I Mina'Trentai Dos Na Liheslaturan Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	STATUS
1-32 (LS)	Judith T. Won Pat, Ed.D., Tina Rose Muna-Barnes	AN ACT RELATIVE TO AUTHORIZING THE GUAM ECONOMIC DEVELOPMENT AUTHORITY TO PROCURE THE INSTALLATION AND MAINTENANCE OF ELECTRONIC SECURITY SYSTEMS THROUGHOUT GUAM PUBLIC SCHOOLS ALSO KNOWN AS THE SECURE OUR SCHOOLS ACT OF 2013, AND FOR OTHER PURPOSES.	01/07/2013, 10:43am	**1/7/13**	Committee on Appropriations, Taxation, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land	02/01/2013, 9:00am	02/18/13 10:32 A.M.	**Fiscal Note Requested 2/13/13 Fiscal Note Received 4/2/13 11:04 a.m.**	4/1/13-Passed as amended and further substituted and amended on the Floor. 4/2/13-Transmitted to Gov. AN ACT TO ADD A NEW CHAPTER 58C TO TITLE 5, GUAM CODE ANNOTATED; AND A NEW SUBSECTION (s) TO §3102.1 OF ARTICLE 1, CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE INSTALLATION AND MAINTENANCE OF ELECTRONIC OR OTHER SECURITY SYSTEMS AT ALL GUAM PUBLIC SCHOOLS, TO BE KNOWN AS THE "SECURE OUR SCHOOLS ACT" OF 2013.

FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

April 1, 2013

The Honorable Edward J.B. Calvo
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

OFFICE OF THE GOVERNOR
CENTRAL FILES
RECEIVED BY
TIME 12:10 DATE 4/2/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Nos. 1-32(LS), 4-32(LS), 5-32(LS), 6-32(LS), 7-32(COR), 23-32(COR), 29-32(COR), 31-32(COR), 32-32(COR), 41-32(LS), 43-32(COR), 44-32(COR), 46-32(LS) and 54-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on April 1, 2013.

Sincerely,

Tina Rose Muña Barnes
Senator and Legislative Secretary

Enclosures (14)

FILE COPY

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

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 1-32 (LS), "AN ACT TO *ADD* A NEW CHAPTER 58C TO TITLE 5, GUAM CODE ANNOTATED; AND A NEW SUBSECTION (s) TO §3102.1 OF ARTICLE 1, CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE INSTALLATION AND MAINTENANCE OF ELECTRONIC OR OTHER SECURITY SYSTEMS AT ALL GUAM PUBLIC SCHOOLS, TO BE KNOWN AS THE "SECURE OUR SCHOOLS ACT" OF 2013",** was on the 1st day of April, 2013, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 2 day of April, 2013, at 12:10 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 1-32 (LS)
As amended by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation; and further substituted on the floor and amended on the floor.

Introduced by:

Judith T. Won Pat, Ed.D.
T. R. Muña Barnes
Aline Yamashita, Ph.D.
Vicente (ben) C. Pangelinan
T. C. Ada
V. Anthony Ada
Frank B. Aguon, Jr.
B. J.F. Cruz
Chris M. Dueñas
M. T. Limtiaco
Brant T. McCreadie
Tommy Morrison
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas

AN ACT TO *ADD* A NEW CHAPTER 58C TO TITLE 5, GUAM CODE ANNOTATED; AND A NEW SUBSECTION (s) TO §3102.1 OF ARTICLE 1, CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE INSTALLATION AND MAINTENANCE OF ELECTRONIC OR OTHER SECURITY SYSTEMS AT ALL GUAM PUBLIC SCHOOLS, TO BE KNOWN AS THE "SECURE OUR SCHOOLS ACT" OF 2013.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

that vandalism of Guam's public schools has cost the people of Guam hundreds of thousands of dollars. More important is the countless hours of instructional time students have lost because of these crimes.

To deter such crimes, many school districts across the nation have begun installing security cameras in schools. These cameras continually monitor the school and helps police and school officials detect criminal or suspicious activity on school premises. Crimes are less likely to be committed if there is a surveillance camera installed, making them an effective deterrent to violent acts, vandalism and theft of property.

I Liheslaturan Guåhan further finds that the final payment of One Million Two Hundred Eighty-One Thousand Eight Hundred Eighteen Dollars ($1,281,818) on the Government of Guam 2002 Short Term Financing will be made this Fiscal Year 2013. The funds utilized from the lien, supra, will be part of the total general fund revenue available for appropriation for Fiscal Year 2014.

It is, therefore, the intent of *I Liheslaturan Guåhan* to appropriate from the General Fund from the Fiscal Year 2014 revenues to GDOE the sum of One Million Two Hundred Eighty-One Thousand Eight Hundred Eighteen Dollars ($1,281,818) to enter into an agreement with a contractor for the design and purchase of equipment necessary to accomplish the purpose of this Act, to install electronic or other security systems in Guam's public schools and to maintain the same.

Section 2. A new Chapter 58C is hereby *added* to Title 5 of the Guam Code

Annotated to read as follows:

"CHAPTER 58C

SECURE OUR SCHOOLS ACT

§58C100. Definitions.

§58C101. Responsibilities of Contractor.

§58C102. Security System Study.

§58C103. Expedited Procurement.

§ 58C100. Definitions. For purposes of this Chapter and unless otherwise specified, the following words and phrases are defined to mean:

(a) *Contract* means the purchase order entered into between the winning bidder and the government of Guam.

(b) *Contractor shall* mean the winning bidder who *shall* be the signatory on the Contract, and *shall* be fully responsible for the purchase of equipment, the installation, permits of the installation of the equipment, and the first year of monitoring and maintenance of electronic security systems in the schools as outlined in the Contract. The Contractor *shall* provide a warranty of *at least* 5 years, which will include a bi-annual testing of lenses for correct fields of view, to be adjusted as necessary, the review of pictures for correct fields of view and any adjustments as necessary, the testing of remote signaling equipment where applicable; the testing of recording and playback quality, as well as reviewing the satisfactory transmission of images to remote center and the repair of any fault or other defects when necessary (part of warranty). The Contractor may cooperate with another entity or entities in any manner the Contractor deems appropriate to accomplish the same.

