

MAY 3 0 2000

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 386 (COR), "AN ACT TO APPROPRIATE \$94,000.00 TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS", which went into law without signature on Saturday, May 27, 2000. This legislation is now designated as **Public Law No. 25-143.**

This is an unfortunate situation. Although KPRG has been in existing for a number of years as a non-profit radio station, it is still in need of public subsidy. The funding provided in this legislation is from a source that cannot be accessed. The "revenues derived from Compact Impact Aid" is not available for this expenditure, as the type of items that can be paid from this fund is controlled by the federal government.

Please provide some assistance to the public radio station from a funding source that can be accessed.

Very truly yours,

Madeleine Z. Bordallo
I Maga'Lahen Guahan, Akto
Acting Governor of Guam

Attachment: copy attached for signed bill or overridden bill original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco

Speaker

00957

OFFICE OF THE LEGISLATIVE SECRETARY

ACKNOWLEDCMENT RECEIPT

Received By

Time 4:18 pm

Date 5/30/00

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 386 (COR) "AN ACT TO APPRORIATE \$94,000.00 TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS," was on the 11th day of May 2000, duly and regularly passed.

ANTONIO R. UNPINGCO Speaker Attested Senator and Legislative Secretary This Act was received by I Maga'lahen Guahan this 674 day of o'clock P. .M. Assistant Staff Officer Maga'lahi's Office APPROVED: MADELEINE Z. BORDALLO I Maga'lahen Guahan, Akto Date: May 27, 2000

Became law without the signature of

I Maga'Lahen Guahan, Akto Acting Governor of Guam.

Public Law No. 25-143



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

TWENTY-FIFTH GUAM LEGISLATURE 155 Hesler Street, Hagatia, Guam 96910

May 16, 2000

The Honorable Carl T.C. Gutierrez I Maga'lahen Guåhan Ufisinan I Maga'lahi Hagåtña, Guam 96910

Dear Maga'lahi Gutierrez:

Transmitted herewith are Substitute Bill Nos. 380(COR) and 386(COR) and Bill Nos. 395(LS), 406(COR) and 411(COR) which were passed by *I Mina'Bente Singko Na Liheslaturan Guåhan* on May 11, 2000.

Sincerely,

(IOANNE M.S. BROWN

Senator and Legislative Secretary

Enclosure (5)

MINA'BENTE SINGKO NA LIHESLATURAN GUADA. 2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 386 (COR) "AN ACT TO APPRORIATE \$94,000.00 TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS," was on the 11th day of May 2000, duly and regularly passed.

thus off the 11 day of the year, the year	7.1
	ANTONIO R. UNPINGCO Speaker
Attested:	
A Sam M. Bur	
JOANNE M.S. BROWN Senator and Legislative Secretary	y
This Act was received by I Maga'lahen Guat o'clock PM.	ahan this 16TH day of MAY, 2000,
	Assistant Staff Officer Maga'lahi's Office
APPROVED:	
CARL T. C. GUTIERREZ I Maga'lahen Guahan	
Date:	
Public Law No	

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 2000 (SECOND) Regular Session

Bill No. 386 (COR)

As substituted by the Committee on Education, and as further substituted by the Author on the Floor.

Introduced by:

L. F. Kasperbauer

S. A. Sanchez, II

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

E. B. Calvo

M. G. Camacho

Mark Forbes

A. C. Lamorena, V

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

A. R. Unpingco

AN ACT TO APPRORIATE \$94,000.00 TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Appropriation to the Guam Educational Radio Foundation
- 3 **(KPRG-FM 89.3).** The Sum of Ninety-four Thousand Dollars (\$94,000.00)
- 4 is hereby appropriated from revenues derived from Compact Impact Aid to

the Guam Educational Radio Foundation (KPRG-FM 89.3) as part of Guam's
 share of matching funds for their Fiscal Year 2000 operations.

- **Section 2. Administrative Provisions.** The following terms, conditions and requirements shall apply:
 - (a) The Guam Educational Radio Foundation (KPRG-FM 89.3) shall provide a full accounting of the funds appropriated herein by submission of its audited financial statements to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan*. In lieu of audited financial statements, an audit by the Public Auditor will suffice.
 - (b) The Guam Educational Radio Foundation (KPRG-FM 89.3) shall provide a full accounting of the funds appropriated in prior fiscal years by submission to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* of its audited financial statements. In lieu of audited financial statements, an audit by the Public Auditor will suffice.
 - (c) Prior to release of the appropriation authorized herein, the Guam Educational Radio Foundation (KPRG-FM 89.3) shall submit a plan or budget to I Maga'lahen Guåhan and the Speaker of I Liheslaturan Guåhan detailing how it intends to spend such funds.

