



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Jellefin</u>
Time	<u>3:02</u>
Date	<u>2/27/96</u>

FEB 27 1996

The Honorable Don Parkinson  
Speaker  
Twenty-Third Guam Legislature  
424 West O'Brien Drive  
Julale Center - Suite 222  
Agana, Guam 96910

OFFICE OF THE SPEAKER	
Date:	<u>2/27/96</u>
Time:	<u>11:30A</u>
Received By:	<u>HL</u>
Print Name:	<u>HANSENIAK</u>

**REFER TO  
LEGISLATIVE SECRETARY**

Dear Speaker Parkinson:

Enclosed please find a copy of Substitute Bill No. 269 (LS), "AN ACT TO ADD A NEW §7104.1, §7104.2, §7104.3, AND §7104.4 TO TITLE 17, GUAM CODE ANNOTATED, TO BE KNOWN AS 'THE INTERSCHOLASTIC SPORTS FUND ACT'", which I have signed into law today as **Public Law No. 23-70**.

This legislation authorizes the Department of Education to devise a program, in conjunction with the Department of Public Works, to lease commercial advertising space at Department of Education and Tiyan sports facilities and on the school buses. The proceeds will be put into a separate fund for interscholastic sports activities; Forty Percent (40%) of money in the fund is to be transferred to the "I Salappe' Facilidat" accounts of elementary schools and used for maintaining or improving school facilities.

The concept of utilizing existing assets to provide funding for interscholastic sports activities and school-based maintenance funds for elementary schools is a good idea, and hopefully funds will be generated for these purposes.

The procedure outlined in this legislation calls for the Department of Education and, for some aspects, the Bus Operations Division of the Department of Public Works, to devise rules and regulations for the sale of advertising space. The rules and regulations are to be transmitted to the Territorial Board of Education, which must adopt them.

An additional provision in this legislation, Section 6, page 5, lines 23-25, states that the procedures and requirements of the Administrative Adjudication Law apply to developing the rules and regulations for the sale of advertising space, however the provisions of Public Law 22-96 do not apply. This language is inconsistent and unclear. Public Law 22-96 contains an amendment to the procedures and requirements of the Administrative Adjudication Law and is not separate from it. The two changes to the Administrative Adjudication Law contained in Public Law 22-96 are 1) an extension of the time before rules and regulations go into effect by adding an additional seven (7) legislative days, and 2) that the proposed rules and regulations must be presented to the Legislature "in bill form". Section 6 of Bill No. 269, when read together with the other provisions of the bill stating that the rules and regulations must be adopted by the Territorial Board of Education, leaves the actual requirements for valid rules and regulations in limbo. This inconsistency should be clarified in subsequent legislation.

Very truly yours,



Carl T. C. Gutierrez

Attachment

231001

TWENTY-THIRD GUAM LEGISLATURE  
1996 (SECOND) Regular Session

This is to certify that Substitute Bill No. 269 (LS), "AN ACT TO ADD A NEW §7104.1, §7104.2, §7104.3, AND §7104.4 TO TITLE 17, GUAM CODE ANNOTATED, TO BE KNOWN AS "THE INTERSCHOLASTIC SPORTS FUND ACT," was on the 22nd day of February, 1996, duly and regularly passed.



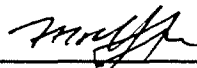
\_\_\_\_\_  
D. PARKINSON  
Speaker

Attested:



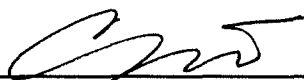
\_\_\_\_\_  
JUDITH WON PAT-BORJA  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 23 day of February,  
1996, at 6:20 o'clock P.M.



\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:



\_\_\_\_\_  
CARL T. C. GUTIERREZ  
Governor of Guam

Date: 2-27-96

Public Law No. 23-70

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) Regular Session

Bill No. 269 (LS)

As Substituted by the Author and Further  
Amended by the Committee on Education

Introduced by:

C. A. Leon Guerrero  
F. E. Santos  
T. S. Nelson  
F. P. Camacho  
T. C. Ada  
J. P. Aguon  
E. Barrett-Anderson  
A. C. Blaz  
J. M. S. Brown  
M. C. Charfauros  
M. Forbes  
A. C. Lamorena V  
L. Leon Guerrero  
S. L. Orsini  
D. Parkinson  
J. T. San Agustin  
A. R. Unpingco  
J. Won Pat-Borja

AN ACT TO ADD A NEW §7104.1, §7104.2, §7104.3, AND  
§7104.4 TO TITLE 17, GUAM CODE ANNOTATED, TO  
BE KNOWN AS "THE INTERSCHOLASTIC SPORTS  
FUND ACT".

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

2           **Section 1.** It is the finding of this Legislature that the Department of  
3 Education faces a serious funding shortfall as a result of the government of  
4 Guam's current financial difficulties. This shortfall is compromising the  
5 integrity of many of the Department of Education's programs, among the

1 most severely impacted being interscholastic sports programs. As sports  
2 programs are essential to the comprehensive physical, mental and social  
3 development of all students, new and innovative means of supplementing the  
4 funding to these programs must be initiated if they are to remain variable.

5 **Section 2.** A new §7104.1 is hereby added to Title 17, Guam Code  
6 Annotated, to read:

7 **"§7104.1. Authorization of Commercial Advertising**  
8 **Leases.** Within ninety (90) days of the enactment of this Act, the  
9 Department of Education shall review and revise all existing  
10 Department of Education rules and regulations for the management  
11 and control of school property in order to authorize the commercial  
12 leasing of advertising space at Department of Education and Tiyan  
13 sports facilities and on Department of Public Works school buses  
14 consistent with government of Guam standard property regulations.  
15 Within ninety (90) days of enactment of this Act, the Department of  
16 Education, in conjunction with the Bus Operations Division of the  
17 Department of Public Works, shall develop standard size and placement  
18 regulations for the leasing of commercial advertising space at  
19 Department of Education and Tiyan sports facilities and on  
20 Department of Public Works school buses. Immediately upon  
21 completion, the proposed revisions shall be transmitted to the  
22 Territorial Board of Education ("the Board") for approval. Within  
23 thirty (30) days of receipt, the Board shall adopt the revised rules and  
24 regulations with any amendments deemed necessary and appropriate."

25 **Section 3.** A new §7104.2 is hereby added to Title 17, Guam Code  
26 Annotated, to read:

1           **"§7104.2. Schedule of Commercial Advertising Fees.** Within  
2 ninety (90) days of the enactment of this Act, the Department of  
3 Education shall develop a schedule of fees for the commercial leasing of  
4 advertising space at Department of Education and Tiyan sports  
5 facilities and Department of Public Works school buses. Immediately  
6 upon completion, the proposed schedule of fees shall be transmitted to  
7 the Board for approval. Within thirty (30) days of receipt, the Board  
8 shall approve the schedule of fees with any amendments deemed  
9 necessary and appropriate."

10       **Section 4.** A new §7104.3 is hereby added to Title 17, Guam Code  
11 Annotated, to read:

12           **"§7104.3. Standard Lease Agreement for Commercial**  
13 **Advertising.** Within ninety (90) days of the enactment of this Act, the  
14 Department of Education shall develop a standard lease agreement for  
15 commercial advertising at Department of Education and Tiyan sports  
16 facilities and on Department of Public Work school buses. Such standard  
17 lease agreement shall specify the Department of Education's rules and  
18 regulations, schedule of fees and legal liabilities for private entities  
19 seeking to advertise at Department of Education and Tiyan sports  
20 facilities and on Department of Public Works school buses. Such  
21 standard lease agreement shall specifically prohibit any advertising  
22 which promotes substances which are controlled by law or are illegal to  
23 distribute to minors, including, without limitation, alcohol,  
24 establishments selling primarily alcohol products such as bars, tobacco  
25 products, firearms, obscenity, and as may be otherwise determined by  
26 the Board. Immediately upon completion, the proposed standard lease  
27 agreement shall be transmitted to the Board for approval. Within thirty

1 (30) days of receipt, the Board shall adopt the standard lease agreement  
2 with any amendments deemed necessary and appropriate."

3 **Section 5.** A new §7104.4 is hereby added to Title 17, Guam Code  
4 Annotated, to read:

5 "§7104.4. **Interscholastic Sports Fund.** There is hereby created,  
6 separate and apart from all other funds of the government of Guam, a  
7 fund known as the 'Interscholastic Sports Fund' ("the Fund") into which  
8 shall be deposited all fees collected from the commercial leasing of  
9 advertising space at Department of Education and Tiyan sports  
10 facilities and on Department of Public Works school buses and other  
11 monies deemed appropriated by the Department of Education.

12 (a) **Same: Administration.** The Fund shall be  
13 administered by the Department of Education and shall not be  
14 commingled with the General Fund or any other fund of the  
15 government of Guam. The Fund shall be maintained in a  
16 separate bank account and monies deposited therein shall not be  
17 subject to the Governor's transfer authority. The Department of  
18 Education is authorized to accept for the Fund gifts, bequests,  
19 donations, and other kinds of contributions for the purposes of the  
20 Fund.

21 (b) **Same: Expenditures.** Expenditures from the Fund shall  
22 be made exclusively for the purpose of supplementing the costs  
23 associated with operating the Department of Education  
24 interscholastic sports programs.

25 The Department of Education may transfer from the  
26 Interscholastic Sports Fund to the Department of Public Works

1 such funds as are necessary to fund in whole or in part  
2 interscholastic bus transportation.

3 (c) **Same: Forty Percent (40%) Transfer of Funds to the 'I**  
4 **Salappe' Facilitat' Accounts.** The Department of Education shall  
5 transfer forty percent (40%) of the total sum of any fees, monetary  
6 gifts, donations or contributions collected or derived from the  
7 commercial leasing of any part of the facilities for advertising or  
8 other such purposes, into the 'I Salappe' Facilitat' accounts of  
9 each respective elementary school. Funds transferred to the 'I  
10 Salappe' Facilitat' Accounts of each respective elementary school  
11 pursuant to this subsection, shall be expended in accordance with  
12 the provisions of §7104 of Title 17, Guam Code Annotated, as  
13 enacted through Public Law 23-67.

14 (d) **Same: Annual Financial Report.** Within sixty (60) days  
15 after the closing of each fiscal year, the administrator or  
16 authorized custodian of the Interscholastic Sports Fund shall  
17 transmit to the Territorial Board of Education and the Director of  
18 the Department of Education an annual report of the  
19 expenditures of the Fund, including, but not limited to, a balance  
20 sheet, a statement of receipts and expenses, and a general  
21 description of the income sources of the Fund and the expenses  
22 thereof."

