

*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
<b>204-32 (COR)</b>	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			<b>Fiscal Note Request 10/14/13</b>



# COMMITTEE ON RULES

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

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

October 14, 2013

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto: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 4:43

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. Rodriguez, 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.



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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(OR)

Introduced by:

Michael T. Lintiacó  
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           **Section 5.**   A new Chapter 50A is added to 5 GCA relative to authorizing the  
2 Department of Public Works to establish a commercial advertising space program on school  
3 buses.

4   **"CHAPTER 50A**

5   **COMMERCIAL ADVERTISING SPACE PROGRAM**

6   **§ 50A101.      Authorization.**

7   **§ 50A102.      Program Rules and Regulations.**

8   **§ 50A103.      Lease Agreement.**

9   **§ 50A104.      Program Management.**

10 **§ 50A105.     DPW Maintenance Fund.**

11 **§ 50A101.     Authorization.** The Department of Public Works ('Department') is authorized to  
12 establish a commercial advertising space program ('Program') utilizing space on the department's  
13 school buses.

14 **§ 50A102.     Program Rules and Regulations.** Within ninety (90) days of the enactment of this  
15 Act, the Department shall develop rules and regulations governing the standard size and placement  
16 for the leasing of commercial advertising space, a schedule of fees for the commercial leasing of  
17 advertising space, and any other rules and regulations necessary for the effective and efficient  
18 operation of the Program.

19 **§ 50A103.     Lease Agreement.** The Department shall develop a standard lease agreement. The  
20 lease agreement shall incorporate applicable rules and regulations, the schedule of fees, and make  
21 clear any legal liabilities for private entities seeking to advertise on its buses. The standard lease  
22 agreement shall specifically prohibit any advertising which promotes substances which are  
23 controlled by law, or are illegal to distribute to minors, including, without limitation, alcohol;  
24 establishments selling primarily alcohol products, such as bars; tobacco products; firearms;  
25 obscenity and as may be otherwise determined by the Department of Public Works.

26 **§ 50A104.     Program Management.** The Department shall issue a request for proposals for the  
27 management of the Program. The Fund established in §50A105 shall be the source for any program  
28 management fees.

29 **§ 50A105.     DPW Maintenance Fund.** There is hereby created, separate and apart from all other  
30 funds of the government of Guam, a fund known as the 'DPW Bus Maintenance Fund' ("Fund") into



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.