CLERK OF THE LEGISLATURE

TRANSMISSION CHECKLIST TO I MAGA'LAHEN GUAHAN
(Included in File w/ All Bills Transmitted)

BILL NO. 386 (9)

FINAL PROOF-READING OF BLUEBACK COPY

	Initialed by:		and Date:		
	EXHIBITS A	ATTACHED	•		
	CONFIRM I	NUMBER OF	PAGES		
	CAPTION C	N CERTIFIC	ATION MATCI	HES BILL CA	APTION
	ENGROSSI	ED SIGN"*" I	REMOVED FRO	OM BILL	-
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	CERTIFICA	TION SIGNE	ED BY SPEAKE	R & LEGIS.	SECRETARY
	EMERGEN	CY DECLAR	ATION, if any	* · · · ·	
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MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 386 (COR) "AN ACT TO APPRORIATE \$94,000.00 TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS," was on the 11th day of May 2000, duly and regularly passed.

	ANTONIO R. UNPINGCO Speaker	
Attested:		
JOANNE M.S. BROWN Senator and Legislative Secretary		
This Act was received by <i>I Maga'lahen Guahan</i> this _ at o'clockM.		2000
APPROVED:	Assistant Staff Officer OFFICE ACKNOWLEDGMENT RECEIVED Received By Time	
CARL T. C. GUTIERREZ I Maga'lahen Guahan	Time	J
Date:	Office of the Speaker ANTONIO R. UNPINGO Date: 05-6-00	o
Public Law No	l'ime:	<u> </u>

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

2000 (SECOND) Regular Session

Date: 5/11/00 6

VOTING SHEET

5 Bill No. 386 (COR)		
Resolution No		
Question:	 	
		

NAME	<u>YEAS</u>	<u>NAYS</u>	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.					
BERMUDES, Eulogio C.	/				
BLAZ, Anthony C.					
BROWN , Joanne M.S.	ν				
CALVO, Eduardo B.	~				
CAMACHO, Marcel G.	u				
FORBES, Mark	V				
KASPERBAUER, Lawrence F.	ν				
LAMORENA, Alberto C., V	V				
LEON GUERRERO, Carlotta A.	\vee				
MOYLAN, Kaleo Scott					
PANGELINAN, Vicente C.					, , , , ,
SALAS, John C.					
SANCHEZ, Simon A., II					EA
UNPINGCO, Antonio R.					

ANOTICE, SIMON A., II				6/7
NPINGCO, Antonio R.				
TOTAL	14	 0	<u> </u>	1 E)
CERTIFIED TRUE AND CORRECT:				
Clerk of the Legislature			*3 Passes = N EA = Excused	





MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagatña, Guam 96910

April 27, 2000 (DATE)

Memorandum

To:

Senator Lawrence F Kasperbauer

From:

Clerk of the Legislature

Subject:

Report on Bill No. 386(COR)

Pursuant to §7.04 of Rule VII of the 25th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 386(COR) for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.

Attachment

received
4/38/80



I Mina' B E Singko na Liheslaturan Guåhan twenty-fifth guam legislature

Senator Lawrence F. Kasperbauer, Ph.D. Vice Speaker • Chairman, Committee on Education

215-A Chalan Santo Papa, Suite 106-F Ada's Professional & Commercial Center

Hagatña, Guam 96910

Telephone (671) 475-KIDS Fax (671) 475-2000 e-mail: lk4kids@ite,net webpg: www.łk4kids.com

April 24, 2000

The Honorable Antonio R. Unpingco Speaker I Mina Bente Singko Na Liheslaturan Guahan Hagatna, Guam

Via: Committee on Rules

The Committee on Education, to which was referred **Bill No. 386 (COR)** -AN ACT TO APPRORIATE THE SUM OF NINETY FOUR THOUSAND DOLLARS (\$94,000) TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS herein reports back with the recommendation TO DO PASS as substituted by the Committee on Education.

Votes are as follows:
To Pass
Not to Pass
To the Inactive File
Abstained
Sincerely, Jaww Mag. 6 LAWRENCE F. KASPERBAUER, Ph.D.
Attachments

COMMITTEE ON EDUCATION

I Mina' Bente Singko Na Liheslaturan Guåhan 155 Hesler Street · Hagåtña, Guam 96910

Chairman: Vice Speaker Lawrence F. Kasperbauer Vice-Chairperson: Senator Joanne M.S. Brown Ex-Officio Member: Speaker Antonio R. Unpingco

VOTING SHEET ON:

Substitute Bill No. 386 (COR) -AN ACT TO APPRORIATE THE SUM OF NINETY FOUR THOUSAND DOLLARS (\$94,000) TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS.

COMMITTEE MEMBERS	INITIAL	TO PASS	NOT TO PASS	ABSTAIN	TO PLACE IN INACTIVE FILE
Vice Speaker Lawrence F. Kasperbauer Chairman	Jy	<u> </u>			
Sen. Joanne M.S. Brown Vice-Chairperson	***				
Speaker Antonio R. Unpingco Ex-Officio			<i></i>		
Sen. Frank Blas Aguon, Jr. Member	flanks a	rape to V	*		
Sen. Eulogio C. Bermudes Member	1/ Canl	- <u>U</u>			
Sen. Anthony C. Blaz Member					
Sen. Edward B. Calvo Member					
Sen. Mark Forbes Member					
Sen. Kaleo Scott Moylan Member	X	<u></u>			
Sen. Simon A. Sanchez, II Member	SA!				