(c) *Equipment shall* mean the wiring, computer server, network video recorder devices, security cameras, alarm systems, and any and all other equipment relevant to the installation and maintenance of the electronic security systems in the schools.

(d) *Monitoring* refers to a service provided by a third party to monitor the electronic security systems for *up to* twenty-four (24) hours a day, seven (7) days a week, or as needed, to be determined by the Guam Department of Education.

(e) *Maintenance shall* mean the periodic, but no less than bi-annual testing of the electronic security system, including, but *not* limited to, the visual inspection of all the major electronic security system components, including cabling and connections, for signs of deterioration or damage; the testing of all security camera control equipment to include monitors, VCR, DVR, Multiplexer and other such pieces of equipment; the testing and cleaning of cameras, lenses and equipment housings, as necessary; the testing of lenses for correct fields of view, to be adjusted as necessary; the review of pictures for correct fields of view and any adjustments as necessary; the testing of remote signaling equipment where applicable; the testing of recording and playback quality, as well as reviewing the satisfactory transmission of images to remote center where applicable; and the repair of any faults or other defects where possible.

(f) *Schools shall* mean all Guam public schools.

(g) Risk Assessment means an assessment of each school's surveillance needs, whether by camera, closed circuit TV, or other electronic or non-electronic form of surveillance to stop or deter illegal intrusion to that school and to prevent theft or vandalism of valuable school property.

§ 58C101. Responsibilities of Contractor. The Contract *shall* require that the Contractor be responsible for all costs, expenses and fees of any kind or nature, associated with the purchase of equipment, installation, and permits associated with the installation and maintenance of electronic

security systems in the schools. The Contractor *shall* further be responsible for the connection and payment of all utilities, including, but *not* limited to power, telephone and cable, needed for the proper functioning of said electronic security systems.

§ 58C102. Security System Study. The Superintendent of Education *shall* perform, or cause to be performed, a risk assessment that determines each school's needs for an appropriate school security system for all the school campuses of the Guam Department of Education. The expedited procurement as authorized in §58C103 or any procurement of an electronic security system for the school campuses of the Guam Department of Education utilizing public funds *shall not* occur until the study required by this Section is submitted to *I Liheslaturan Guåhan.*

§ 58C103. Expedited Procurement. The General Services Agency *shall* expedite the procurement process for the awarding of the contract under this Act *no later than* sixty (60) days following the filing of the report to *I Liheslaturan Guåhan* in §58C102."

Section 3. Advance Appropriation. The sum of Eight Hundred Thousand Dollars ($800,000) is appropriated from the General Fund from Fiscal Year 2014 revenues to the GDOE for the purchase of electronic security systems to be installed and maintained by the Contractor in the schools, as well as for the first year of monitoring and maintenance of the same as outlined in the report required in 5GCA, Chapter 58C, §58C102. After FY 2014, GDOE *shall* submit in its annual budget the cost for the maintenance of the cameras and the monitoring systems.

Section 4. A new Subsection (s) is *added* to §3102.1 of Article 1, Chapter 3 of Title 17, Guam Code Annotated, to read as follows:

"(s) adopt a policy concerning the use of electronic security systems on school campuses, to include, but *not* limited to, emergency contact protocols."

Section 5. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

LEGISLATIVE SESSION ATTENDANCE

I MINA'TRENTAI DOS NA LIHESLATURAN

2013 (FIRST) Regular Session

Voting Sheet

ABill No: 1-32 (LS)

Speaker Antonio R. Unipingco Legislative Session Hall

AN ACT TO ADD A NEW CHAPTER 58C TO TITLE 5, GUAM CODE ANNOTATED; AND A NEW SUBSECTION (s) TO §3102.1 OF ARTICLE 1, CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE INSTALLATION AND MAINTENANCE OF ELECTRONIC SECURITY SYSTEMS AT ALL GUAM PUBLIC SCHOOLS, TO BE KNOWN AS THE "SECURE OUR SCHOOLS ACT" OF 2013.

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	V				
Senator V. Anthony "Tony" ADA	V				
Senator Frank Blas AGUON Jr.	V				
Vice-Speaker Benjamin J.F. CRUZ	V				
Senator Christopher M. DUENAS	V				
Senator Michael LIMTIACO	V				
Senator Brant McCREADIE	V				
Senator Thomas "Tommy" MORRISON	V				
Senator Tina Rose MUÑA BARNES	V				
Senator Vicente (ben) Cabrera PANGELINAN		HH V			
Senator Rory J. RESPICIO	V				
Senator Dennis G. RODRIGUEZ, Jr.		HI V			
Senator Michael F. Q.SAN NICOLAS	V				
Speaker Judith T. WON PAT, Ed.D.	V				
Senator Aline A. YAMASHITA, Ph.D.	V				
TOTAL	13	2			

CERTIFIED TRUE AND CORRECT:

4/1/13

Clerk of the Legislature

COMMITTEE ON RULES

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

2013 APR -2 AM 11:04

April 2, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio**
Chairperson, Committee on Rules

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:
Bill Nos.: 1-32 (LS) and 74-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

APR 31 2013

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

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: **01-32(LS), and 74-32(COR).**

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

JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

Bureau of Budget & Management Research
Fiscal Note of Bill No. 1-32 (LS)

AN ACT RELATIVE TO AUTHORIZING THE GUAM ECONOMIC DEVELOPMENT AUTHORITY TO PROCURE THE INSTALLATION AND MAINTENANCE OF ELECTRONIC SECURITY SYSTEMS THROUGHOUT GUAM PUBLIC SCHOOLS ALSO KNOWN AS THE SECURE OUR SCHOOLS ACT OF 2013, AND FOR OTHER PURPOSES

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Department of Education	Dept./Agency Head: Jon Fernandez, Superintendent
Department's General Fund (GF) appropriation(s) to date:	184,627,406
Department's Other Fund (Specify) appropriation(s) to date: Healthy Futures Fund & Territorial Education Facilities Fund	31,535,708
Total Department/Agency Appropriation(s) to date:	$216,163,114

Fund Source Information of Proposed Appropriation	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance[1]		$0	$0
FY 2013 Adopted Revenues	$0	$0	$0
FY 2013 Appro. (P.L. 31-233)	$0	$0	$0
Sub-total:	$0	$0	$0
Less appropriation in Bill	$0	$0	$0
Total:	$0	$0	$0

Estimated Fiscal Impact of Bill	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	$0	$1,281,818	$1,281,818	$1,281,818	$1,281,818	$1,281,818
(Specify Special Fund)	$0	$0	$0	$0	$0	$0
Total	$0	$1,281,818	$1,281,818	$1,281,818	$1,281,818	$1,281,818

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? $ _____ /X/ N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? /X/ N/A / / Yes / / No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No
/ / Requested agency comments not received as of the due date / / Other:

Analyst: _____ Date: 3/25/13 Director: _____ Date: MAR 25 2013
Arthur R. Mariano John A. Rios, Director

Footnote:
See attachment to fiscal note.

