenses thereof. Copies of the report shall be
18 transmitted to *I Maga'lahaen Guåhan* and to the Speaker of *I Liheslaturan Guåhan*."

19 **Section 6. Effective Date.** The provisions of this Act shall be effective upon enactment.

20 **Section 7. Severability.** If any provision of this Act, or the application thereof to any
21 person or circumstances is held invalid, the invalidity does not affect other provisions or applications
22 of the Act that can be given effect without the invalid provisions or application, and to this end the
23 provisions of this Act are severable.