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN Committee on Education

Vice Speaker Lawrence F. Kasperbauer, Chairperson

Committee Report On

BIII No. 386 (COR): AN ACT TO APPRORIATE THE SUM OF NINETY FOUR THOUSAND DOLLARS (\$94,000) TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS.

I. OVERVIEW

The Committee on Education held a public hearing on Wednesday, April 12, 2000 at 8:45 a.m. at I Liheslaturan Public Hearing Room.

Committee Members Present:

Vice Speaker Lawrence F. Kasperbauer, Chairperson

Senator Joanne M.S. Brown

Senator Simon A. Sanchez, II

Senator Frank Blas Aguon, Jr.

Other Senators Present:

Senator Alberto C. Lamorena V

Senator Vicente C. Pangelinan

Providing Testimony on the Bill:

Mr. Gary Becker

Mr. Wanjoo Kim

Mr. Mike Wilkins, General Manager, Guam Educational Radio

Foundation

Dr. John Wittmayer, Chairman, Board of Trustees, Guam Educational

Radio Foundation.

Mr. Edward Murray

Ms. JoAnn Becker

Ms. Lousette Kim

Mr. Peter Waddel

Ms Brenna E. Lorenz

Mr. Roger Warren

Ms Barbara Warren

GM1 & Mrs. Daniel R. Coffey

Mr. George Wall

Mr. Lawrence C. Kennedy

Mr. Jose M. Torres

Mr. Stephen Aren

Dr. Rosalind Hunter-Anderson

Mr. D.W. (Duke) Shepard

Mr. James Nicols

Mr. Jason Datuin

Ms. Bernice Duckrow

Mr. Joseph Cruz

Mr. Mark Ruth

Mr. R. Todd Thompson

Mr. Bengy Kossman

Mr. Edward San Agustin

Ms. Mary Ellen Alterburger

Ms. Julia M. Allen

Mr. Rodney Bordallo

Ms. Julie Cruz

Ms. Vanessa Bordallo

Dr. Marsha Spitzer

Dr. Michael S. Nelson

II. Testimony

Mr. Gary Becker/ Jo Anne Becker testified against Bill No. 386 (COR) citing better use of the funds appropriated therein, KPRG as a poor investment, outstanding FCC violations and little or no accountability for funds. Mr. Becker suggests that, as an alternative to the provisions of the Bill, allocation of funding to KPRG be delayed until certain conditions are met (conditions detailed in attached testimony).

Mr. Wilkins testified in support of the Bill stating forced closure of the radio station should needed funding not be received despite cost-saving measures. He provided a brief history of the operations and funding of KPRG and the services KPRG provides, as well. He indicated that Guam will lose \$300,000 in funding should the station cease operations. Subsequent to the hearing, Mr. Wilkins presented answers in writing, to the Committee in response to allegations impropriety made at the hearing.

Dr. Wittmayer testified in support of the Bill calling public radio an irreplaceable educational asset. He compared the offerings of KPRG to those of commercial radio stations stressing KPRG as an educational tool.

Mr. Mike Napoli submitted written testimony stating that a better use of funds would be to purchase playground equipment.

Synopsis of Other Testimony. All other signed testimony submitted to the Committee were in support of Bill No. 386 (COR). Each stated the need for public radio and provided personal views on the need for KPRG to remain in operation. During the hearing all Committee members expressed support for the station. Senators Brown and Lamorena although supportive of the station, stressed the need for financial

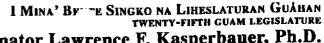
accountability and the allegations made by KPRG's detractors should be adequately answered. Anonymous testimony and email senders expressed opposition to the bill.

III. Findings and Recommendation

The Committee on Education finds that subsequent to the hearing on Bill No.; 386 (COR), the Committee Chairman and staff probed deeper into the operations of KPRG, its finances and its status with the FCC, It was determined that there exist no apparent operational issues within KPRG which would warrant not appropriating funds to the station.

The Committee agrees that public radio is and excellent educational medium and that it provides programming unavailable through commercial radio stations. The Committee finds that KPRG continues to be an educational asset to our island akin to public television and considers the loss of Guam's only public radio station to be unacceptable. The Committee finds that while funding KPRG is necessary and appropriate, certain conditions should be met prior to disbursement of funds. Such conditions are contained in a bill substituted by the Committee.

It is the recommendation of the Committee on Education that Substitute Bill No. 386 (COR) be reported out with the recommendation **TO DO PASS.**





Senator Lawrence F. Kasperbauer, Ph.D. Vice Speaker • Chairman, Committee on Education

215-A Chalan Santo Papa, Suite 106-F Ada's Professional & Commercial Center Hagātīna, Guam 96910 Telephone (671) 475-KIDS Fax (671) 475-2000 e-mail: İk4kids@ite,net webpg: www.lk4kids.com

March 31, 2000

Mr. Joseph E. Rivera

Acting Director

Bureau of Budget & Management Resear

P.O. Box 2950

Hagatna, Guam 96932

Dear Mr. Rivera:

Buenas yan hafa adai!