Comments on Bill No. 1-32

The proposed legislation is seeking to have the Guam Economic Development Authority (GEDA) procure, install and maintain electronic security systems for Guam's public school system. This proposed bill is to be known as The Secure Our Schools Act. This bill has identified Section 30 Funding as the pledge or reserve funding for this proposal of $1,281,818 for up to 7 years or for a total of $8,972,726. As a pledge or reserve (set aside) of Section 30 funding, this proposal would exceed the Government of Guam's debt ceiling of $1,025,518,367. The Government of Guam debt obligation is $1,024,844,235. The different between the debt ceiling and obligation is $674,132. Applying this available amount to the annual set aside computes to $607,686 beyond the debt ceiling level. Should GEDA be able to arrange lease back terms for this project and the same pledge amount becomes an appropriation, then such arrangement would not impact the Government of Guam's debt ceiling.

However, whether or not, the pledge of Section 30 takes place or becomes an appropriation, the fiscal impact in FY 2013 will be pronounced, given the level of revenues projected and tracking of these revenues should this proposal be passed in this current fiscal year. The lapsed revenues that have been experienced in FY 2012 will not be repeated in FY 2013 based on the initial de-appropriation of General Fund revenues at the beginning of this fiscal year. Therefore any anticipated FY 2013 lapsed funding that would have contributed to covering the cost of this proposed requirement will not be available.

Additionally, based on February 2013's comparative GF revenue between adopted cumulative revenues for 5 months and actual revenues received for the same period, a deficit of $1,132,423 is reflected; however, when the overall tracking up to September 30, 2013 is considered, the GF revenue tracking reflects a surplus of $1,215,342, or .18% over the FY 2013 adopted GF revenues. This projected surplus is still insufficient to cover the proposed pledge.

Lastly, the proposed pledge of $1,281,818 is the same amount as the debt service amount that was paid in FY 2012 for the 2002 Short Term Financing, using Section 30 Funds per P.L. 26-84 and amended by P.L. 26-122.The final payment of $1,717,449 for this debt service had been made in October 2012. This proposed legislation is seeking to re-appropriated funding that became available upon the completion of the final payment. Such saving derived from the completion of this debt service should be directed to paying existing long-term debt and/or applied to current short term obligation such as vendor payments and income tax refunds.

COMMITTEE ON RULES

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

Senator
Rory J. Respicio
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Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 13, 2013

VIA FACSIMILE
(671) 472-2825

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

RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)

Hafa Adai Mr. Rios:

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

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

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

2013 FEB 11 AM 9:09

Bill No. 1-32(LS) – J. T. Won Pat, Ed. D. / T.R. Muna Barnes

An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 2-32 (LS) – A. A. Yamashita

An act to repeal and reenact Section 1105 of Chapter1, Title2, Guam Code Annotated, relative to term limits for senators of the Guam Legislature.

Bill No. 3-32 (LS) – B.J.F. Cruz./ T.R. Muna-Barnes / V.A. Ada

AN ACT TO ADD A NEW CHAPTER 82 TO TITLE 12 OF THE GUAM CODE ANNOTATED; RELATIVE TO AUTHORIZING CERTAIN CONTRACTUAL ARRANGEMENTS FOR PUBLIC PRIVATE PARTNERSHIPS IN ORDER TO MOBILIZE PRIVATE RESOURCES FOR THE PURPOSE OF FINANCING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE AND DEVELOPMENT PROJECTS NORMALLY FINANCED AND UNDERTAKEN BY THE GOVERNMENT.

Bill No. 4-32 (LS) – T.A. Morrison / B.J.F. Cruz / V.A. Ada

AN ACT TO REPEAL AND RE-ENACT ARTICLE 2 OF CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING THE OFFICE OF TECHNOLOGY.

Bill No. 5-32 (LS) – T.A. Morrison

AN ACT TO ADD A NEW §40128 CHAPTER 40 OF 5GCA RELATIVE TO PLACING THE FORMER FQ SANCHEZ ELEMENTARY SCHOOL FACILITY UNDER THE JURIDICTION OF THE UMATAC MAYOR'S OFFICE.

Bill No. 6-32 (LS) – B.T. McCreadie, D.G. Rodriguez, Jr

AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT"

Bill No. 7-32 (COR) – J.T. Won Pat, Ed.D.

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTIONOF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

Bill No. 8-32 (COR) – R.J. Respicio

AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.

Bill No. 9-32 (COR) – V.C. Pangelinan

AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.

Bill No. 10-32 (COR) – B.J.F. Cruz

AN ACT TO ADD A NEW CHAPTER 39A TO TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO CREATING THE UNIFORM CHILD ABDUCTION PREVENTION ACT.

Bill No. 11-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW ARTICLE 9, TO CHAPTER 63, AND TO AMEND §5215 OF CHAPTER 5; AND TO AMEND § 63101, TO ADD A NEW (c) AND (d) TO § 63116, AND TO AMEND § 63129 OF CHAPTER 63 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO CREATING THE GUAM CORAL AND MARINE LIFE PROTECTION ACT.

Bill No. 12-32 (COR) - B.J.F. Cruz

AN ACT TO AMEND §90A101 AND §90A102 OF CHAPTER 90A OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PROHIBITION AND SALE OF CANDY CIGARETTES.