23 **Section 6.** The procedures and requirements of the Administrative  
24 Adjudication Law shall apply to this Act. However, the procedures and  
25 requirements contained in Public Law 22-96 shall not apply to this Act.

26 **Section 7.** The Department of Education is authorized to enter into  
27 contracts with the media to sell advertising or otherwise raise revenues



- 1 through the coverage of interscholastic events in addition to the other
- 2 provisions of this Act.

**TWENTY-THIRD GUAM LEGISLATURE**

1996 (SECOND) Regular Session

Date: 2/22/96

**VOTING SHEET**

Bill No. 269

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>ABSENT/ OUT DURING ROLL CALL</u>
ADA, Thomas C.	✓			
AGUON, John P.	✓			
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C /	✓			
CRISTOBAL, Hope A. /		✓		
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C		✓		
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G. /		✓		
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL

18    3    0    0

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Recording Secretary

PL 22-70

✓

# Judith Won Pat-Borja

Senator

February 12, 1996

Honorable Don Parkinson  
Speaker  
Twenty-Third Guam Legislature

Via: Chairman, Committee on Rules

Dear Mr. Speaker:

Hafa Adai!

The Committee on Education, to which Bill No. 269 was referred (as substituted by the author): AN ACT TO REPEAL AND REENACT § 7101 OF TITLE 17, GUAM CODE ANNOTATED, AND TO ADD A NEW § 7104.1, § 7104.2, § 7104.3, AND § 7104.4 TO TITLE 17, GUAM CODE ANNOTATED, TO BE KNOWN AS "THE INTERSCHOLASTIC SPORTS FUND ACT," wishes to report its findings and recommendations for passage of Bill No. 269.

The voting record is as follows:

To Pass	<u>11</u>
Not To Pass	<u>0</u>
Abstain	<u>0</u>
To Place in Inactive File	<u>0</u>

Attached are all pertinent documents for your review.

Si Yu'os ma'ase'.



Judith Won Pat-Borja


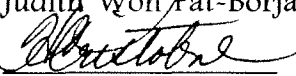
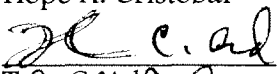
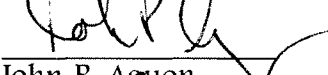
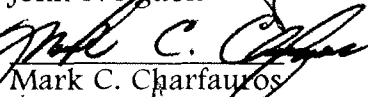
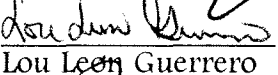
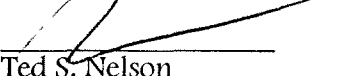


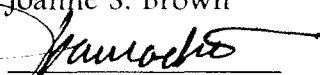

Attachments

**TWENTY-THIRD GUAM LEGISLATURE**  
**COMMITTEE ON EDUCATION**

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Vote Sheet - Bill No. 269

“An Act to Repeal and Reenact § 7101 of Title 17, Guam Code Annotated, and to Add a New § 7104.1, §7104.2, § 7104.3, and §7104.4 to Title 17, Guam Code Annotated, to be known as the “Interscholastic Sports Fund Act.”

Committee Member	To Do Pass	Not To Pass	Abstain	Report Out Only
 Judith Won Pat-Borja	✓			
 Hope A. Cristobal	✓			
 Tom C. Ada	✓			
 John P. Aguon	✓			
 Mark C. Charfauros	✓			
 Lou Leon Guerrero	✓			
 Ted S. Nelson				
 Vicente Pangelinan				
Angel L.G. Santos				
 Elizabeth Barret-Anderson	✓			
Joanne S. Brown				
 Felix P. Camacho	✓			
 Mark Forbes	✓			

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) Regular Session

Bill No. 269

(As Substituted by the Author  
and Further Amended by the  
Committee on Education)

C.A. Leon Guerrero  
F.E. Santos



F.P. CAMACHO

AN ACT TO ADD A NEW §7104.1, §7104.2, §7104.3 AND §7104.4 TO  
TITLE 17, GUAM CODE ANNOTATED, TO BE KNOWN AS "THE  
INTERSCHOLASTIC SPORTS FUND ACT".

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

2 Section 1. It is the finding of this Legislature that the  
3 Department of Education faces a serious funding shortfall as a  
4 result of the government of Guam's current financial difficulties.  
5 This shortfall is compromising the integrity of many of the  
6 Department of Education's programs, among the most severely  
7 impacted being interscholastic sports programs. As sports programs  
8 are essential to the comprehensive physical, mental and social  
9 development of all students, new and innovative means of  
10 supplementing the funding to these programs must be initiated if  
11 they are to remain viable.

12 Section 2. A new §7104.1 is hereby added to Title 17, Guam  
13 Code Annotated to read:

14 "§7104.1. Authorization of Commercial Advertising  
15 Leases. Within ninety (90) days of the enactment of this Act,  
16 the Department of Education shall review and revise all  
17 existing Department of Education rules and regulations for the  
18 management and control of school property in order to  
19 authorize the commercial leasing of advertising space at

1 Department of Education and Tiyan sports facilities and on  
2 Department of Public Works school buses consistent with  
3 government of Guam standard property regulations. Within  
4 ninety (90) days of enactment of this Act, the Department of  
5 Education, in conjunction with the Bus Operations Division of  
6 the Department of Public Works, shall develop standard size  
7 and placement regulations for the leasing of commercial  
8 advertising space at Department of Education and Tiyan sports  
9 facilities and on Department of Public Works school buses.  
10 Immediately upon completion, the proposed revisions shall be  
11 transmitted to the Territorial Board of Education ("the  
12 Board") for approval. Within thirty (30) days of receipt, the  
13 Board shall adopt the revised rules and regulations with any  
14 amendments deemed necessary and appropriate."

15 **Section 3.** A new §7104.2 is hereby added to Title 17, Guam  
16 Code Annotated to read:

17 **"7104.2. Schedule of Commercial Advertising Fees.**

18 Within ninety (90) days of the enactment of this Act, the  
19 Department of Education shall develop a schedule of fees for  
20 the commercial leasing of advertising space at Department of  
21 Education and Tiyan sports facilities and Department of Public  
22 Works school buses. Immediately upon completion, the proposed  
23 schedule of fees shall be transmitted to the Board for  
24 approval. Within thirty (30) days of receipt, the Board shall  
25 approve the schedule of fees with any amendments deemed  
26 necessary and appropriate."

1           **Section 4.** A new §7104.3 is hereby added to Title 17, Guam  
2 Code Annotated to read:

3           "**§7104.3. Standard Lease Agreement for Commercial**  
4 **Advertising.** Within ninety (90) days of the enactment of this  
5 Act, the Department of Education shall develop a standard  
6 lease agreement for commercial advertising at Department of  
7 Education and Tiyan sports facilities and on Department of  
8 Public Works school buses. Such standard lease agreement  
9 shall specify the Department of Education's rules and  
10 regulations, schedule of fees, and legal liabilities for  
11 private entities seeking to advertise at Department of  
12 Education and Tiyan sports facilities and on Department of  
13 Public Works school buses. Such standard lease agreement shall  
14 specifically prohibit any advertising which promotes  
15 substances which are controlled by law or are illegal to  
16 distribute to minors, including, without limitation, alcohol,  
17 tobacco products, firearms, obscenity, and as may be otherwise  
18 determined by the Board. Immediately upon completion, the  
19 proposed standard lease agreement shall be transmitted to the  
20 Board for approval. Within thirty (30) days of receipt, the  
21 Board shall adopt the standard lease agreement with any  
22 amendments deemed necessary and appropriate."

23           **Section 5.** A new §7104.4 is hereby added to Title 17, Guam  
24 Code Annotated to read:

25           "**§7104.4 Interscholastic Sports Fund.** There is hereby  
26 created, separate and apart from all other funds of the

1 government of Guam, a fund known as the 'Interscholastic  
2 Sports Fund' ("the Fund") into which shall be deposited all  
3 fees collected from the commercial leasing of advertising  
4 space at Department of Education and Tiyan sports facilities  
5 and on Department of Public Works school buses and any other  
6 monies deemed appropriate by the Department of Education.

7 (a) **Same: Administration.** The Fund shall be  
8 administered by the Department of Education and shall not  
9 be commingled with the General Fund or any other fund of  
10 the government of Guam. The Fund shall be maintained in  
11 a separate bank account and monies deposited therein  
12 shall not be subject to the Governor's transfer  
13 authority. The Department of Education is authorized to  
14 accept for the Fund gifts, bequests, donations, and other  
15 kinds of contributions for the purposes of the Fund.

16 (b) **Same: Expenditures.** Expenditures from the Fund  
17 shall be made exclusively for the purpose of  
18 supplementing the costs associated with operating the  
19 Department of Education interscholastic sports programs.

20 (c) **Same: Forty Percent (40%) Transfer of Funds to**  
21 **the 'I Salappe' Facilitat' Accounts.** The Department of  
22 Education shall transfer forty percent (40%) of the total  
23 sum of any fees, monetary gifts, donations or  
24 contributions collected or derived from the commercial  
25 leasing of any part of the facilities for advertising or  
26 other such purposes, into the 'I Salappe' Facilitat'



1 accounts of each respective elementary school. Funds  
2 transferred to the 'I Salappe' Facilitat' Accounts of  
3 each respective elementary school pursuant to this  
4 subsection, shall be expended in accordance with the  
5 provisions of §7104 of Title 17, Guam Code Annotated as  
6 enacted through Public Law 23-67.

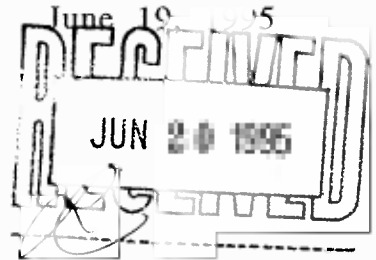
7 (d) **Same: Annual Financial Report.** Within sixty  
8 (60) days after the closing of each fiscal year, the  
9 administrator or authorized custodian of the  
10 Interscholastic Sports Fund shall transmit to the  
11 Territorial Board of Education and the Director of the  
12 Department of Education an annual report of the  
13 expenditures of the Fund, including, but not limited to,  
14 a balance sheet, a statement of receipts and expenses,  
15 and a general description of the income sources of the  
16 Fund and the expenses thereof.



# COMMITTEE ON RULES

Twenty-Third Guam Legislature  
155 Hesler St., Agana, Guam 96910

## MEMORANDUM



TO: Chairman, Committee on Education

FROM: Chairman, Committee on Rules

SUBJECT: Referral - Bill No. 269

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.

A large, stylized handwritten signature in black ink, appearing to read "Sonny Lujan Orsini".