Pursuant to Chapter 9 of Title 2, Guam Code Annotated, I respectfully request that your office issue Fiscal Notes for the attached bills:

Bill No.

376 (COR)

386 (COR)

389 (COR)

390 (COR)

397 (COR)

Thank you for your time and consideration to this matter.

Sincerely,

Lawrence F. Kasperbauer, Ph.D.

Attachments

COMMITTEE ON EDUCATION Mina' Bente Singko na Liheslaturan Guåhan

1/2

Bill No. 386 (COR) AN ACT TO APPROPRIATE THE SUM OF NINETY FOUR THOUSAND DOLLARS (\$94,000) TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS. –Introduced by L.F. Kasperbauer

Wednesday, April 12, 2000 I Liheslatura Public Hearing Room

WITNESS SIGN-IN SHEET

Name: GARY BECKER	Agency or Interest Group (if applicable)	Interest Group (if applicable) Telephone No. Testimony Comm		Testimony		mment	
Address: 0. Box 4873	to an	564-3592	Oral	Written	For	Again	
AGANA, GUAM 96932	Top Jage	720-4480				1	
				_1			
Name: Edward MUTTON	Agency or Interest Group (if applicable)	Telephone No.	Test	mony	Con	ıment	
Address: Box BH		479 -	Oral	Written	For	Agair	
Agana Guam		3554	V		V		
	Agency or Interest Group (if applicable)	Telephone No.	Test	imony	Com	ment	
Name: UAN JOO KIM				_,			
Address: 602 Thomas ST	City / tox y'm	647	Oral	Written	For	Agair	
TAM. GUAM 96911	8 / / / Jug	-7039	$\overline{\chi}$		$\overline{\chi}$		
Name: MIK WILKINS	Agency or Interest Group (if applicable)	Telephone No.	Test	imony	Con	ıment	
Address: Yere, was STATION	Guar Public Radio		Orai	Written	For	Agai	
MANGUAO, OU 90423	Guan Public Radio KPRG	734-8930	×	X	×		
Name of John With Mayon Address: KARC, NOG Sta.	Agency or Interest Group (if applicable)	Telephone No.	Test	imony	Con	ıment	
Address A A	Guan Public Radio KPRG	735-2702	Oral	Written	For	Agai	
MAMS; 40, 644m 96122						· · · · · · · · · · · · · · · · · · ·	

COMMITTEE ON EDUCATION Mina' Bente Singko na Liheslaturan Guåhan



Bill No. 386 (COR) AN ACT TO APPROPRIATE THE SUM OF NINETY FOUR THOUSAND DOLLARS (\$94,000) TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS. –Introduced by L.F. Kasperbauer

Wednesday, April 12, 2000 I Libeslatura Public Hearing Room

WITNESS SIGN-IN SHEET

Agency or Interest Group (if applicable) Telephone No. Testimor		Agency or Interest Group (if applicable) Telep		Agency or Interest Group (if applicable) Telephone No. D. Box 4873 Guan 96932 Citizen 564-3592	cy or Interest Group (if applicable) Telephone No. Testimony		Testimony		Comment		
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COMMITTEE ON EDUCATION Mina' Bente Singko na Liheslaturan Guåhan

Bill No. 386 (COR) AN ACT TO APPROPRIATE THE SUM OF NINETY FOUR THOUSAND DOLLARS (\$94,000) TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS. –Introduced by L.F. Kasperbauer

Wednesday, April 12, 2000 I Liheslatura Public Hearing Room

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WITNESS SIGN-IN SHEET

Name Portor happer	Agency or Interest Group (if applicable)	Telephone No.	No. Testimony Comment			ıment
Address:	Charte mombar	472-8472	Oral	Written	For	Agains
Name: PETER WADDOLL Address: 173 ASPINALL TZDI NAGATNAGU	Concerno chy		×		4	
Name:	Agency or Interest Group (if applicable)	Telephone No.	Testi	mony	Con	ıment
Address:			Oral	Written	For	Against
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Name:	Agency or Interest Group (if applicable)	Telephone No.	Testi	mony	Com	ıment
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Statement for Public Hearing on Bill 386

Honorable Senators:

My name is Gary Becker. I am a former Operations Manager at KPRG. I am here to today to provide my views on Bill 386 (COR). This bill if passed by the Legislature will allocate \$94,000 to KPRG, 89.3 FM.

I am opposed to this appropriation of taxpayer funds to KPRG, 89.3 FM. I am opposed to the passage of this bill for the following reasons:

- 1. There are more important programs and services that need government funding during this recession.
- 2. KPRG may not be a good community investment as they may have led you to believe.
- 3. There are many FCC violations that need to be addressed.
- 4. KPRG has not been fully accountable for all the funds that they have utilized over the past 6 years.

I would like to take this time to explain my reasons for opposing passage of Bill 386.