Bill No. 13-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

Bill NO. 14-32 (COR) – C.M. Duenas / V.A. Ada

AN ACT TO ADD A NEW §(e) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PURCHASE OR LEASE OF VEHICLES BY THE GOVERNMENT OF GUAM SHALL MEET OR EXCEED A MINIMUM AVERAGE COMBINED CITY AND HIGHWAY MILES PER GALLON (MPG) OF TWENTY-FIVE MILES PER GALLON (25 MPG); TO ADD A NEW §(f) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATAED, TO ALLOW CERTAIN SPECIALTY VEHICLES TO BE EXCLUDED FROM THE PROVISION OF THIS ACT.

Bill NO. 15-32 (COR) – T.R. Muna Barnes

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE FAMILY DWELLING (R-2)

Bill No. 16-32 (COR) – R.J. Respicio / C.M. Duenas

AN ACT TO REZONE LOT 2181-4NEWR1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1,LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT PARCEL 4) IN THE MUNICIPALITY OF2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TIYAN, bARRIGADA FROM AGRICULTURAL ZONE (A) TO LICHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL.

Bill No. 17-32 (COR) – R.J. Respicio / T.C. Ada

AN ACT TO ALLOW FOR CONDITIONAL USE OF PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO FOR MEETINGS AND CULTURAL PURPOSES, SPECIFICALLY LOTS 15-3 AND 15-R3, BOTH OF TRACT 1413, WHICH ARE CURRENTLY ZONED "A" (AGRICULTURAL), CONTAINING AN AREA OF 4,208.7± SQUARE METERS, AND TIYAN, BARRIGADA FROMBORDERED BY ALAGETA ROAD.

MESSAGE CONFIRMATION

FEB-13-2013 05:22 PM WED

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 3
START TIME : FEB-13-2013 05:21PM WED
ELAPSED TIME : 01'00"
MODE : STD ECM
RESULTS : [O.K]

COMMITTEE ON RULES
I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • *www.guamlegislature.com*
E-mail: *rorjrguam1@gmail.com* • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
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Legislative Secretary
Tina Rose Muña Barnes
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Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 13, 2013

VIA FACSIMILE
(671) 472-2825

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

RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)

Hafa Adai Mr. Rios:

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

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

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

Rcvd by: Analyn Estagnio
2/14/13
Confirmed via phone w/ Joe 9:03am 2/14/13

I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FEB 18 2013

2013 FEB 18 AM 10:32

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 1-32 (LS), As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 1-32 (COR), as amended, "An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure our Schools Act of 2013, and for other purposes" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

6 TO PASS

____ TO NOT PASS

2 TO REPORT OUT ONLY

____ TO ABSTAIN

____ TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan
Chairman

324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

COMMITTEE REPORT
ON

Bill No. 1-32 (LS), As Amended

Sponsored by Speaker Judith T. Won Pat

"An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure our Schools Act of 2013, and for other purposes."

I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FEB 1 8 2013

MEMORANDUM

To: **All Members**
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

From: Senator Vicente (Ben) Cabrera Pangelinan
Chairman

Subject: **Committee Report on Bill No. 1-32 (LS), As Amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 1-32 (COR), as amended, "An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure our Schools Act of 2013, and for other purposes" sponsored by Speaker Judith T. Won Pat.
This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 1-32 (LS) As Introduced
4. Copy of Bill No. 1-32 (LS) As Amended
5. Public Hearing Sign-in Sheet
6. Copies of Written Testimonies
7. Copy of COR referral
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan
Chairman

324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

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Bill No. 1-32 (LS): An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure our Schools Act of 2013, and for other purposes.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
Senator Vicente (ben) Cabrera Pangelinan **Chairman**			✓		
Vice Speaker Benjamin J. F. Cruz **Vice Chairperson**	✓ 2/18/13				
Speaker Judith T. Won Pat, Ed.D **Member**	✓				
Senator Tina Rose Muña-Barnes **Member**	✓ 2/18/13				
Senator Dennis Rodriguez, Jr. **Member**	✓ 2/18/13				
Senator Michael San Nicolas **Member**			✓ 2/18/13		
Senator Michael Limtiaco **Member**	✓ 2/18/13				
Senator Tommy Morrison **Member**	✓ 2/18/13				

I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Committee Report

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

II. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on February 1, 2013 at 9:00am in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were published in the newspaper of general circulation as required by the Open Government Law and disseminated via hand-delivery and e-mail to all senators and media broadcasting outlets on January 25, 2013 (5-Day Notice), and again on January 30, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman
Vice Speaker BJ Cruz, Vice Chairman
Speaker Judith Won Pat, Member
Senator Dennis Rodriguez, Member
Senator Mike San Nicolas, Member
Senator Tommy Morrison, Member
Senator Tom Ada
Senator Rory Respicio
Senator Tony Ada
Senator Chris Duenas
Senator Brant McCreadie
Senator Aline Yamashita

324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

(b) Appearing before the Committee

Mr. Robert Malay, DOE Deputy Superintendent
Mr. Romeo Bucatt, Securitech Solutions
Mr. Frank Henshaw, Consultant for Securitech Solutions
Mr. Phil Tydingco, Assistant Attorney General, Office of the Attorney General

(c) **Written Testimonies Submitted**

Mr. Jon Fernandez, Superintendent, Guam Department of Education
Ms. Claudia S. Acfalle, Chief Procurement Officer, General Service Agency

II. COMMITTEE PROCEEDINGS

Chairman Pangelinan: We'll start with Bill 01-32, which is an act to authorize the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout the Guam public schools also known as the Secure Our Schools Act of 2013 and for other purposes.

There are two items here that deal with the Department of Education and we'll call up the representatives and individuals who have signed up to testify. I have Mr. Rob Malay.

The other bill that deals with the Department of Education is Bill No. 08-32, an act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax Cuts. So since those two issues are dealing with the Department of Education we're going to allow anyone who has testimony on both to present them at this time.

And so, thank you very much. The bill is introduced by Speaker Judi T. Won Pat, EdD and Tina Rose Muna Barnes, and as such we would like to give the opportunity to the Speaker to give us a short synopsis of the bill before we start receiving the public testimony. Speaker Won Pat.