SONNY LUJAN ORSINI

Attachment:

received  
8/18/95

FISCAL NOTE  
BUREAU OF BUDGET AND MANAGEMENT RESEARCH SEP 08 1995

BBMR-F7

Bill No. 269  
Amendatory Bill YES  NO

Date Received 8/15/95  
Date Reviewed 8/24/95

Department/Agency Affected: Department of Education  
Department/Agency Head: Gayle Hendricks, Acting Director  
Total FY Appropriation to Date: \$153,268,759

Bill Title (preamble): An Act to repeal and reenact §7101 of Title 17, Guam Code  
Annotated and to add a new §7104.1, §7104.2, §7104.3, §7104.4 and §7104.5 to  
Title 17, Guam Code Annotated, to be known as "The Interscholastic Sports  
Fund Act".

Change in Law: An Act to repeal and reenact, and to add subsections to Title 17 Guam Code Annotated.

Bill's Impact on Present Program Funding:  
 Increase  Decrease  Reallocation  No Change

Bill is for:  Operations  Capital Improvement  Other ( )

FINANCIAL/PROGRAM IMPACT

PROGRAM CATEGORY	ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)		TOTAL
	GENERAL FUND	OTHER	
Education	1/	1/	1/

FUND	ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)					
	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	1/					
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO-IF NO, ADD'L AMOUNT REQUIRED \$ 1/  
AGENCY/PERSON/DATE CONTACTED: Education/Administration Herbie Perez / 8/25/95  
Bill Carpo

FUND	ESTIMATED POTENTIAL MULTI-YEAR REVENUES					
	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	1/					
OTHER						
TOTAL						

ANALYST Jose S. Calvo DATE 9/7/95 DIRECTOR JOSEPH E. RIVERA DATE SEP 08 1995

FOOTNOTES: 1/ No financial data was received from the Department of Education and Department of Administration as of fiscal note preparation time.

Twenty-Third Guam Legislature  
Committee on Education

Committee Report on Bill No. 269

An Act to Repeal and Reenact §7101 of Title 17, Guam Code Annotated, and to Add a New §7104.1, §7104.2, §7104.3, and §7104.4 to Title 17, Guam Code Annotated, to be Known as the "Interscholastic Sports Fund Act."

Prepared by: Committee on Education

Senator Judith Won Pat-Borja,  
Chairperson

Publicly Heard:  
August 24, 1995 -- 6:00 PM  
Session Hall, Temporary Legislature  
Building  
155 Hesler St., Agana, Guam

## I. Introduction

The Committee on Education of the Twenty-Third Guam Legislature conducted a public hearing on **Bill No. 269** on August 24, 1995, at 6:00 PM in the Legislature's Session Hall, Temporary Legislature Building, 155 Hesler St., Agana, Guam.

The record of Committee Members in attendance is as follows:

### Committee on Education

Judith Won Pat-Borja  
Vicente Pangelinan

Chairperson  
Member

**Bill No. 269** was referred to the Committee on Education as the primary Legislative Committee.

## II. Testimony & Input on Bill No. 269

Persons appearing to testify before the Committee:

Norma Jean Taitano (Department of Education), Mary Gutierrez (Parent-Teacher Association Congress), Brenda Allenbaugh (Department of Education), Michael Flynn (Senator Carlotta Leon Guerrero's Office), and Dennis Zermeno (private citizen).

## A. Written Testimony

Senator Carlotta Leon Guerrero, Roland Taimanglo (DOE Interim Director), George Anthony-Borja (GWHS Principal), A.J. Sonny Shelton (Dept. of Parks & Recreation Director), Joseph Pugh (DMS Athletic Director), JFK High School's American government class, and Debbie Toves (private citizen) all submitted written testimony on **Bill No. 269** (See Appendage).

Michael Flynn, Senator Carlotta Leon Guerrero's Chief of Staff, presented the Senator's written testimony before the Committee. Based on careful research and citing the success of a unique program developed by the Colorado Springs School District to raise additional school revenues through advertising promotion within school facilities, Senator Leon Guerrero felt a **similar program could be implemented locally to take advantage of potential revenue-raising sources within DOE to benefit the interscholastic sports program.**

Acting DOE Director Roland Taimanglo stated that the Board of Education was in the process of crafting similar legislation relative to the ideas contained in the bill, and **suggested that any proposed legislation affecting education be transmitted first to the Board for review and adoption.**

GWHS principal George ~ Anthony Borja, while agreeing with some sections of the bill, indicated that his school **does not support the selling of**

permits to concession vendors and collecting admission fees from athletic events, primarily because this would significantly impact the fund-raising efforts of student clubs/organizations.

Dept. of Parks & Recreation Director A.J. Sonny Shelton, citing his department's own experience with such a revenue-generating plan, recommended allowing some flexibility for creative ideas to be incorporated into the program's marketing plan.

DMS Athletic Director Joseph Pugh expressed opposition to the bill, stating that schools should remain "advertisement-free" and that any revenue-generating vehicle should be an "in-house" decision -- not by the Legislature or DOE, and that all monies raised should remain at the schools for proper disbursement.

Although questioning its "organicity", JFK High School's American government class favored the approval of advertising and concession vendors, but felt clarification was needed on how funds would be divided among schools and where the monies would go to specifically, e.g. coaches, referee equipment, etc., and if gifts/donations could be given to specific schools.

Mangilao resident Debbie Toves was in favor of allowing businesses to assist the interscholastic sports program through advertisement sales as long as it excludes alcohol, tobacco, or other

products not considered "wholesome" or carrying an unhealthy or socially negative message.

## B. Oral Testimony

Oral testimonies on **Bill No. 269** were presented by Norma Jean Taitano (DOE), Brenda Allenbaugh (DOE), Michael Flynn (Senator Carlotta Leon Guerrero's Office), Mary Gutierrez (Guam PTA Congress), and Dennis Zermeno (private citizen).

Several of those presenting oral testimony were in favor of the bill's intent, but **recommended that changes be made in certain sections.** Mary Gutierrez reiterated a common concern about the **detriment of having private vendors competing for concessions with student clubs/organizations, as well as sending the wrong message to students should alcohol and tobacco advertisement be allowed.** Dennis Zermeno cautioned that **fund expenditures must be specific in order to prevent possible abuses,** and suggested developing and expanding larger funding sources.

Additionally, several school principals have since expressed some of their concerns about the bill during informal conversations with the COE Chairperson. Elementary school administrators **feel excluded** since their schools do not currently participate in the interscholastic sports program. Middle school administrators are of the opinion that the monies raised should **go directly to their school** for appropriate disbursement, and not administered by the Department of Administration.



High school administrators feel that ad revenues should benefit each school **proportionately**, depending on the size and amount of advertising space being sold by each school facility.

### III. Committee Findings

The Committee finds that while several of the testimonies given are supportive of the legislative intent of **Bill No. 269**, significant changes in the language need to be made in order to address a number of important concerns raised by individuals who testified at the public hearing.

**(Note:** As of this report, a substitute bill has been submitted by the author, Senator Carlotta Leon Guerrero, inclusive of the recommended changes discussed at the public hearing, and further amended by the Committee on Education based on additional revisions discussed at the last markup meeting with other committee members.)

### IV. Committee Recommendations

The Committee on Education, to which **Bill No. 269** was referred, has completed its review and deliberation on the bill, and does hereby recommend to the Twenty-Third Guam Legislature **"To Do Pass"** said measure: **"An Act to Repeal and Reenact §7101 of Title 17, Guam Code Annotated, and to Add a New §7104.1, §7104.2, §7104.3, and §7104.4 to Title 17, Guam Code Annotated, to be Known as the "Interscholastic Sports Fund Act."**

## V. APPENDAGE

- 1) Witness sign-up sheet
- 2) Public Hearing Notice (PDN, August 24, 1995)
- 3) Written Testimonies from:
  - \* Senator Carlotta Leon Guerrero
  - \* Roland Taimanglo
  - \* George-Anthony Borja
  - \* A. J. "Sonny" Shelton
  - \* Joseph Pugh
  - \* Debbie Toves





## **23rd Guam Legislature**

Committee on Education  
**Sen. Judith Won Pat-Borja,**  
Chairperson,  
Notice of Public Hearing

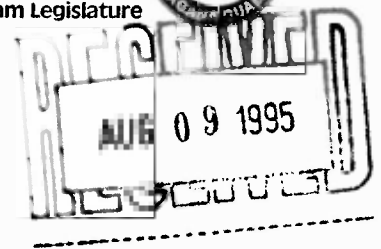
TIME    **FY 1996 Budget Hearing:**  
9:00 AM    **GUAM COMMUNITY COLLEGE**  
2:00 PM    **UNIVERSITY OF GUAM**  
6:00 AM    Public Hearing of Bill No.

**159 "Relative to Allowing Community Access  
to School Facilities" by JWP-Borja**

**269 "The Interscholastic Sports Fund Act"  
by C.A. Leon Guerrero**

DATE:    **THURSDAY - August 24, 1995**  
PLACE:    **TEMP. LEGISLATIVE OFFICES**  
            **155 HESLER ST., AGANA, GUAM**  
TIME:    **9:00 AM - 8:00 PM.**

**The Public is Invited to Attend**



COMMITTEE MEMBERSHIPS :

August 07, 1995

**TESTIMONY BEFORE THE COMMITTEE ON EDUCATION  
REGARDING: "THE INTERSCHOLASTIC SPORTS FUND" (Bill 269)**

Economic-Agricultural  
Development & Insurance

Good afternoon Madame Chair, Members of the Committee on Education, ladies and gentlemen. For the record, my name is Senator Carlotta A. Leon Guerrero, and I am the author of Bill 269: An to create an Interscholastic Sports Fund.

Federal &  
Foreign Affairs

Allow me to provide those in attendance with a brief history of Bill 269. In researching ways to make better use of our public school facilities, an issue which formed an essential plank in my campaign platform, I came across information regarding a unique program developed by the Colorado Springs School District to raise revenues for their schools through the promotion of advertising within school facilities. I have provided copies of this information today for public review.

General Governmental  
Operations &  
Micronesia Affairs

Health, Welfare &  
Senior Citizens

Community, Housing &  
Cultural Affairs

GovGuam's critical financial condition is well known. These financial difficulties have had a serious detrimental effect on nearly all government services, but perhaps none so profound as the Department of Education and its related programs -- including Interscholastic Sports.

Tourism & Transportation

Youth, Labor, Parks &  
Recreation

In order to cut the DOE Interscholastic Sports budget to meet available funding, it has been suggested that students be charged to participate in sports, or even that some interscholastic sports -- such as football -- be eliminated altogether. While these options are still under consideration and may eventually become

Association of Pacific  
Island Legislatures

necessary, the Territorial Board of Education has already announced that its proposed DOE budget for Fiscal Year 1996 will no longer include funding for bus transportation to and from interscholastic sporting events. Clearly, the Interscholastic Sports Program is in need of a cash infusion if its integrity is to be maintained.