This is a crucial time for the Government of Guam. Government fiscal issues are discussed almost daily in the PDN and KUAM news. The resounding message the public is getting is that the Guam Legislature wants to streamline the Government and save money. Many government programs have suffered since this streamlining and austerity has occurred. Important areas like healthcare and education have been adversely impacted by the cost-cutting measures.

On the other hand, KPRG 89.3 FM has lobbied to get \$94,000 from the taxpayers this year. In order to get this money, KPRG needs to prove to you the legislature that they are an essential program that deserves precious taxpayer money during a severe recession. There is the opinion that Public Radio for Guam is a government owned and operated station. This entitles Public Radio to local government funding much like the Public Library system. This is completely false. Public Radio for Guam is merely a special interest group, a non-profit radio station that may qualify and receive

government grants under strict guidelines. In Guam, the public radio station has, in the past, received money from the Government of Guam

So the important question for you to decide will be if the special interests of a public radio station outweigh the essential governmental programs and services, like healthcare and education?

Secondly, KPRG may not be a good community investment as they may have led you to believe. One of the primary selling points for getting Bill 386 introduced was the aspect of KPRG being an active community partner with outreach programs for youth and minorities. This was my vision as the Operations Manager and I worked hard at developing these outreach programs and activities for the station, most of the time during my days off. Since I have left KPRG, the outreach programs, to my knowledge, no longer exist. Financially, KPRG may not be a good investment. Last summer, they applied for a bank loan and were rejected. If banks do not feel KPRG is a sound financial investment, on what basis can the Government of Guam allocate \$94,000 to KPRG?

There are about 37 FCC violations currently outstanding. This means KPRG is violating 37 FCC operating rules and procedures. Any one of these violations could constitute a substantial fine or collectively could cause closure of the radio station. You could allocate \$94,000 of taxpayer money to KPRG and FCC could shut them down for their violations. How will this kind of fiscal decision look to the taxpayers of Guam?

Lastly, KPRG has not been fully accountable for all the funds that they have utilized over the past 6 years. Only recently have they had the ability to track where the monies have been spent. Moreover, as some staff knows, federal grants have been used in the past to pay for staff salaries, which is strictly prohibited under grant guidelines. It has been said that when KPRG opened 6 years ago, Government of Guam gave them money with the understanding that within 3 years they would be self-sufficient. Why hasn't KPRG lived up to their part of the original bargain? How can this radio station be so deeply in debt that banks wouldn't bail them out and now they must turn to the taxpayers for relief?

In my opinion, KPRG has been allowed to operate with little or no accountability for its funds. This lack accountability is the key to their present financial state. KPRG management will argue that their current

financial status was caused by a failure on KPRG's part to apply for Government of Guam funding for the past two years. However, what has KPRG done to wean them off of Government of Guam funding? Has membership and underwriting increased over the last 5 years? If not, why hasn't membership and underwriting increased to offset Government of Guam funding...after all this was the original plan.

The basic issue that the Guam Legislature must decide if giving \$94,000 to a special interest group, with poor accountability and a questionable track record for living up to their part of the bargain, will be a good investment for the People of Guam.

An alternative to immediately allocating \$94,000 to KPRG would be to delay allocation of the \$94,000 until the following milestones were met:

- 1. Conduct an independent on-site audit of all the financial records and documents to obtain an objective assessment of the radio station's financial status.
- 2. Obtain a detailed plan of how KPRG will address their outstanding debts.
- 3. Obtain a plan of how KPRG will correct all the FCC violations.
- 4. Obtain a five-year plan showing how KPRG will be financially independent of Government of Guam money.

Completion of these milestones would be indication of KPRG's good faith in achieving their goals.

I hope I have given you "food for thought" for your decision.

Thank you for your time.

Testimony before the Committee on Education Twenty-Fifth Guam Legislature Wednesday, April 12, 2000 For Bill No. 386 (COR) Guam Public Radio

Good morning Senator Kasperbauer:

I am Michael Wilkins the General Manager of The Guam Educational Radio Foundation. With me this morning is Professor John Wittmayer, Chairman of the foundations Board of Trustees. We are here today to testify in favor of Bill No. 386.

The Guam Educational Radio Foundation (GERF) was organized by local citizens in 1992 under the incorporation laws of the Territory of Guam, as a not-for-profit educational foundation, for the principal purpose of holding a community broadcast license and conducting broadcast operations as a "State" public radio organization as defined by the Federal Communications Commission, the Corporation for Public Broadcasting and National Public Radio.

A "Joint Letter of Agreement" was negotiated with the University of Guam to house the earth terminal, control facilities, studio and office of the radio station, in exchange for technical training of UOG students and on-air promotion of the University (which we value at \$70,000 per year).

Staffing:

The Foundation employs five full time staff members as required by our Federal grant, a Community Service Grant from The Corporation for Public Broadcasting (CPB). We maintain 24 hour broadcasting with the generous assistance of more than 30 volunteers.

Funding History:

In 1993 a National Telecommunications and Information Administration, U. S. Department of Commerce Federal Grant of \$281,048 was matched by a \$200,000 grant appropriated by the 22nd Guam Legislature.