(a) Bill Sponsor Summary

Speaker Won Pat: Thank you very much Mr. Chairman. It seems that almost on a weekly basis the Department of Education is in the news. But not for education, rather for its school facilities being vandalized, whether it is property being damaged or stolen.

In December, we saw a rash of copper thefts. Finegayan Elementary School was affected, DL Perez Elementary, FB Leon Guerrero Middle School, Simon Sanchez High School, Finegayan Elementary School two times, FB Leon Guerrero two times, Untalan Middle School, and Wettengel Elementary School. And speaking of Wettengel, the theft of copper left seventy-percent of the school without working air conditioners. So according to court documents, the

market value of the copper wire stolen from the Department of Education schools was estimated to be more than $100,000.

These thefts are extremely costly and it's the taxpayers who pay for the price to make the necessary repairs. Staff's time is also diverted to make repairs in terms of paying for overtime. But the biggest cost to us, I think, is the interruption of classroom instructional time. So Mr. Chairman, our schools, our children should feel safe and sadly of course I know even last December we have this senseless slaughter of our innocent children. However there are things that are preventable and one of these of course is that we are looking at the installation of electronic security systems. The electronic security systems are security cameras, intrusion systems, and alarm systems. And the last thing of all finally is that DOE is in receipt of ARRA monies to be able to purchase laptops and according to the third party fiduciary agent, they are unable to move forward until such time that the security system is in place in the schools.

So this bill is to protect our 30,000 school children, our 40 schools, and all of the investment that we've made with the Department of Education. Thank you very much Mr. Chairman.

Chairman Pangelinan: Thank you and Si Yu'us Ma'ase' Speaker Won Pat. We'll go ahead then and begin with receipt of public testimony and we have the Assistant Superintendent Rob Malay signed up to present testimony. You may identify yourself first and then begin presenting your testimony. Thank you very much.

(b) Testimony

1. Mr. Robert Malay – Guam Department of Education

Mr. Robert Malay: Thank you very much. I will now, and I'll be very brief as well. The Guam Department of Education is thankful to Senator Rory Respicio's support in introducing this legislation. While the amount of increased revenue is uncertain at this point in time, we know that resources are difficult to come by in the current fiscal environment. Should there be an agreement to appropriate these revenues to the Department of Education, it would be our preference to utilize this funding to address much needed school repairs or to provide school's with equipment or instructional supplies. So thank you Senator Respicio.

Mr. Robert Malay: Good morning Senator Pangelinan. Thank you very much. My name is Robert Malay. I'm the Deputy Superintendent for Assessment and Accountability for the Guam Department of Education.

The Guam Department of Education did submit some written testimony which I believe you all have but I'll just, without going through all of the key points on the what Speaker just summarized for us, I will just go on record stating that the Guam Department of Education fully supports Bill No. 01-32 and would like to thank Speaker Judith Won Pat and Senator Tina Muna Barnes for introducing this bill.

This legislation will help provide our public schools with security equipment that would help in both the education and prevention of criminal activity on school grounds. Today, our public schools continue to experience a high number of school break-ins and vandalism. These incidents, taken together, has cost GDOE an estimated $1.6 million over the past 3 years which accounts for a loss in the replacement of property as well as labor and materials for facility repairs. The proposed investment in and additional security will help to not only prevent loss and damage to our schools but to help reassure our employees, children, and families that our schools remain a safe learning environment. We provided an attachment with some of the school security facts in the back of your packet, which do show the numbers. The majority of our incidents take place in our northern schools, our Lagu region. And over the past 3 years we're looking at 218 incidents, eight of which were the copper wire ones that Speaker referenced which happened in December of 2012. Those eight incidents alone ran the department nearly $300,000 in replacement, in contracting to get the wired installed and providing foot patrol until the individuals were apprehended. So we offer our full support for Bill 01-32.

PANEL COMMENTS AND QUESTIONS

Chairman Pangelinan: Ok, thank you very much Mr. Malay. I know you have a ground breaking to go to - congratulations to the students of Oceanview Middle School and, that's right twelve years! (audience applauds). Senator San Nicolas.

Senator San Nicolas: Thank you Mr. Chairman. Mr. Malay, thank you for making the time. I don't want to hold you up too long but I did have one question regarding Bill No. 01. I understand that Astumbo Middle School is also one of the schools that suffered from the copper wire thefts and Astumbo Middle School already had security cameras in place. So, has the Department taken into consideration whether that really would be an effective means of deterring the copper wire thefts or would the money be probably used for a better deterrent? Have you guys strategized on other options?

Mr. Robert Malay: Ok, Astumbo Middle has not been vandalized by copper wire theft. And if they have, they have not reported that to our Central Office. We did get a report from Astumbo Elementary School that some wire had been cut in their electrical room but the wire had not been removed. Astumbo Middle School does have security cameras, but we do not have any report that they had their copper wire stolen from them.

Senator San Nicolas: I do know that Astumbo Middle School was vandalized, and that copper wire was cut. My wife is the assistant principal and she was the one that got called to go up to the school and handle the management of that situation. I was also made to understand that the thieves – I don't know if they were the same people – did a very good job of mitigating the cameras. They covered themselves well, they were able to go in there and do everything they did. I don't know if they were the same people that were caught but the camera was not an effective deterrent in those people going in there and doing what they did to the school. I just want to make sure that if we're going to make the capital investment of providing cameras to schools, which I have no objection to, but if we're going to be making that capital investment in order to be a deterrent, I just want to make sure that we're making the most effective use of that money to actually be the deterrent that we're trying to make it be.

Mr. Robert Malay: Yeah, and I think when the investor, the leasehold schools, referring to Astumbo, also includes Liguan, Adacao, and Okkodo High School, as well as JFK. They have to put in a measure of security and they do it at a very cost-efficient way. So I don't know how they determine their scope of what security cameras should be placed where, what direction they should be placed, whether they are inside, outside, or both. They have not given us that plan, but certainly if it hasn't deterred them then there's room for improvement.

Senator San Nicolas: So going back to my original question, has the Department explored other potential deterrents that they could implement with the use of these kind of funds?