In exploring possibilities to supplement the Interscholastic Sports budget, I contacted the Department of Parks and Recreation which informed me that over \$30,000 is collected annually for advertising space at the Paseo and Guerrero baseball fields alone. I also contacted some of these more prominent advertisers, to see if there might be interest in similar advertising if space were made available at DOE sports facilities. I was pleased to find that there is considerable preliminary interest in such a program.

Using the information provided by the Colorado Springs School District, I developed Bill 269 to take advantage of potential revenue-raising resources within DOE. I *do not* contend that Bill 269 is comprehensive. I believe additional revenues could be raised through advertising on DOE's fleet of buses -- as Colorado Springs has done, or through the corporate sponsorship of particular sports programs if such sponsorship would not jeopardize the amateur sports status of our interscholastic athletes.

Further, the administrating mechanism contained within Bill 269 is simply a suggested means of implementing this program. I look forward to collaborating with the Territorial Board of Education, the Department of Education and my colleagues to develop a workable Bill which will provide the Interscholastic Sports Program with

the supplemental funding that it so desperately needs.

While I do not anticipate that Bill 269 will completely eliminate the funding problems being experienced by the Interscholastic Sports Program, I do feel that Bill 269 could provide the funding needed to continue the busing program, the football program, or perhaps pay for interscholastic sports referee services.

With Team Guam's upcoming participation in the South Pacific Games in Tahiti and the Olympics in Atlanta, and hosting the South Pacific Games in 1999, I feel that it is imperative that we show our commitment to the development of quality athletes on Guam. Bill 269 sends a clear message to our youth that interscholastic sports is a priority for our community.

Thank you for your attention. I look forward to the Committee's expeditious action on Bill 269. I am available to answer any questions the Committee may have.

# Slammed in Paris

Agassi bounced from French Open, Page 67

# Senator proposes sports fund as partial remedy for budget woes

By RON IGE

Daily News Staff

Senator Carlotta A. Leon Guerrero has issued an SOS: Save Our Sports.

She and Sen. Francis E. Santos have already thrown the first life preserver. They've co-sponsored legislation to create an interscholastic sports fund.

Bill 269 was introduced during Monday's legislative session. It proposes authorization to lease space for commercial advertising at Department of Education sports facilities, issue permits to vendors on DOE premises and charge for admission to DOE sports ac-



LEON GUERRERO DOE premises and charge for admission to DOE sports ac-

## Sports and the Budget Crunch

The revenue generated would go into the sports fund, and could not be commingled with the government of Guam general fund or any other Government fund.

"It's in my blood," Leon Guerrero said. "I'm fully supportive of the interscholastic sports program and I don't want to see it jeopardized in any way."

See FUND, Page 63

### BILL 269

Provisions in legislation to create an interscholastic sports fund:

- Monies deposited into the fund would not be subject to the governor's transfer authority.
- The Department of Administration would administer the fund. DOA would be required to submit an annual report of expenditures to the governor and Territorial Board of Education within 60 days after the closing of each fiscal year.
- The standard lease agreement for commercial advertising at Department of Education sports facilities would prohibit advertising which promotes the use of alcohol, tobacco products, violence or sexual conduct.



JOHN MILLER

## Please don't tell me who won the game

If you read the comics, business section or even the front page before the sports section, you may not understand. People who love sports love to read about them, they love to talk about them, and for them, the world stops for a televised game.

### The 1995 NBA Finals

This year's NBA playoffs have been heaven for sports nerds. Intriguing matchups, mind-boggling individual performances, and last-second heroics have left fans talking about them for days. I love big games. Seeing a spectacular play in the Super Bowl, World Series or NBA playoffs makes the hair on my arms stand up. I'll admit to being a sports addict, but it's a disease I have no interest in conquering.

Watching games on Guam has been quite an adjustment for me. Due to the time difference, I find myself getting up at two or three in the morning to watch a game live. Fearing power outages, I have learned never to set the timer on my VCR to tape a game. You can't leave something as important as a base-





# one away

Vestern Conference finals hursday night at Chicago. Konstantinov's first career layoff goal ended the longest ame in this year's NHL playoffs.

The play looked innocent nough, with Konstantinov gaining control at center ice, striding into Chicago's zone and utting a soft wrist shot toward the net. But Belfour, who ad made 46 saves and sparked the first overtime, barely got is blocker on the puck and he puck went into the back of he goal.

Trying to break the NHL's ongest Stanley Cup drought — 0 years — Detroit is 11-1 in he playoffs as it aims for its rst trip to the championship eries since 1966.

# SPORTS SHORTS

## DFS sponsors soccer clinic, advanced course

The Duty Free Shoppers of Guam will be sponsoring The Wembly Soccer Academy summer youth clinic June 19-30. Heading the clinic will be founder James Charette, formerly of the Charlette Eagles, and All-American goalie Curt Gress, along with Curtis Baird and Andrew Herrick of Washington State.

The clinic will be held in weekly sessions and financial aid is available. An advanced all-day camp will also be held the second week. All players will receive a soccer ball and a T-shirt. For more information or financial aid call 472-1824 or 472-5523.

## Chaco/Meno win doubles tourney

The results of this year's first Doubles National Qualifier are in. For the Open division, first place went to Gordon Chaco and Rick Meno, second to Vince Camacho and Francis Guzman and third was Jerry Averman and Mike Garrido.

In first for the B division was Chaco and Alicia Yamgaguchi, while second went to Camacho and Rich Rosario and third was Ron Lashley and Roy Wesley.

Husband and wife duo Jeff and Tammie Milkes took first in the C division while sisters Alicia and Phylis Leon Guerrero were second and Frank Meno and Ron Perez were third.

## Kings stay unbeaten in PABL action

The Budweiser Kings remain undefeated with an 8-0 record after beating National Office Supply 85-70 Sunday in the Pilipino Amateur Basketball League. Seymour Payne led the Kings with 24 points assisted by Carmen Blas, who had 21. Art Layao was the high scorer for National with 12 points.

In other games, the Agat Panthers edged the Agat Wildcats 76-73, Johndel Supermarket stopped Inland Builders 68-56, the Women's Clinic Storks outscored Isipin Mo 73-70 in the showdown for fifth and Ace Hardware jumped back to second place after defeating Video Pro 100-62.

## Tourney first for Filipino organization

The first Filipino Community Invitational Golf Tournament will be held August 19 at the Windward Hills Country Club. The tournament aims to raise funds for the purchase of a private lot and the construction of the Filipino Community of Guam clubhouse.

Registration for the tournament starts in the middle of July. An entrance fee of \$100 will be charged and registration forms will be available at National Office Supply and island golf courses. Only 120 players will be accepted. For more information call Peter Dumaliang at 734-2971/9 or Roger Ruelos at 646-7767.

For the Daily News

# SAILING

## 20TH ANNUAL MYC GUAM TO ROTA RACE

### MICHELOB CUP Revised Standings

Guam to Rota Name	Corrected Time
Lum Lum	32915
Flying Cloud	35824
Tsunami	43019
Sunshine	43854
Remedy	48244
Seafeather	49568
Morning Star	51820
Telapa	51904
Sunflower	53562
Escape	DSQ
Dolphin Dancer	DNF
Rota to Guam Name	Corrected Time
Remedy	17007
Morning Star	17550
Lum Lum	17845
Flying Cloud	18393
Sunshine	19404
Escape	19803
Seafeather	21300
Sunflower	21822
Tsunami	22064
Telapa	DNF
Dolphin Dancer	DNS
Overall	Time
Lum Lum	50760
Flying Cloud	53677
Sunshine	63258
Tsunami	65083
Remedy	65251
Morning Star	69370
Seafeather	70868
Sunflower	75384
Escape	N/A
Telapa	N/A
Dolphin Dancer	N/A

**HOSPITAL AUTHORITY**



**ATION**

**ATION**

Property Appraisal

ne 19, 1995 - 10:00 a.m.

istribution at the GMHA e Office at 646-5801, re information.

IPPLE nistrator

**ER AUTHORITY**  
(TRES DAT GUAHAN  
A, GUAM, USA 96910-2977

**TO BID**  
questing sealed bids for

**DESCRIPTION**

- Transformer
- Tool & Test
- Equipment for SCADA
- Misc. Diesel Plant
- Parts

# Fund: Isn't a cure - all for problem

□ Continued from Page 68

The legislation has been in the works for several weeks, and Leon Guerrero said she decided to introduce it after Santos' public comments Sunday. Santos talked about students paying to play interscholastic sports and dropping certain sports such as football; he said these ideas should be considered in light of GovGuam's current financial plight.

Leon Guerrero said she asked Santos to co-sponsor the bill because he pointed out the problem and "I think he also has to work toward solutions."

The bill, however, is not a

"cure-all for the serious funding problems that jeopardize DOE sports programs," she said.

DOE's interscholastic sports programs cost an estimated \$1 million annually, Leon Guerrero said.

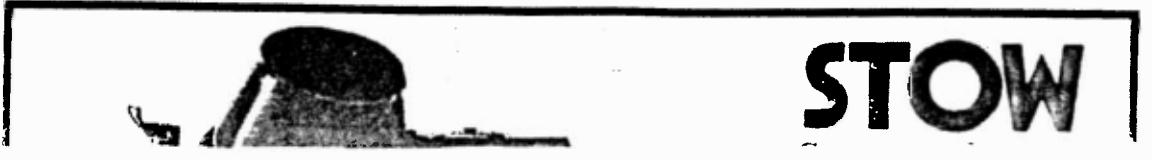
"It's not the total solution, but it kind of puts the creative thinking cap on," she said. "It might trigger ideas for other sources of funding."

Perhaps businesses will come forward and volunteer to sponsor some of the interscholastic sports leagues, Leon Guerrero said.

The bill proposes to supplement any shortfall DOE might

have funding interscholastic sports. The money would be distributed in a "gender equitable manner," meaning girls' sports receives the same amount of money as those for boys, according to the senator.

Leon Guerrero said she played on a championship volleyball team as a ninth-grader at Dededo Junior High School, and was a cheerleader at George Washington High School. Her six brothers all played in the Interscholastic Football League, and her daughter Madrid was a member of the John F. Kennedy Islanders girls' volleyball team this past season, she said.



**STOW**

# **NEWS** from School District Eleven

OFFICE OF SCHOOL/COMMUNITY RELATIONS 1115 N. El Paso Colorado Springs, CO 80903

received  
6/12/95

## **FOR IMMEDIATE RELEASE**

Contact: Tracy Cooper, 520-2005  
September 16, 1993

Dr. Kenneth Burnley, superintendent of Colorado Springs School District 11, today unveiled a unique way to increase revenue in the city's largest school district--a districtwide advertising program, which may be the first of its kind in the nation. The district has formed a partnership with O'Donnell & Riley Promotion and Advertising to launch the Advertising Sales Pilot Program, through which businesses will be able to advertise within school facilities.