In 1994 a Public Service Grant of \$83,246 was received from the Corporation for Public Broadcasting. The Guam Legislature appropriated \$200,000 for salaries and operations to match funds provided by CPB.

Local government grants were appropriated in 1993 (\$200,000), 1994 (\$200,000), 1995 (\$200,000), 1996 (\$100,000), 1997 (\$136,100) and 1998 (\$120,000). These grants, combined with annual Federal Grants, provided the majority of the foundations \$500,000 annual operating budget, with some 15 to 20% of the budget provided by members gifts and commercial underwriting.

As the Guam economy began to decline in 1998 the foundation refrained from asking for any appropriation in the 1998/99 fiscal year and reduced its operating budget some \$100,000.

The national public radio network has almost 600 radio stations on the Mainland all of which receive "state" funding. Two of those stations, Guam and Saipan are in the Western Pacific, and Guam is the only station not receiving "state" support last year. Guam Public Radio has now entered the second fiscal year without receiving any Guam "State" support.

Financial Condition:

As of this date we are unable to identify a source for funds that will allow us to continue operation without the assistance of the local government. If Guam Public Radio is forced to close its doors we will loose \$300,000 in Federal Grants, local gifts and business underwriting. The community will loose diverse community services, including the training of University of Guam students and the training of hundreds of volunteers.

Request:

I urge the 25TH Guam Legislature pass Bill 386 appropriating funds for continued operation through fiscal year 2000, funds that will match funds for Federal Grants in the amount of \$120,000 per year. The alternative of not passing this bill will force Guam Public Radio to close its doors.

John Wittmayer KPRG, Public Radio for Guam

Chairman, Guam Educational Radio Foundation Board of Trustees
Chairman, Division of Communication and Fine Arts
University of Guam, Mangllao, Guam 96923
Phone: (671) 735-2702 or 734-1939 FAX: (671) 734-3575
email: lwittmay@uog9.uog.edu

MEMORANDUM

Date: April 12, 2000

To: Ufisinan I Liheslatura

Subject: Bill 386

I urge your support of Bill 386 which will provide modest support for Public Radio for Guam. Without this support, Guam may lose an irreplaceable educational asset.

Why should the Government of Guam provide financial support for a public radio station? The answer to that question is the same as the answer to the question, "Why should the government support public safety, health and education?" Because these services are vital to the public good. A society cannot survive and prosper without such essential government support.

How do we improve the quality of education here on Guam? Part of the answer to that question is: We support educational radio programming. Education does not happen only in the classroom. In fact, education will not happen in the classroom unless the society outside the classroom models the goals of the educational system. For better or for worse, mass media are primary channels for learning. Commercial mass media, for the most part, have abdicated their educational responsibilities. Unfortunately, quality programming is not usually a big money-maker. That is why public broadcasting is so essential to a healthy society.

For a very small investment, the Government of Guam can assist KPRG in bringing the highest quality news, commentary, and entertainment to this island. Not only do we provide in-depth, real time news reports and analysis from National Public Radio, Public Radio International, and the BBC, we also provide the only media venue on island for an array of musical genres including Classical, Jazz, Blues, Folk, World Beat, Reggae, Tropical and Island Style. Our programming represents the very best products of world and local cultures. The support we ask from the Government of Guam is only about one-fourth of our operating expenses. For an investment of \$100,000, the people of Guam get \$400,000 worth of services, but without that contribution from the local government, the people of this island will lose their public radio station.

KPRG has had a hand-to-mouth financial existence since its beginning six years ago. We depend on a combination of funding which includes federal grants, corporate underwriting, member contributions and Government of Guam funding. For Fiscal Year 1998 we received \$120,000 from a Government of Guam appropriation. For Fiscal Year 1999 we received nothing from the Government of Guam. We are all aware of the current fiscal situation. The staff and management of KPRG have made every effort to make do without a local appropriation. We launched an aggressive effort to sell underwriting to compensate for the loss of Government of Guam funding. We have not been completely successful in that goal in these tough economic times.

Our situation is desperate. We will not make it through the year without support from the Government of Guam. It has been said many times before, but the words have never been truer than they are today: Public Radio can survive only with your help.

Jen Withmaye.

To: Twenty-Fifth Guam Legislature, Committee on Education
From: Brenna E. Lorenz
Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding
Testimony
Please support Bill 386 to Fund Guam Public Radio.
KPRG offers unique, educational programming not
available on commercial stations. KPRG also offers
members of the community to get valuable experience
in working at various jobs in a radio station. For example,
my 15-year-old daughter and I have our own show,
Rags to Rhythms, "which we teach music history is well as
play rare pre-world war I recordings. We would not have
been able to get this experience anywhere else, and our
listeness would not be able to hear our material anywhe
else. This is just one example of the opportunities this station provides the community.
station provides the community.

P.O. Box 4217 AAFB Br. Yigo, Guam 96929-4217 April 10, 2000

We are contributing members of public radio station KPRG. We understand that the current status of KPRG here on Guam is dependent also on local funding decisions. This letter is in support of your decision to spend whatever proportion of the tax dollars my husband and I contribute to Guam that will be necessary for the survival of KPRG.