Mr. Robert Malay: We're looking at electronic surveillance at this point in time. You know, unless you have a very sustainable source of funding that you can continue to put a physical presence on campus which would probably become very costly, we're looking at other alternatives that might be affordable and electronic surveillance is certainly one of them where you have someone that can monitor the security surveillance.

Senator San Nicolas: Thank you Mr. Malay.

Chairman Pangelinan: Thank you very much Senator San Nicolas. Senator Limtiaco?

Senator Limtiaco: Thank you Mr. Chairman, I echo the same sentiments as Senator San Nicolas in the sense that if you focus on the copper wire side of it, you do have these surveillance cameras. You know, my typical understanding of most security systems is that when there is a break in the security breach there's an alarm that signals the monitoring service and basically dispatch a patrol officer to look at it. But I'm not aware of a security camera system that would prevent that. Is there new technology that is incorporated in this where if maybe there's motion detectors or is there actual 24/7 monitoring of the security cameras to see if there's people actually outside cutting wire? I'm not aware of a security system that does that.

Mr. Robert Malay: Sure, I appreciate the question and I'll be very honest. I'm in the business of education. Security…I would defer to the security experts. We did receive a presentation from a security company that indicated that there is new technology out there, which includes two-way radio. So when there is an alarm that is triggered they are able to talk over the public address system. Let the individuals know that we are watching you and recording you right now, and if you don't leave immediately the police will be there in a matter of minutes, which does help to deter it. They have been using that type of technology in major corporations throughout the country.

Chairman Pangelinan: We have some additional testimony from I'm assuming, some of these are security companies and maybe we can reserve some of the technical questions.

Senator Limtiaco: Yes, I do have another question.

Chairman Pangelinan: I think it's just the policy of do we want to ensure…the bill deals with the policy of putting in a program for security within the schools.

Senator Limtiaco: I just have one question regarding the timeline of the funding. Regarding the timeline of the funding, it refers to pledging a certain amount of money - Section 30 funds - for no longer than a period of seven years. Can you clarify that it is a seven-year period and why that is a benchmark.

Speaker Won Pat: I think I should be the one to answer that question. From what we heard, the shelf life for any of these equipment would be seven years. So after that, there's no sense in continuing to make investments in something that is outdated.

Senator Limtiaco: Thank you Mr. Chairman.

Chairman Pangelinan: Thank you very much. Thank you Mr. Malay. The next individuals signing up to testify on Bill 01-32 is Mr. Romeo, I'm sorry I can't read the last name, Buccat? Mr. Frank Henshaw, and Assistant Attorney General Mr. Phil Tydingco, or Chief Deputy Attorney General. We'll go ahead and begin. Good morning.

2. Mr. Romeo Buccat - Securitech Solutions

Mr. Buccat: Good morning Senators. Speaker Pangelinan. My name is Romeo Buccat, I'm with Securitech Solutions. We're here to support Bill 01-32, installing security and surveillance systems in all the public schools. I think we originally did the installation of the monitoring and surveillance and intrusion systems for the four new schools, which is Okkodo, Astumbo Middle School, Liguan Elementary, and Adacao. Since prior to that, for those intrusion systems and surveillance systems were installed, they had a rash of break-ins that cost the government of Guam a lot of money. So once these schools were able to procure the money to get the equipment installed, the intrusion and the surveillance systems, the theft and vandalism has reduced significantly. Once they are installed, the perpetrators came back maybe they broke in a few times, maybe once or twice.

After that, it kind of completely stopped. So yes, it is a deterrent. I'm not saying it's gonna stop people from breaking in, but it is a deterrent that will help the government save money and help the people of Guam tax dollars from trying to repair the schools after vandalism has taken place. I know one of the Senators had some questions about what can we do to enhance the security system to prevent them from stealing copper wire in the schools.

To speak to Senator San Nicolas, yes they have surveillance systems in Astumbo Middle School but not particularly watching the areas where maybe they stole the copper wire. Yes, there can be improvements where we can add additional surveillance to that particular area that has been vandalized; moving forward in the other schools as well. When we did this installation, it was based on trying to protect the interior of the school. There really is nothing else outside of the school. So, I think improving the coverage of the surveillance system, there's room for improvement. And maybe it didn't deter them from stealing; taking the copper wire. But there is room for improvement.

PANEL COMMENTS AND QUESTIONS

Chairman Pangelinan: Thank you very much Mr. Buccat. Mr. Henshaw?

3. Mr. Frank Henshaw - Securitech Solutions

Mr. Henshaw: Thank you Speaker. Good morning Senators. My name is Frank Henshaw. I'm a senior consultant with Securitech Solutions. I've been doing electronic security on Guam for over 20 years now. I hold numerous certifications from factories as well as national certifications. I sit here in support of the bill. To answer Senator Limtiaco's question, there are a lot of new technologies that have become very affordable. Video analytics is one where you can actually set up electronic perimeters around a property that alarms a central monitoring station to allow you to respond to that incident whether it be physically or something verbal over a microphone on remote audio type things. The only concern that I really had about the bill is that I think the 60-day procurement process, once enacted, I think that's rushing it. I do understand the importance each school would need to do an assessment. They know their properties better than we do at a security company. We're going to have questions for each one of those properties so that we can properly equip and design a system that will address their needs.

PANEL COMMENTS AND QUESTIONS

Chairman Pangelinan: So that may be a recommendation that you would have with regards to the procurement process.

Mr. Henshaw: Yes sir, I would recommend probably about a 120 to 180 day process, procurement process. I believe that based on my experience, I believe that it can be done in 120 days and done properly.

Chairman Pangelinan: Ok, thank you. Any other comments?

Mr. Henshaw: No sir.

Chairman Pangelinan: Mr. Attorney General?

4. Mr. Phil Tydingco – Office of the Attorney General

Mr. Tydingco: Good morning Chairman Pangelinan and 32nd Guam Legislature. Phil Tydingco on behalf of Attorney General Rapadas and the Office of the Attorney General. Of course we support any measure that look to prevent theft and vandalism of our schools. Just as an anecdote, it's true that some of these folks try to cover themselves, but I think with new technologies and motion detectors and alerting security or the police to respond will be helpful and quite frankly some of our cases, some of these guys have actually pulled their t-shirts over, but they forget that sometimes they got their names tatooted on their backs.