"School District 11 has been recognized nationally for its entrepreneurial and innovative programs and services," said Burnley. "This is not by accident; with the Board of Education's support, the administration has encouraged staff to work with their communities to come up with new ways to increase student achievement, which has resulted in such creative programs as the recently announced partnership with the Department of Social Services to better serve at-risk students and the West Center for Intergenerational Learning. This advertising program is the latest innovation from the entrepreneurial spirit fostered in the district.

"The voters in this community have challenged us to be more creative in how we finance our schools and to be more businesslike, and we believe this advertising program is a viable way to get new dollars for our students," added Burnley. "Although there is already some advertising in schools, such as yearbook ads and scoreboards with business logos, this is the first time this kind or scope of business/education partnership has been fielded anywhere in the country, as far as we know. In fact, we had to get authorization from the Colorado Department of Education to permit us to advertise on school buses."

-more-

add 1

O'Donnell & Riley have agreed to sell advertising in the district on a commission basis, even though the success of such a campaign is unknown. School District 11 has agreed to share the risk by paying \$10,000 in start up fees, and O'Donnell and Riley agreed to take the rest of their revenues from advertising dollars they raise, even though they estimate that their costs will surpass \$10,000 before significant advertising dollars are generated. This contract is for this school year only and covers only the first \$300,000 in advertising revenue, from which District 11 will receive a 55% profit on most advertising, with 45% going to O'Donnell and Riley to cover their costs of selling advertisements and administering the campaign.

Some contracts will give the district up to 90% of the advertising revenue, such as for advertising obtained by district employees. The district will receive 85% of the advertising dollars for large contracts over \$50,000.

The district is committed to getting these new advertising dollars into schools, as well as to supporting districtwide programs and products, such as athletics or the district calendar/annual report.

The Board of Education has adopted an advertising policy and regulations which spell out guidelines for advertising in the district, such as forbidding advertising that promotes the use of drugs, alcohol, tobacco or firearms. An advertising review board, made up of central administrators, principals, parents and students, when appropriate, is being formed to work with the Office of School/Community Relations (OS/CR), which is the department that will manage the advertising campaign.

Schools are encouraged to provide education on advertising techniques for their students, and students will not be used as sales agents. Students' participation will continue to be only with school fund raisers deemed appropriate at the school level.

# **BACKGROUND**

## **District Eleven Advertising Campaign**

**FALL 1992**

### **TASK FORCE LOOKS AT VENDOR POLICIES.**

- New vendor guidelines are written and sent to all schools.
- Decision is made to investigate advertising as a revenue generating source.

**SPRING 1993**

### **WORK IS BEGUN TO REVISE DISTRICT POLICIES TO ALLOW ADVERTISING IN DISTRICT ELEVEN FACILITIES AND ON DISTRICT ELEVEN BUSES.**

- Marge Westbay asks schools for estimated number of those who would see advertising.
- Business office solicits requests for proposals to provide contracted advertising services.
- Task Force is formed to provide direction for new advertising policy.
- Advertising proposals are read, interviews conducted and contractor contacted.
- New advertising policies are adopted by the Board of Education.
- The director of transportation worked with the State Board of Education to get authorization for advertising on school buses.

**FALL 1993**

### **ADVERTISING CONTRACT IS NEGOTIATED.**

- Advertising project is initiated.
- Advertising Review Board is formed.
- OS/CR is assigned as liaison for advertising contractor.

**SPRING 1994**

### **ADVERTISING CONTRACT IS EVALUATED.**

REVENUE ENHANCEMENT THROUGH ADVERTISING

Colorado Springs School District Eleven will aggressively seek to enhance revenue through advertisement and/or corporate sponsorship. All such advertising will meet standards of good taste and will reflect positive values.

There will be multiple levels of sponsorship for advertisers. Negotiation of all agreements and contracts with a total value of less than \$1,000 may be negotiated with final approval made separately within each level. Contracts and agreements with a value of over \$1,000 will be negotiated and final approval made only by a centrally designated office.

- Corporate support for district-wide programs will be managed from a central administration office. A list identifying corporate sponsorship and advertisers for district-wide programs will be produced and distributed periodically. No individual or school contract for district-wide programs can be made with the corporate supporter/advertiser except through a central office designated to act as the communication link between advertisers, schools and district offices.
- Corporate support for an individual school or a school's programs will be reported to the designated central office and managed by the principal or principal's designee.
- Individual support for an individual school or a school's programs will be reported to the designated central office and managed by the principal or principal's designee.
- Multiple year, or competition exclusive, contracts or agreements shall be made only with the approval of the designated central office coordinating advertising and corporate sponsorship activities.

A review board shall be established through a designated central administration office to assist the advertising program manager in making decisions about advertisers as needed. The review board should include parents, staff and, when appropriate, students.

ADOPTED: June, 1993

Colorado Springs Public Schools, Colorado Springs, Colorado  
(June, 1993)

REVENUE ENHANCEMENT THROUGH ADVERTISING

Advertising opportunities in Colorado Springs School District Eleven will be subject to certain restrictions in keeping with contemporary standards of good taste and will seek to model and promote positive values for our students. In keeping with this, no advertising will be allowed which:

- promotes hostility, disorder or violence
- attacks ethnic, racial or religious groups
- is libelous
- invades the rights of others
- inhibits the functioning of the school
- overrides the school's identity
- promotes, favors or opposes the candidacy of any candidate for election, adoption of any bond issues or any public question submitted at any general, county, municipal or school election.
- promotes the use of drugs, alcohol, tobacco or firearms
- promotes any religious organization.

Appropriate media and venues for advertising might include:

- banners/signs
- athletic and other uniforms
- district level publications
- television
- athletic facilities
- district level projects
- Community Education advertising
- district level activities at state tournaments
- interior and exterior of district buses

School related organizations may, with the principal's approval, use school bulletin boards and P.A. systems free of charge, to disseminate information on applying for membership, activities, schedules and events. (Examples of organizations include, PTA, PTO, Accountability, Parks and Recreation Department, Community School.) All bulletin board postings are subject to the same guidelines as listed for advertisers.

Youth related organizations may, with the principal's permission, use school bulletin boards free of charge to disseminate information on membership applications, activities, events and schedules. (Examples of such organizations include Scouts, Little League, various youth groups open to all where the activity is not sponsored by a religious organization.)

# Colorado Springs School District Eleven Advertising Campaign

- In order to bring new revenue dollars into the district for schools and districtwide programs, School District Eleven has formed a partnership with O'Donnell & Riley Promotion and Advertising Company, who will sell advertising in the district on a commission basis.
- Since this districtwide advertising campaign may be the first in the nation among school districts, we may be a national model. However, the potential for success of such a campaign is unknown. O'Donnell and Riley and D-11 have agreed to share the risk; the district will pay \$10,000 in start up fees, and O'Donnell and Riley agree to take the rest of their revenues from advertising dollars they raise, even though they estimate that their costs will surpass \$10,000 before significant advertising dollars are generated. (The riskiness of this project was demonstrated when only a few firms submitted proposals, even though it was advertised in the media and local agencies were contacted by letter. Also, most would not work on a commission basis.)
- This advertising campaign should not affect efforts going on in schools, such as yearbook ads. The Board policy, KJ, stipulates that advertising contracts under \$1,000 can be addressed on site.
- D-11 will receive 55% of most new advertising dollars, with 45% going to O'Donnell and Riley to cover their costs of selling advertisements and administering the campaign. Some contracts will give the district up to 90% of the advertising revenue, as in the case of advertising obtained by district employees. The district will receive 85% of the advertising dollars for large contracts over \$50,000.
- An advertising review board, made up of the director of athletics, director of transportation, principals and at least one parent, is being formed to work with the Office of School/Community Relations (OS/CR), which is the department that will manage the advertising campaign. This board will advise on how the advertising money should be divided within the district and other issues related to the districtwide advertising campaign.
- Although extensive advertising in the district may be controversial, we feel it is a responsible approach when local taxpayers have repeatedly voted against new education taxes. OS/CR (Tracy Cooper, 520-2005, and Barbara Hook, 520-2162) will field negative calls so that school staffs can concentrate on their number one priority - educating students.
- Schools may want to provide education on advertising techniques for their students.

# **NEWS**

## **from School District Eleven**



**OFFICE OF SCHOOL/COMMUNITY RELATIONS**  
1115 North El Paso Colorado Springs, CO 80903

**Kenneth Stephen Burnley, Ph.D.**  
Superintendent

### **FOR IMMEDIATE RELEASE**

**Contact: Tracy Cooper, 520-2005, O'Donnell & Riley, 635-8803**  
**January 25, 1994**

Colorado Springs School District 11 superintendent Dr. Kenneth Burnley today unveiled two school buses with advertising on the sides, possibly the first school buses in the nation to carry advertising, and he gave an update on the unique advertising program begun in September, when the district contracted with O'Donnell and Riley Promotion and Advertising.

"I'm happy to tell you that local businesses are providing approximately \$37,000 in advertising revenue to School District 11," said Burnley. "However, I think whenever we talk about the revenue advertising is bringing in to our district, we have to emphasize that with a \$133-million budget, the main responsibility for educating our youth remains where it should be—with the citizens of this community and the state."

Most of the money raised through advertising will go into a pot to be divided among the 53 schools in the district. A portion will offset the cost of the product carrying the advertising, such as the employee directory, which carried an ad for a flexible annuity from IDS Financial Services, which was the first advertising bought in this new program.

In this initial effort, Burger King, Children's World, Kiddie Kutters and 7-UP will sponsor school buses. Pepsi, Reilly Buick, Surplus City and the

-more-



D-11 advertising add 1

Colorado Springs Utilities Company (Louie the Lightning Bug) will have signs in schools, and the Citadel will provide traditional advertising to be included in printed material.

"It's important to note the messages being provided by advertisers," said Pat Riley of O'Donnell and Riley. "While some are traditional advertising messages, many are educational support messages designed to demonstrate partnerships between area businesses and schools."

Riley added, "The Colorado Springs School District 11 advertising plan has been reported nationally, and calls have been coming in from school districts all over the United States and at least one from Canada asking for information and guidance for putting together projects like this one. A careful documentation is being made of all steps taken so far, as well as how the inventory of available advertising venues was structured and how prices for advertising are being determined. This documentation will serve as a guideline for the future of this regional plan and for other districts wishing to follow our example."