Sincerely, Bouloura D. Warren Poges Fliance

LETTER OF TESTIMONY

TO: TWENTY-FIFTH GUAM LEGISTLATURE, COMMITTEE ON EDUCATION

FROM: GM1 AND MRS. DANIEL R. COFFEY

RE: TESTIMONY IN FAVOR OF BILL 386 (COR)
GUAM PUBLIC RADIO FUNDING

TESTIMONY:

As residents of Guam we urge you to help provide funding for KPRG.

Public radio provides basic, essential services to Guam.

Broadcasting training for any interested volunteers is provided. It is a valuable training that is totally free-of-charge.

Programs such as Mr. Jose Torres' Classical Concert enrich the musical education of Guam. Mr. Fel Baldiva's new Phillipine music program, broadcast in Filipino and English, also addresses Guam's rich cultural diversity.

As avid listeners and supporters, we urge you to continue support for Public Radio for Guam.

Thank you for your help.

Sincerely,

GM1 Daniel R. Coffey

17 Jetty Cove Dr.

Santa Rita, Guam 96915

Manette M. Coffey

To: Twenty-Fifth Guam Legislature, Committee on Education	
From: George C. Wall	
Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding	
Testimony	
More people listen to the radio than read the newspaper, and	
nore people listen to the radio for longer each day than they watch	
V. Those are the facts. Radio is very, very important as a	
communications tool. With the radio you can reach people at work, or	
friving in their car, or fishing, or at home. It is relatively	
nexpensive, yet very effective in getting the word out to a	
opulation.	
Public radio on our island reaches the public with a serious,	
esponsible programming. It provides local organizations and groups	
of citizens the opportunity to divulge their message, very frequently	
or free, as a public message, or via an interview in a talk show.	
Numerous charity organizations have had access to the airwaves	
hanks to Public Radio for Guam. Far from playing irresponsible rap	
music and promoting beer, public radio gives our community rock	
and roll music, jazz, classical, reggae, guitar, latin music, and	
promotes our local musical talent as well.	
In our modern times it is extremely important to be well	
informed. Public Radio for Guam offers its listeners the best world	
news programs available anywhere on the planet, BBC World News	
and All Things Considered, a news program that does not dwell on	
criminal news alone, like most other radio and TV news programs.	
Should we lose our public radio station, we would be at the mercy of	
rap music, CNN and the PDN with their biased versions of news for	
our people.	
SIGNATURE CALL SCORE (SALES)	

To: Twenty-Fifth Guam Legislature, Committee on Education

From: MURENCE C. KENNEDY

Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding

Testimony

PUBLIC RADIO FOR GUAM HAS BEEN A POSITIVE FORCE FOR ME SINCE MY ARRIVAL ON GUAM IN JULY OF 1994. AT FIRST, IT EASED MY FEELINGS OF DISPLACEMENT BY PROVIDING FAMILIAR PROGRAMS FROM HOME THEN IT GAVE ME AN ENTRANCE TO THE COMMUNITY HERE BY ALLOWING ME TO HOST TWO PROGRAMS DURING MY TIME ON ISLAND, I AM NOW A TEACHER FOR D.O.E. BUT THERE WAS A TIME NEARLY THREE YEARS WHEN I WORKED IN COMMERCIAL RADIO BOTH FOR K 57 & ISLA 61. NEITHER OF THOSE JOBS WOULD HAVE BEEN AVAILABLE TO ME IF NOT FOR THE TRAINING I GOT AT PUBLIC RADIO FOR GUAM. SIGNATURE LEternedy

To: Twenty-Fifth Guam Legislature, Committee on Education
From: JESE M. TORRES
Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding
Testimony
KPRG-Fm, public radio Jon Evan perp
i most vital need I the people of Guar i Provide in ferfainment & information (education)
in fertainment & information (education)
for a vast number of listeners who are
renderseved by the island commerce al
Freligions radio stations
Djupport the passes of Bill 386
which well provide if froset, much
needed funds for the & In Lion to conter
its mort.
SIGNATURE Affire - fil 828-8422
SIGA M

To: Twenty-Fifth Guam Legislature, Committee on Education
From: STEPhEN AREM
Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding
Testimoney
I Am Luchy to have core From The
Mid DART OF THE U.S. where Tere
ALE SIRong NP.R.STATIONS. MIS have
male my like more Full WE ARE
GOLTUNOTE to have A Excleent STAM
on Mis ishoul De loss of Mis
Somme would be trackible For
All The People of Gram.
SIGNATURE
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SRephen HREY

To: Twenty-Fifth Guam Legislature, Committee on Education

From: Dr. Rosalind Hunter-Anderson

Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding

Testimony

Quem's legislators need to help KPRG to continue to provide unique and interesting programs not available on other radio stations - by funding the station at the level reguested, it not even more: Like public television, Channel goals are non-protit, educational oul entertaining - Onem needs this kind? radio station, one not oriented toward "making a buck", nor with any political or religious agenda - tis a station for every body, not pest a tew - Mease it alive and growing

Thursday, April 06, 2000

To: Fax 7342958 - Guam Legislators via KPRG attn Rosie

From: D.W. (Duke) Shepard

Re: Bill 386

Dear Sirs/Madams:

When I retired to Guam from Virginia and came across KPRG, I knew I had made the right choice for a retirement home. KPRG provides a richness in programming that is irreplaceable. It provides an outstanding selection of music from classical to jazz, to Latin to reggae to current rhythms etc. In addition, it broadcasts a multiplicity of cultural programs unavailable elsewhere.