That's the level of genius we have amongst some of these folks. Just sort of as a side note. I'm here primarily just for two provisions. The funding source issue. We would ask for

some time to run it past our bond counsel because you're implicating Section 30 money. So we just want to...we just looked at it real quickly. I don't think there's an issue, I just wanted to bounce this off of GEDA and bond counsel on whether the pledging of the Section 30...we have some bonds tied up. I don't know what they are on the top off the top of my head. We'd ask for some time to send this bill over to GEDA and bond counsel to make sure that there are no issues to our current bonds.

And then the second provision I just wanted to weigh in on is expedited procurement. I would request that you also consider using the ARRA procurement provisions we used in the past to not only expedite, but...by the way, we should expand, we're talking about 44 schools. They may do the procurement in batches, like first high schools, first middle schools, first elementary. You have 44 schools so, I don't know that a time limit is necessarily helpful, but I'm talking in the context of the ARRA expedited protest provisions. Cut it off at the OPA level, otherwise it's...I mean let's be honest, it's a protest rich environment in these trying economic times so to minimize the protracting litigation, I would ask you to consider including the ARRA expedited protest provisions that you folks have used before. Thank you.

Chairman Pangelinan: Thank you very much, Si Yu'us Ma'ase' Mr. Attorney General. Speaker Won Pat, did you have any questions for the panel?

PANEL COMMENTS AND QUESTIONS

Speaker Won Pat: Well, not really so much a question, but your question about the availability of this $2 million dollars. It's a current short-term loan that we have with a local bank. It will mature and the end of 2013. Since those funds have been obligated or ready, yes, the Section 30 monies means of course will be available, meaning that it's currently used for something this same dollar amount will also be used, or less, for the new debt service.

Chairman Pangelinan: Ok, thank you very much. Mr. Vice Speaker? Senator Ada, Tom? Questions? Yes, I am recognizing you.

Senator Tom Ada: Thank you for recognizing me Mr. Chairman, I know I'm not a member of your Committee, and normally that's deferred to the members, but Mr. Henshaw or Mr. Buccat, you indicated that you're probably going to need a little bit more time so that the prospective bidders can go out and make an assessment and determine what best can be offered and then based on that, come up with your bid price. I noticed there's an amount here of $1,281,818 is what is needed to provide the necessary monitoring. Are these your estimates?

Mr. Henshaw: No sir.

Senator Tom Ada: Ok. Alright, I'm just curious where those estimates came from. Apparently, whoever gave those estimates probably has already made the assessment. So, ok, I just wanted to clarify that. Thank you.

Chairman Pangelinan: Yes, thank you very much. The author indicates that the million-dollar figure is the funding available, not an estimate of what it would take.

Senator Tom Ada: Ok. Alright. Thank you.

Chairman Pangelinan: Thank you very much. Senator San Nicolas?

Senator San Nicolas: Thank you Mr. Chairman. I first want to commend our Speaker for authoring this bill. I think that it is definitely a step in the right direction. The reason why I mentioned earlier the situation at Astumbo, was because it didn't...we still had that situation happen and one of the things I'm really concerned about is whenever we go out to bid in the government, the bids come in, we go with the lowest bidder, and we get the system that we buy. I want to make sure the system we get is going to be the system that's going to actually work to deter what we're trying to deter. And so I wanted to ask the Securitech Solutions gentlemen, right now in the bill - you can look at Page 3, Line 7, electronic security system definitions - the definitions throughout the bill, they're very vague and I was wondering, is there any specific types of systems that you think would be more effective? Enhancements that would be more effective in order to deter what we're trying to deter that we should probably contain in the language of the bill, with the caveat that it wouldn't create a mutually exclusive right to your particular company. Something that is more industry standard that we should be including in the bid specifications so that everybody can bid on something that they're all able to access and provide that will enhance the system to be able to do the job we need it to do.

Mr. Henshaw: That's a good question Senator. I would recommend a two-step bid process versus a lowest price bid. It would become a technical write-up bid so each school is going to do a risk analysis of what their needs are that's going to be put into the RFP. Once that's done, every bidder would do a technical write up as to how they're going to best address that. And, based on a scoring criteria, you pick the top three and you start with number one and you negotiate a final price that fits within the budget. That's what I would recommend. That way you're getting the latest and greatest technology because, yes, there are many technologies out there. Video analytics is one of them. One-way audio to the protected property is another one. So, that would be my recommendation.

Senator San Nicolas: Thank you Mr. Chairman.

Chairman Pangelinan: Thank you very much. Senator Limtiaco?

Senator Limtiaco: Thank you Mr. Chairman. Regarding the new technologies; would this be a state of the art technology that you're referring to or is this something that's economically feasible within the amount of money that's going to be allocated?

Mr. Henshaw: It's actually both state of the art and economical. Video analytics has been around for quite a few years. It started off with video motion detection. It has expanded, but now you can add that to a system for a couple hundred dollars or so, to add video analytics and some of the cameras today are actually included, built right into the camera.

Senator Limtiaco: And this would allow for the monitoring service to be notified if there's motion detected that...?

Mr. Henshaw: That's correct.

Senator Limtiaco: Ok. Thank you Mr. Chairman.

Chairman Pangelinan: Thank you. Senator McCreadie? Did you have a question?

Senator McCreadie: Thank you Mr. Chairman. Mr. Buccat, you used the word vandalism a lot in your testimony. In an effort to facilitate some kind of mechanism in the procurement process when you get the RFP and you put the cameras up, these guys that the Attorney General Tydingco say put their shirts over their heads but they have their name on their back, well one day they're gonna figure out that if they vandalize the cameras no one's gonna be able to see them. So, how do we protect our investment to make sure that these mechanisms are in place so if they do vandalize the cameras, we don't lose our money?

Mr. Buccat: Well…

Senator McCreadie: They're cutting the copper wire. I'm sure they can cut the camera wire, correct?