Burnley said that there was surprisingly little criticism after the district announced its advertising program. "I think people realized that since taxpayers have not voted for a tax increase for District 11 since 1972, the district needed to seek new ways to raise money," Burnley said. He also pointed out that a comprehensive advertising policy was adopted by the Board of Education, and an advertising review board made up of staff and citizens is helping implement the advertising program.



The Denver Post / Gayton Wampler

**SIGN OF TIMES:** Fremont Elementary School students leave an El Paso County District 11 bus that is now brightly colored with the 7-Up 'Spot.' At least eight buses now carry advertising, and more are planned.

## Springs district the first to welcome ads to school

By Dennis Huspeni

Special to The Denver Post

**COLORADO SPRINGS** — It doesn't sound like a novel idea — "Revenue Enhancement Through Advertising" — except that it's now been adopted by El Paso County's largest school district.

District 11 has become the first in the nation to sport advertising on school hall walls, athletic uniforms, newsletters, district reports, maps, stadium walls and

even buses.

Yes, buses. Kiss the canary-yellow school buses of the past goodbye. At least eight district buses now are brightly colored with the 7-Up "Spot," Burger King logos and King Soopers signs. More are on the way.

District officials had to obtain special permission from the Colorado Department

Please see **ADS** on 19A

# Springs district sold on ads in schools

ADS from Page 1A

of Education to paint ads on the buses.

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"Where is the advertising placed? Make them an offer.

"We'll consider anything," said Tracy Cooper, district public relations officer.

While district officials expected a blitz of negative feedback, that just didn't happen.

"Actually, we've gotten positive feedback from people who appreciate our entrepreneurial spirit," Cooper said.

They also have gotten calls from school districts around the country and Canada, including some in the Denver area.

"If we were not so short of money, we wouldn't have to do stuff like this," Cooper said.

But the passage of Amendment 1 two years ago, capping Colorado governments' growth at 1 percent a year, worried district officials.

Teachers' salaries have been frozen for three years, and area voters haven't approved a bond issue or new tax for the school district since 1972.

"But rather than wring their hands and beg voters, district officials formed citizens groups and a

task force to explore the advertising idea and develop guidelines. Eventually, they put out a bid for proposals and hired O'Donnell and Riley in September 1993.

Cooper said the firm was paid \$10,000 for startup costs and now gets a percentage. The 53 schools divide 55 percent of the ad revenue; O'Donnell and Riley get the rest for all ads they sell.

The money hasn't been distributed to schools yet but will be before the end of the year, Cooper said. The cash won't go into the general fund; it will be sent to a discretionary fund where school principals and staff can decide where it's needed most.

So far, the district has raised about \$54,000, Cooper said. That's not much in a \$133 million budget, but all parties involved expect the total to grow.

Many of the advertisers have bought space to send positive messages to students, rather than purely commercial ads.

"The businesses love the program," said Pat Riley, part owner. All those involved are "local people who are interested in helping kids."

Pepsi, for example, put a sign in all five high schools saying: "Ensure tomorrow with good decisions today." Other businesses encourage kids to stay in school and off drugs.

"No one has tried to slip one by us, yet," Riley said.

And to make sure no one does, district officials drafted strict rules for ads:

- Nothing that promotes hostility, disorder or violence.

- No attacks on ethnic, racial or religious groups.

- Nothing promoting politics, religion or the use of drugs, alcohol, tobacco or firearms.

Some businesses have even let the kids decide what the ads will look like.

Burger King, for example, let art classes design the school buses with the team mascot.

The company wasn't interested only in profits, said Denise Whinnen, director of corporate affairs.

"There are certain things that are intangible," Whinnen said. "Community good will is one of those things."

Burger King also has gotten positive feedback, which might not have been the case had it run purely commercial ads. "We knew we had to tackle this in a sensitive and straight-forward manner," she said.

Some companies, such as day-care providers, do run strictly commercial material. But that's OK with the district: it all costs the same.

"This will never replace the need for tax dollars," Cooper said. "I would say the jury is still out, somewhat, (but) we're very pleased at the acceptance from the community."



The Denver Post / Gaylon Wampler

**SIGN OF TIMES:** Fremont Elementary School students leave an El Paso County District 11 bus that is now brightly colored with the 7-Up 'Spot.' At least eight buses now carry advertising, and more are planned.

## Springs district the first to welcome ads to school

By Dennis Huspeni

Special to The Denver Post

**COLORADO SPRINGS** — It doesn't sound like a novel idea — "Revenue Enhancement Through Advertising" — except that it's now been adopted by El Paso County's largest school district.

District 11 has become the first in the nation to sport advertising on school hall walls, athletic uniforms, newsletters, district reports, maps, stadium walls and

even buses.

Yes, buses. Kiss the canary-yellow school buses of the past goodbye. At least eight district buses now are brightly colored with the 7-Up "Spot." Burger King logos and King Soopers signs. More are on the way.

District officials had to obtain special permission from the Colorado Department

Please see ADS on 19A

DENVER POST  
11-11-94

# Springs district sold on ads in schools

ADS from Page 1A

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*WELCOME TO DISTRICT ELEVEN'S PILOT  
PROGRAM:*

*THE ADVERTISING CAMPAIGN*

Thank you for your inquiries regarding the District Eleven Advertising Project. O'Donnell & Riley is a private firm, contracted by and working in cooperation with District Eleven to develop and implement the plan.

As you may have seen on CBS or NBC, we have, over the past 16 months, worked out a successful public-private partnership, which has been well accepted in our community, both by advertisers and by the public, in and out of schools. This first-of-its kind project has grown with each succeeding month, and we expect that development to continue.

We would be happy to help you begin working on a similar project for your schools. Among the areas where we can offer help are:

"Preparing your community" (what will some of the questions and objections be?)

"Developing Guidelines" (Who can advertise and what can they say?)

"Facilitating Government Clearances" (What about buses?)

"Preparing an Inventory" (What's for sale?)

"Developing Prices and Costs" (What are you worth?)

"Setting up Sales and Production" (Who makes it go and who puts it together?)

We would be happy to answer your questions, and to determine how best to help you put an advertising project together for your schools. To find out more about how we did it, please call or write.

**O'Donnell**

**& Riley**

*Educational*

*Marketing*

2524 West

Colorado

Avenue

Suite 203

Colorado Springs.

Colorado

80904

719/635-8803



The Office of  
**Senator Carlotta A. Leon Guerrero**

Suite 215, Union Bank Building  
194 Hernan Cortez Avenue  
Agana, Guam 96910

Telephones : (671) 472-3416 / 8  
Facsimile : (671) 477-1323

Twenty-Third Guam Legislature



COMMITTEE MEMBERSHIPS :

August 24, 1995

**TESTIMONY BEFORE THE COMMITTEE ON EDUCATION  
REGARDING: "THE INTERSCHOLASTIC SPORTS FUND" (Bill 269)**

Economic-Agricultural  
Development & Insurance

Federal &  
Foreign Affairs

General Governmental  
Operations &  
Micronesian Affairs

Health, Welfare &  
Senior Citizens

Community, Housing &  
Cultural Affairs

Tourism & Transportation

Youth, Labor, Parks &  
Recreation

Association of Pacific  
Island Legislatures

Good evening Madame Chair, Members of the Committee on Education, ladies and gentlemen. Please apologize for my absence -- it was unavoidable. For the record, my name is Senator Carlotta A. Leon Guerrero, and I am the author of Bill 269: An act to create an Interscholastic Sports Fund. I am writing to encourage this Committee to report out Bill 269 quickly so that we can begin to address the funding problems that jeopardize the integrity of the DOE Interscholastic Sports Program.

Allow me to provide those in attendance with a brief history of Bill 269. In researching ways to make better use of our public school facilities, an issue which formed an essential plank in my campaign platform, I came across information regarding a unique program developed by the Colorado Springs School District to raise revenues for their schools through the promotion of advertising within school facilities. I have provided copies of this information today for public review.

GovGuam's critical financial condition is well known. These financial difficulties have had a serious detrimental effect on nearly all government services, but perhaps none so profound as the Department of Education and its related programs -- including Interscholastic Sports.

In order to cut the DOE Interscholastic Sports budget to meet available funding, it has been suggested that students be charged to participate in sports, or even that some interscholastic sports -- such as football -- be eliminated altogether. While these options are still under consideration and may eventually become necessary, the Territorial Board of Education has already announced that its proposed DOE budget for Fiscal Year 1996 will no longer include funding for bus transportation to and from interscholastic sporting events. Clearly, the Interscholastic Sports Program is in need of a cash infusion if its integrity is to be maintained.

In exploring possibilities to supplement the Interscholastic Sports budget, I contacted the Department of Parks and Recreation which informed me that over \$30,000 is collected annually for advertising space at the Paseo and Guerrero baseball fields alone. I also contacted some of these more prominent advertisers, to see if there might be interest in similar advertising if space were made available at DOE sports facilities. I was pleased to find that there is considerable preliminary interest in such a program.

Using the information provided by the Colorado Springs School District, I developed Bill 269 to take advantage of potential revenue-raising resources within DOE. I *do not* contend that Bill 269 is comprehensive. I believe additional revenues could be raised through advertising on DOE's fleet of buses -- as the Colorado Springs School District has done, or through the corporate sponsorship of particular sports programs if such sponsorship would not jeopardize the amateur sports status of our interscholastic athletes.



Further, the administrating mechanism contained within Bill 269 is simply a suggested means of implementing this program. I look forward to collaborating with the Territorial Board of Education, the Department of Education and my colleagues to quickly develop a workable Bill which will provide the Interscholastic Sports Program with the supplemental funding that it so desperately needs.

While I do not anticipate that Bill 269 will completely eliminate the funding problems jeopardizing the Interscholastic Sports Program, I do feel that Bill 269 could generate sufficient revenues to maintain the busing program, the football program, or perhaps pay for referee services.

With Team Guam's anticipated participation in the upcoming Atlanta Olympics, and hosting the South Pacific Games in 1999, I believe it is imperative that we show our commitment to the development of quality athletes and sports programs on Guam. Bill 269 sends a clear message to our young people that interscholastic sports continues to be a priority for our community.

Thank you for your attention this evening. I look forward to the Committee's expeditious action on Bill 269. My staff is available to answer any questions the Committee may have.