Although I will be off island on the 12th, I wanted to get this note off to you before departing to urge you to give your fullest support to funding bill 386. We can't afford to lose the polished jewel in Guam's crown represented by KPRG.

Supord

D.W. (Duke) Shepard

Maina

To: The Guam Territorial Legislature

From: James Nichols

4/10/00

I am in total support of KPRG and expect and hope that the Government of Guam will continue funding KPRG. I feel that KPRG has provided the island with a large and quality variety of radio programming well beyond the norm. Again, please continue the funding for KPRG.

Sincerely,

To: Twente-Filth Sum Legislature, Committee on Elusti From: JASAN A. DATEIN Re: Jestimony In Favor of Bill (con) Gran Public Ration Funding My personal experience with KPRG 893 has been resauceful, rewarding, and most importantly "educational" as an entern on valunteer, KPRG steas instrumental in providing me with the busic shells needed to excel in the field of radio broadeast Most of all, the atmosphere is neutring and comfortable. Smething to. Take in consideration when providing a great learning experience. Thank you, Jasm S. Dotur

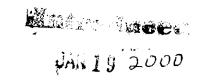
From: BERNICE Duck Row
Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding
Testimony
KPRG offers programming that is important
to our community. So many of the other stations
Afterings are very similar but KPRE icunique.
It offers news from several different viewpoints
and in-depth interviews which are found nowhere
dse. In addition, it offers any of Guame rosiden
the opportunity of presenting whatever they feel
is important. I listen to KPRGe almost exclusively.
H's arrived on Guan let me feel connected to
the vest of the world in a way that nothing
olse has.
SIGNATURE Devinie Domber
SIGNATURE DEVINILLE I JULIANI

From: MK VIH-	
Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding	·
Testimony	
IT IS IMPORTANT THAT EVAN	
CONTINUER IT'S GROWTH AS A	
MATURE COMMUNITY, PUTUE PADIO	
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phogramis, informative presents	TUNIS
AND TAIK STORIE.	
FUNDING IS QUITICAL FOR SURVIVE	12,
Your Support is important	,
SIGNATURE THANK 7M. A 2/	Uf Verr

To: Twenty-Fifth Guam Legislature, Committee on Education
Re: Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding
Testimony
I write in support of Bill 386 (con)
KPRG provides a vital link with
ITS satelite-direct netwirle programing
from National public Ralio and
its community-ficused local
public affairs programs.
I sningly corps your vote for
Bill 386 (con)
SIGNATURE

| Twenty-Fifth Guam Legislature, Committee on Education The San Agustin Twenty-Fifth Guam Legislature, Committee on Education The San Agustin |
|--|---|
| Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding | |
| estimony | |
| I urge youto support Bill 386 (COF) because | |
| Public Radio provides an excellent service to | |
| our community by exposing our minds to work | L |
| news and events. KPRG is an excellent | |
| Some to provide educational support to | |
| our schools without it our munits will | |
| forever les dosed. | |
| Thank you for your support ? This very | |
| impotant dru. | |
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To:	Twenty-Fifth Guam Legislature, Committee on Education
From	E Julia M. aller
Re:	Testimony In Favor Of Bill 386 (cor) Guam Public Radio Funding
Testi	mony
m	Vi Yamily and Duppart KPEG Public
Ra	die far Luam begann the Stateor gin understanding leke no other hadio. Aclen fimily ask That you pass
lis	understanding leke To other Radio.
<u> Ke</u>	acles finily ask That you paro
Thi	s bic 386 to help Public Radio gar Aug
	Lank-you
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SIGNA	TURE Julia M. allan
J. J. V	



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN 2000 (SECOND) Regular Session

Bill No. 386 (Car)

Introduced by:

L.F. Kasperbauer S.A. Sanchez II SACT

AN ACT TO APPRORIATE THE SUM OF NINETY FOUR THOUSAND DOLLARS (\$94,000) TO THE GUAM EDUCATIONAL RADIO FOUNDATION (KPRG PUBLIC RADIO) FOR GUAM'S SHARE OF MATCHING FUNDS FOR THEIR FISCAL YEAR 2000 OPERATIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

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3

4

1

Section 1. Appropriation to the Guam Educational Radio Foundation

- (KPRG-FM 89.3): The Sum of Ninety Four Thousand Dollars (\$94,000) is
- 5 hereby appropriated from the General Fund to the Guam Educational Radio
- Foundation (KPRG-FM 89.3) as part of Guam's share of matching funds for their 6
- Fiscal Year 2000 operations. 7