



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>Jim Jimataster</i>
Time	<i>12:05</i>
Date	<i>2-23-98</i>

FEB 20 1998

Refer to  
**Legislative Secretary**

The Honorable Antonio R. Unpingco  
Speaker  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: *2-23-98*  
Time: *10:40 AM*  
Rec'd by: *[Signature]*  
Print Name: *FRED GOLFMAN*

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 394 (LS), "AN ACT TO REPEAL AND REENACT §7104.4(c) OF CHAPTER 7, DIVISION 2 OF TITLE 17 OF THE GUAM CODE ANNOTATED RELATIVE TO CLARIFYING THE DISTRIBUTION OF ADVERTISING FUNDS AND TO RESTATE THE APPLICATION OF THE ADMINISTRATIVE ADJUDICATION ACT FOR THE INTERSCHOLASTIC SPORTS FUND", which I have signed into law today as **Public Law No. 24-136**.

This legislation amends the previous law which authorizes the Department of Education to use its premises to sell advertising space and devote the proceeds of this endeavor to the Interscholastic Sports Fund. The previous law was unclear in the use of funds derived from the sale of advertising in the elementary, middle and high schools. This legislation specifies that the funds are to be placed in the Interscholastic Sports Fund, but apportioned 40% to the respective schools where the advertising is located and 60% for the use of the Interscholastic Sports Programs. Although elementary schools do not presently have a sports program, their 40% can be used for developing a recreation program. For the middle and high schools, all of the funds will be devoted to sports, with 60% for the Interscholastic programs and 40% for the individual school's programs.

It is appropriate for the Department of Education (DOE) to allocate its income resources without legislation, since 88% of the Gross Receipts Tax is devoted to DOE allocation. At a later point in time, the Department of

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Education may wish to allocate these advertising resources differently, however, this will require revisiting the legislative process.

Very truly yours,



Carl T. C. Gutierrez

Attachment 00668

cc: The Honorable Joanne M. S. Brown  
Legislative Secretary

TWENTY-FOURTH GUAM LEGISLATURE  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

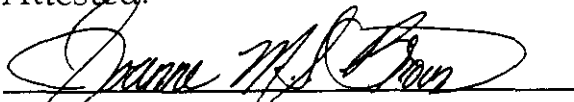
This is to certify that Bill No. 394 (LS), "AN ACT TO REPEAL AND REENACT §7104.4(c) OF CHAPTER 7, DIVISION 2 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING THE DISTRIBUTION OF ADVERTISING FUNDS AND TO RESTATE THE APPLICATION OF THE ADMINISTRATIVE ADJUDICATION LAW FOR THE INTERSCHOLASTIC SPORTS FUND," was on the 4<sup>th</sup> day of February, 1998, duly and regularly passed.



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ANTONIO R. UNPINGCO  
Speaker


Attested:



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JOANNE M.S. BROWN  
Senator and Legislative Secretary

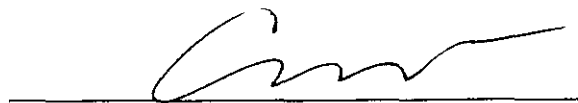
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This Act was received by the Governor this 10<sup>th</sup> day of February, 1998, at  
3:24 o'clock P.M.



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Assistant Staff Officer  
Governor's Office

APPROVED:



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CARL T. C. GUTIERREZ  
Governor of Guam

Date: 2-20-98

Public Law No. 24-136

TWENTY-FOURTH GUAM LEGISLATURE  
1997 (FIRST) Regular Session

**Bill No. 394 (LS)**

As amended on the Floor.

Introduced by:

C. A. Leon Guerrero

L. F. Kasperbauer

J. Won Pat-Borja

T. C. Ada

F. B. Aguon, Jr.

E. Barrett-Anderson

A. C. Blaz

J. M.S. Brown

Felix P. Camacho

Francisco P. Camacho

M. C. Charfauros

E. J. Cruz

W. B.S.M. Flores

Mark Forbes

A. C. Lamorena, V

L. Leon Guerrero

V. C. Pangelinan

J. C. Salas

A. L.G. Santos

F. E. Santos

A. R. Unpingco

AN ACT TO REPEAL AND REENACT §7104.4(c)  
OF CHAPTER 7, DIVISION 2 OF TITLE 17 OF  
THE GUAM CODE ANNOTATED, RELATIVE  
TO CLARIFYING THE DISTRIBUTION OF  
ADVERTISING FUNDS AND TO RESTATE THE  
APPLICATION OF THE ADMINISTRATIVE  
ADJUDICATION LAW FOR THE  
INTERSCHOLASTIC SPORTS FUND.

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

2           **Section 1.** It is the finding of this Legislature that the intent and  
3 distribution of funds for the Interscholastic Sports Fund needs clarification  
4 to explain the difference between the percentage distribution of those  
5 commercial advertising funds generated by participating elementary  
6 schools and those commercial advertising funds generated at the middle  
7 and high school levels.

8           **Section 2.** Section 7104.4(c) of Chapter 7, Division 2 of Title 17 of the  
9 Guam Code Annotated is hereby repealed and reenacted to read as  
10 follows:

11                   “(c) **Same: Distribution of the Interscholastic Sports Fund.**

12           Elementary schools may participate in the solicitation of commercial  
13 advertising in their respective schools as provided through the  
14 Interscholastic Sports Fund Act. However, because the  
15 interscholastic sports program exists in the middle and high school  
16 levels only, the elementary school that solicits and receives monies  
17 for commercial advertising shall deposit all funds into the  
18 Interscholastic Sports Fund. The Department of Education shall  
19 transfer forty percent (40%) of the total sum of any fees, monetary  
20 gifts, donations or contributions collected or derived from the  
21 commercial leasing of any part of the facilities for advertising or  
22 other such purposes of an elementary school, into the ‘I Salappe  
23 Facilidat’ account of that respective elementary school. The  
24 remaining sixty percent (60%) will remain in the Interscholastic  
25 Sports Fund to support interscholastic sports programs. Funds

1 transferred to the 'I Salappe Facilidat' accounts of a respective  
2 elementary school pursuant to this subsection, shall be expended in  
3 accordance with the provisions of §7104 of Title 17, Guam Code  
4 Annotated, as enacted through Public Law 23-67. The distribution of  
5 advertising funds for both middle and high schools will be as  
6 follows: sixty percent (60%) will remain in the Interscholastic Sports  
7 Fund and forty percent (40%) will be retained at the school for its  
8 respective sports programs. Any advertising funds collected for the  
9 Tiyan Facility or the Staff Development Center (*behind George*  
10 *Washington High School in Mangilao*) will be distributed as follows:  
11 sixty percent (60%) to the Interscholastic Sports Fund and forty  
12 percent (40%) for maintenance of those facilities.

13 **Section 3.** The procedures and requirements of the  
14 Administrative Adjudication Law shall apply to this Act.