The Office of  
**Senator Carlotta A. Leon Guerrero**

Suite 215, Union Bank Building  
194 Hernan Cortez Avenue  
Agana, Guam 96910

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Facsimile : (671) 477-1323

Twenty-Third Guam Legislature



COMMITTEE MEMBERSHIPS :

**Testimony before the Committee on Education Mark-up Hearing**

October 20, 1995

Economic-Agricultural  
Development & Insurance

Senator Judith Won Pat-Borja  
Chairperson of the Committee on Education  
155 Hesler Street  
Agana, Guam 96901

Federal &  
Foreign Affairs

Good Afternoon Madam Chair, Members of the Committee, Ladies and Gentlemen:

General Governmental  
Operations &  
Micronesian Affairs

Please excuse my absence. On October 27, I will be at the "Fourth World Tuna Trade Conference" in Manila collecting background information on the tuna transshipment difficulties GovGuam is experiencing with the Federated States of Micronesia.

Health, Welfare &  
Senior Citizens

First, allow me to express my sincere appreciation to the Committee Chairperson for convening this Mark-up Hearing for Bill 269. I firmly believe that the proposed "Interscholastic Sports Fund Act" can generate significant funding towards offsetting the budget cuts that have been imposed on the Interscholastic Sports budget. Hopefully, "pay-for-play" options and suspension of vital services such as busing and referees can be averted if Bill 269 is enacted.

Community, Housing &  
Cultural Affairs

Since the Public Hearing on August 25, the Committee has a received significant amount of input on Bill 269. Much of this input provided insightful and constructive recommendations as to how Bill 269 should be revised to better serve the needs of DOE and the Interscholastic Sports Program. Accordingly, my staff and I have incorporated the appropriate revisions into a substitute Bill 269.

Tourism & Transportation

These revisions are summarized briefly as follows:

Youth, Labor, Parks &  
Recreation

\* *Concession vendor permits and admission fees* have been removed from the revised Bill 269 as a source of funding for the Interscholastic Sports Fund because the testimony from many schools indicated that these activities have traditionally been performed by student body fundraising groups.

Association of Pacific  
Island Legislatures

\* *Bus advertising* has been added to the revised Bill 269 as a source of funding for the Interscholastic Sports Fund, primarily because such advertising has been successful for the Colorado Springs school district, from which the model legislation for Bill 269 was drawn.

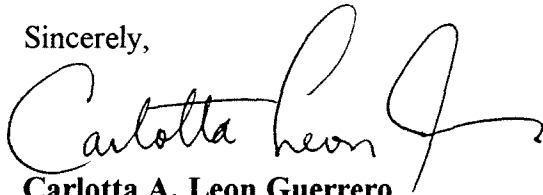
Committee on Education  
October 20, 1995  
Page 02.

- \* Expenditures from the Interscholastic Sports Fund have been specifically limited to the *maintenance of DOE sports facilities and the purchase and maintenance of sports equipment* in order to protect the Fund from non-sports related expenditures. It is hoped that by supplementing the Interscholastic Sports maintenance and supply budget, additional money will become available to pay for busing and referee services, or to avoid "pay-for-play" options.
  
- \* *The Department of Administration has been provided with more latitude to manage commercial advertising leases* in order to avoid undue bureaucracy that could have resulted from the original Bill 269.

Though I feel confident that the revised Bill 269 is in a very workable form, if the Committee feels additional revisions should be made, I have authorized my staff to give my consent to justifiable changes.

Thank you for this opportunity to present my testimony. Please incorporate this document as part of the Committee Report for Bill 269. My staff remains available to answer any questions you may have.

Sincerely,



**Carlotta A. Leon Guerrero**  
*Author of Bill 269*



**Department of Education**  
**Government of Guam**

P.O. Box DE  
Agana, Guam 96910  
Tel: (671) 475-0457  
Fax: (671) 472-5003



Senator Judith Won Pat-Borja  
Chairperson  
Committee on Education  
Twenty-Third Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Senator Won Pat-Borja:

Thank you for inviting our input relative to Bills 159 and 269. On behalf of the elected Board of Education, I would like to commend senators of the Twenty-Third Guam Legislature for having an interest in our school system and our department.

However, I would like to advise the senators that ideas such as those embodied in Bills 159 and 269 should be transmitted to the Board of Education for consideration and for development of proposed legislation. At this time, I would like to inform the Committee on Education that the Board of Education is in the process of crafting legislation relative to the ideas contained in Bills 159 and 269.

Just recently, this body repealed several laws that were considered "unfunded mandates". We would like to ensure that we do not turn the clock backwards and have the Legislature craft and pass statutes subsequent to the creation of an elected Board of Education, which is charged with developing and transmitting for review and adoption, educational legislation.

Once again, thank you for involving us in the dialogue for the betterment of our educational system.

Si Yu'os Ma'ase,

A handwritten signature in black ink, appearing to read "ROLAND L.G. TAIMANGLO".

ROLAND L.G. TAIMANGLO, Acting  
Director of Education



Commonwealth Now!

Department of Education operating the GUAM PUBLIC SCHOOL SYSTEM

ROLAND TAIMANGLO,  
Interim Director

THOMAS J. PAULINO,  
Deputy Director

Dr. GAYLE HENDRICKS,  
Associate Superintendent  
Secondary



**GEORGE WASHINGTON  
HIGH SCHOOL**  
P.O. Box 24147, GMF, Guam  
96921  
Phone (671) 734-2911/2915,  
734-2212  
Fax: 734-8071



GEORGE ANTHONY MUNJA,  
Principal  
DOREEN O. PEREDA,  
Caretaker  
PAUL FOCHTMAN,  
Business  
CLENNY P. REYES,  
Discipline  
ROSCELLA S. CAMPOS,  
Attendance

Accredited by the Western Association of Schools and Colleges

August 23, 1995

Senator Carlotta A. Leon Guerrero  
Suite 215, Union Bank Building  
194 Hernan Cortez Avenue  
Agana, Guam 96010

Dear Senator Leon Guerrero,

In response to your letter of August 21, 1995 requesting written testimony to the proposed Bill 269. GWHS is in support of specific sections.

We support the development of the "Interscholastic Sports Fund." The fund also must receive some financial subsidy from the legislature. Referring to the Colorado Springs model the use of advertising will "increase revenues" not "replace funding."

The idea of allowing advertising is not a Colorado Springs new idea, the schools have been asking to be allowed to sell advertising for years. If the advertising function is centralized and put into a fund, revenue would be increased. I would ask that the specific advertising "signs" and "logos" be approved by the principal for content since they will be targeting students.

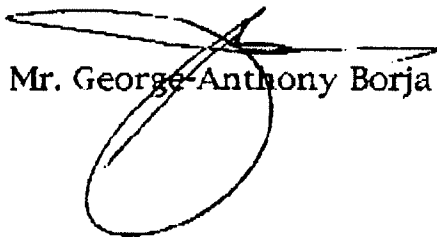
GWHS does not support the section which includes the selling of permits to vendors to sell concessions and collect the ticket money from athletic events. The reason for this is that the revenue from interscholastic competitions are very small. Vendors will quickly find that after they purchased the permit, the profit may not be worth their time. By issuing the permit, student athletes or organizations will be excluded from selling. The funds generated for the various clubs being allowed to sell are small, yet much needed. With the

current financial situation, student fund-raisers such as selling and athletic events are the only way students can generate funds for graduation, homecoming, Chamorro Week, and intramural athletics.

In conclusion, GWHS appreciates and supports the legislature's initiative in allowing advertising on campus. We however do not support the stripping of the fund raising opportunities from the students so vendors can profit.

Please take into consideration the effect on the students if this Bill 269 is passed in its entirety. If we can provide any further clarification with regards to Bill 269 please contact us.

Sincerely,



Mr. George Anthony Borja



DEPARTMENT OF PARKS AND RECREATION  
GOVERNMENT OF GUAM  
AGANA, GUAM 96910

received  
7/23/95 H

June 16, 1995

The Honorable Carlotta A. Leon Guerrero  
Senator  
23rd Guam Legislature  
Suite 215, Union Bank Bldg.  
194 Hernan Cortez Ave.  
Agana, Guam 96910

Dear Senator Leon Guerrero:

Thank you for your letter of June 8, 1995 inviting my comments on Bill #269.

Recognizing the very serious budget problems facing DOE, your bill certainly is a step in the right direction. As you well know, our Department has had a plan such as your proposal in place for quite a number of years and it provides a much-needed influx of funds into our coffers. In fact, the Department's performance level in the area of recreational activities would be seriously curtailed without our advertising space lease and concession lease income. You should however be aware that with the exception of the Paseo Stadium billboards, our ad space leases in other areas are marginal at best. While there is a waiting list for available ad space at Paseo Stadium, our other spaces available at Agana tennis courts and Agana swimming pool are not totally utilized.

As such, you should consider that any advertiser will demand the most "bang for their buck" and some advertising space will generate only sporadic income at best. The same could possibly hold true for concession permits. In view of this possible down side, I would suggest your bill contain some leeway to allow for creative ideas to be incorporated into the marketing plan to be established for this program.

If I or the Department can be of further assistance to you in the matter of Bill # 269 or other legislation you may plan, please don't hesitate to call.

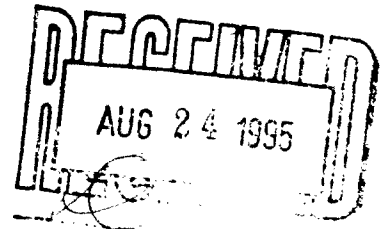
Sincerely,  
  
A.J. Sunny Shelton



Commonwealth Now!

*Senator Judith von Pat BORKA*

August 18, 1995



TO: Norma Jean Taitano, S.P.C.  
FROM: Joseph L. Pugh, D.M.S. Athletic Director  
SUBJECT: Reaction to Bill 269

The following is my input you requested at today's Board of Control meeting regarding Bill 269.

If the Department of Education, the people in the business of education, not the legislature, the people in the business of politics, endorses interscholastics as a valuable element of education then the Department of Education should budget the program. If the program is budgeted then how can a shortfall exist? If the interscholastics program is not valuable in the eyes of the Department of Education then the program should be REDUCED or eliminated at certain levels. (public middle schools didn't have interscholastics for ten (10) years and thanks to community recreational sport programs today that were not present during that period of time middle school sports simply isn't justified.

Bill 269 pg. 2(a) I thought we, education people, not you legislature people, were moving to site based management. The decision to exercise the three revenue generating vehicles in question should be an "In House" decision not a legislature or D.O.E. decision. My position and recommendation to my Principal would be to oppose all three considerations.

1. Middle school aged students are bombarded daily during their every waking minute by every conceivable medium to purchase this product or that. Schools should remain "advertisement free" as a institution reducing peer pressures to buy the "in" or the "cool" products etc.
2. We already charge admission fees to athletic venues. This revenue should be on account at my school not at some "the fund". When an athlete has their uniform stolen, I need the money available then and there not more beauracratic red tape.
3. Our athletic teams run our own concession stands after school and at athletic events. Your, the people outside education, bill would be cutting our, the people inside education, ability

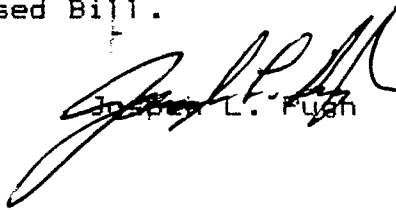


to generate revenue to support our athletic program. To license vendors to come onto our campus and compete with us for our revenue is counter productive.

Revenue generated at a school should remain at the school, again not at D.O.E. or D.O.A. or anywhere else.

Bill 269, No thank you!

I appreciate you giving me the opportunity to share my views with you on this ill advised Bill.

  
Joseph L. Pugh

*Don't forget to  
DOE  
Send Sign*

Senator Judith Won-Pat/Borja  
Chair-person, Education Committee  
Sept. 8, 1995  
Re: Bill 269 or related bill

My name is Debbie Toves, I'm a resident of Mangilao and wish to submit my suggestion to partly solve the financial crisis in DOE which will drastically have a negative impact in the interscholastic program.

I object to the leadership both in the legislature and the Board in recommending to cripple the sports program for our children. Why is the sports program always the first one to get the axed when it comes to funding?

You, as a former educator should know that sports activity satisfies important aims and objectives of education, especially inter-scholastics. Research has shown that it develops leadership, improves health, maintains fitness, develops interpretive skills, cognitive learning, teaches how to follow the rules of a game (which later develops into following the rules of society's laws and many other related objectives). To deny our children this opportunity is like denying the academically gifted the learning activities and environment to excel.

Only half-hearted leadership like the Board of Education and their lackeys in administration would recommend cutting the program out. They are cheating and robbing our children of that opportunity to demonstrate their skills and develop them physically, emotionally, psychologically and socially.

Sports and academic achievement have a very high positive correlation. Research have proven this relationship. Many of our leaders in our island and nation can attribute their success through sports. Sports has helped them achieve a measure of success in their later years in life. Don't be a leader in denying our children this opportunity. Stand up and be counted as an advocate for our children's general welfare.

I suggest that the high school continue to have their usual interscholastic program and the middle school confine their activities to intramural (within the confines of the school). Additionally have a middle school extramural (between schools) sports competition 3 or 4 times a year. The activities can be done on the weekends in a central location. This will give the parents an opportunity to help out with the program and transportation. Funding will be less this way. Parents

can assist in organizing and officiating. School spirit could well be enhanced. This is just one example of providing the program and cutting down on funding.

There are 6 middle schools on Guam. Put them in two divisions and have their games conducted in a tri-meet sports competition on the weekends. UOG and GWHS is the ideal location for the sports festival. They can have basketball, soccer, softball, volleyball, table tennis, tennis, track and field, chess, oratorical contest, etc. This is would be like a play day or sport's festival with each school coming up with some kind of ID or uniform. They can even have a cheering group. The community may be invited to help out including the businesses and the military. Of course it would take leadership to put the program together.

A student may compete in one or more sports depending on the schedule. This would allow for a wider participation of students from each of the prospective middle schools. Parents, I'm sure, will come out to cheer and support their kids. Working parents especially would not be inconvenienced by a schedule that is now inapplicable because now the parents are transporting their kids and NOT the buses. They would have a schedule that is "user friendly"; keeping in mind the working parents and the single parent workload. Involve the businesses in sponsoring or donating whatever they can to the program. This would help to alleviate the costs of conducting the program.

After the tri-meets, have the two top schools or the two top teams in each sport meet for an islandwide championship.

I also like the idea of Senator Francis Santos in selling advertisement as long as it is wholesome. No beer or cigarette or unhealthy or socially negative advertisement be allowed. Also why not tax school supplies, sports equipment and supplies, books and earmarked the funds for interscholastics sports.

*D. Tower*

JUN 05 1995

TWENTY-THIRD GUAM LEGISLATURE  
1995 (FIRST) Regular Session

Bill No. 269 (LS)  
Introduced by:

C.A. Leon Guerrero *CSG*  
F.E. Santos *Jes*

AN ACT TO REPEAL AND REENACT §7101 OF TITLE 17, GUAM CODE ANNOTATED AND TO ADD A NEW §7104.1, §7104.2, §7104.3, §7104.4, AND §7104.5 TO TITLE 17, GUAM CODE ANNOTATED, TO BE KNOWN AS "THE INTERSCHOLASTIC SPORTS FUND ACT".

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

2 Section 1. It is the finding of this Legislature that the  
3 Department of Education faces a serious funding shortfall as a  
4 result of the government of Guam's current financial difficulties.  
5 This shortfall is compromising the integrity of many of the  
6 Department of Education's programs, among the most severely  
7 impacted being interscholastic sports programs. As sports programs  
8 are essential to the comprehensive physical, mental and social  
9 development of all students, new and innovative means of funding  
10 these programs must be initiated if they are to remain viable.

11 Section 2. §7101 of Title 17, Guam Code Annotated is hereby  
12 repealed and reenacted to read:

13 "§7101. School Property: Rules and Regulations. (a)  
14 Within ninety (90) days of the enactment of this act, the  
15 Department of Education's Legal Counsel shall review and  
16 revise all existing Department of Education rules and  
17 regulations for the management and control of school property  
18 in order to authorize the commercial lease of advertising  
19 space at Department of Education sports facilities, the

1 issuance of concession permits to vendors on Department of  
2 Education premises, and the assessment of admission fees at  
3 Department of Education sports activities, consistent with  
4 government of Guam standard property regulations.

5 (b) Immediately upon completion, the proposed revisions  
6 shall be transmitted to the Territorial Board of Education  
7 ("the Board") for approval. Within thirty (30) days of  
8 receipt, the Board shall adopt the revised rules and  
9 regulations with any amendments deemed necessary and  
10 appropriate."

11 **Section 3.** A new §7104.1 is hereby added to Title 17, Guam  
12 Code Annotated to read:

13 **"§7104.1 Interscholastic Sports Fund.** (a) There is  
14 hereby created, separate and apart from all other funds of the  
15 government of Guam, a fund known as the 'Interscholastic  
16 Sports Fund' (the "Fund") into which shall be deposited all  
17 monies received from the commercial lease of advertising space  
18 at Department of Education sports facilities, from the  
19 issuance of concession permits to vendors on Department of  
20 Education premises, from the assessment of admission fees at  
21 Department of Education sports activities, and any other  
22 monies deemed appropriate by the Department of Administration.  
23 The Fund shall not be commingled with the General Fund or any  
24 other fund of the government of Guam. The Fund shall be  
25 maintained in a separate bank account and monies deposited  
26 therein shall not be subject to the Governor's transfer

1 authority. The Department of Administration is authorized to  
2 accept for the Fund gifts, bequests, donations, and other  
3 kinds of contributions for the purposes of the Fund.

4 (b) The Fund shall be administered by the Department of  
5 Administration which shall only make expenditures from the  
6 Fund for the sole purpose of supplementing the Department of  
7 Education's interscholastic sports programs in a gender  
8 equitable manner. Within sixty (60) days after the closing of  
9 each fiscal year, the Department of Administration shall  
10 transmit to the Governor and the Board an annual report of the  
11 expenditures of the Fund, including, but not limited to, a  
12 balance sheet, a statement of receipts and expenses, and a  
13 general description of the income sources of the Fund and the  
14 expenses thereof."

15 **Section 4.** A new §7104.2 is hereby added to Title 17, Guam  
16 Code Annotated to read:

17 **"7104.2. Schedule of Interscholastic Sports Fund Fees.**

18 (a) Within ninety (90) days of the enactment of this act, the  
19 Department of Administration shall develop a schedule of fees  
20 for the commercial lease of advertising space at Department of  
21 Education sports facilities, for concession permits to vendors  
22 on Department of Education premises, and for the assessment of  
23 admission fees at Department of Education sports activities.

24 (b) Immediately upon completion, the proposed schedule  
25 of fees shall be transmitted to the Board for approval.  
26 Within thirty (30) days of receipt, the Board, in consultation

1 with the Department of Education's Legal Counsel, shall  
2 approve the schedule of fees with any amendments deemed  
3 necessary and appropriate."

4 **Section 5.** A new §7104.3 is hereby added to Title 17, Guam  
5 Code Annotated to read:

6 **"§7105.3. Standard Lease Agreement for Commercial**  
7 **Advertising.** (a) Within ninety (90) days of the enactment of  
8 this act, the Department Administration shall develop a  
9 standard lease agreement for commercial advertising at  
10 Department of Education sports facilities. Such standard  
11 lease agreement shall specify the Department of Education's  
12 rules and regulations, schedule of fees, and legal liabilities  
13 for private entities seeking to advertise at Department of  
14 Education sports facilities. Such standard lease shall  
15 specifically prohibit any advertising which promotes the use  
16 of alcohol, tobacco products, violence or sexual conduct.

17 (b) Immediately upon completion, the proposed standard  
18 lease shall be transmitted to the Board for approval. Within  
19 thirty (30) days of receipt, the Board, in consultation with  
20 the Department of Education's Legal Counsel shall adopt the  
21 standard lease with any amendments deemed necessary and  
22 appropriate."

23 **Section 6.** A new §7104.4 is hereby added to Title 17, Guam  
24 Code Annotated to read:

25 **"7104.4. Standard Concession Permit for Vendors on**  
26 **Department Premises.** (a) Within ninety (90) days of the

1 enactment of this act, the Department of Administration shall  
2 develop a standard concession permit for vendors on Department  
3 of Education premises. Such standard concession permit shall  
4 specify the Department of Education's rules and regulations,  
5 schedule of fees, and legal liabilities for vendors operating  
6 on Department of Education premises. Such standard concession  
7 permit shall specifically prohibit the vending of alcohol,  
8 tobacco products, and any other materials or products deemed  
9 contraband by the Department of Education.

10 (b) Immediately upon completion, the proposed standard  
11 concession permit shall be transmitted to the Board for  
12 approval. Within thirty (30) days of receipt, the Board, in  
13 consultation with the Department of Education's Legal Counsel  
14 shall adopt the standard concession permit with any amendments  
15 deemed necessary and appropriate."

16 **Section 7.** A new §7104.5 is hereby added to Title 17, Guam  
17 Code Annotated to read:

18 **"§7104.5 Collection of Fees.** All commercial advertising  
19 leases and concession permits shall be executed and  
20 administered by the Department of Administration which shall  
21 issue monthly invoices to the commercial lessees and  
22 concession permit holders. Any commercial lessee or  
23 concession permit holder who is deemed in violation of the  
24 terms of the standard agreement or who fails to pay invoices  
25 in a timely manner shall be subject to cancellation or non-  
26 renewal of their commercial lease or concession permit."