Mr. Buccat: Correct, correct. Well that's where the intrusion system comes in as a back up. Actually, it should be the primary. I mean, before the perpetrator can even get to the cameras, provided they're inside, they're going to have to compromise the perimeter of the building before they can even…

Senator McCreadie: Is it possible that, in your experience in the pilot programs that you have, do they vandalize the cameras?

Mr. Buccat: No, the systems that we installed in the four new schools, that has not happened. Pretty much, they got as far as the perimeter depending on the coverage of the school and pretty much, that was it. They heard the siren go off, they left the premises.

Senator McCreadie: Thank you Mr. Chairman.

Chairman Pangelinan: Thank you. Speaker Won Pat, did you have any additional questions?

Speaker Won Pat: You mentioned, Mr. Henshaw, a two-step bid process and I want to make sure I got two, because the first thing you said was to allow the schools to be able to determine exactly what it is that they want, then you would do a technical write-up on that.

Mr. Henshaw: Correct.

Speaker Won Pat: The first step is the schools doing it. The second step would be…

Mr. Henshaw: Correct and it's already a provision in the procurement law to do a multi-step technical bid.

Speaker Won Pat: But then to answer your question because if you look on Page 6, Section 3, it actually places the burden on the schools in terms of board policy, so they should set exactly what it is that they would like to do and how they want to be monitored. Because some of the areas, earlier Mr. Buccat had mentioned that right now only the interior of the schools are being secured, and part of the security system and not the exterior. That is something the board might want to consider in its board policy. They might want to just do it only in common areas and of course you don't want it in locker rooms and so you want to protect the students, you want to protect the assets, but then you want to protect, also, privacy. So it would be the board working with each one of the school principals to make that determination, what it is and where it is, which is the most vulnerable area. Take for example Southern High School where there are a lot of areas that you can't see, so those areas they may want to have monitored. The burden is still with the Department of Education to do that.

Chairman Pangelinan: Thank you very much. That concludes the testimony. Ok.

Senator Tom Ada: Securitech Solutions, you had some experience installing monitoring systems, at least at Astumbo. And just so that we kind of align our expectations as to what $1.2 million could possibly get us and I guess this goes in line with what Mr. Tydingco had suggested that we prioritize where the systems will go into. Do you suppose that $1.2 million can cover 44 schools?

Mr. Henshaw: We believe it can.

Senator Tom Ada: Ok

Chairman Pangelinan: Ok, thank you. I like that answer. Thank you very much gentlemen for your testimony this morning.

This concludes the testimony on Bill No. 1 There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at senbenp@guam.net or through our website at senbenp.com

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 1-32 (LS) with the recommendation to pass.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) REGULAR SESSION

2013 JAN 7 AM 9:27

Bill No. I-32(LS)

Introduced by: **Judith T. Won Pat, Ed.D.**
Tina Rose Muna-Barnes

AN ACT RELATIVE TO AUTHORIZING THE GUAM ECONOMIC DEVELOPMENT AUTHORITY TO PROCURE THE INSTALLATION AND MAINTENANCE OF ELECTRONIC SECURITY SYSTEMS THROUGHOUT GUAM PUBLIC SCHOOLS ALSO KNOWN AS THE SECURE OUR SCHOOLS ACT OF 2013, AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that vandalism of Guam's public schools has cost the people of Guam hundreds of thousands of dollars. More important is the countless hours of instructional time students have lost because of these crimes.

To deter such crimes, many school districts across the nation have begun installing security cameras in schools. These cameras continually monitor the school and helps police and school officials detect criminal or suspicious activity on school premises. Crimes are less likely to be committed if there is a surveillance

camera installed making them an effective deterrent to violent acts, vandalism and theft of property.

It is therefore the intent of *I Liheslaturan Guahan* to enter into an agreement with a contractor for the financing, design, and purchase of equipment necessary to accomplish the purpose of this Act to install electronic security systems in Guam's public schools and to maintain the same.

Section 2. A new Chapter 58C is hereby added to Title 5 of the Guam Code to read as follows:

"Chapter 58C. Secure Our Schools Act.
§ 58C100. Definitions.
§ 58C101. Responsibilities of Contractor.
§ 58C102. Assignments.
§ 58C103. Funding Source
§ 58C104. Expedited Procurement

§ 58C100. Definitions. For purposes of this Chapter and unless otherwise specified, the following words and phrases are defined to mean:

(a) "Contract" shall mean the financing, design, installation, and purchase of equipment agreement entered into by and between the Government of Guam and the Contractor.

(b) "Contractor" shall mean the contractor to the government of Guam whom shall be the signatory on the Contract and shall be fully responsible for

carrying out the financing, design, and purchase of equipment necessary for the installation and maintenance of electronic security systems in the schools. The Contractor will be responsible for providing monitoring and maintenance services for the life of the contract envisioned by this Act. The Contractor may cooperate with another entity or entities in any manner the Contractor deems appropriate to accomplish the same.

(c) "Electronic security system" refers to the security cameras and the intrusion detection or alarm systems that shall be installed, monitored and otherwise maintained by the Contractor under this Act.

(d) "Equipment" shall mean the wiring, computer server, network video recorder devices, security cameras, alarm systems, and any and all other equipment relevant to the installation and maintenance of the electronic security systems in the schools.

(e) "Monitoring" refers to a service provided by a third party, to monitor the electronic security systems for up to twenty-four hours a day, seven days a week, or as needed, to be determined by the Guam Department of Education.

(f) "Maintenance" shall mean the bi-annual testing of the electronic security system, including but not limited to, the visual inspection, where accessible, of all the major electronic security system components including cabling and connections for signs of deterioration or damage; the testing of all security camera control equipment to include monitors, VCR, DVR, Multiplexer and other such pieces of equipment; the testing and cleaning of cameras, lenses and equipment housings, as necessary; the testing of lenses for correct fields of view, to be adjusted as necessary; the review of pictures for correct fields of view and any

adjustments as necessary; the testing of remote signaling equipment where applicable; the testing of recording and playback quality as well as reviewing the satisfactory transmission of images to remote center where applicable; and the repair of any faults or other defects where possible.

(g) "Schools" shall mean all Guam public schools.

§ 58C101. Responsibilities of Contractor. The Contract shall require that the Contractor be responsible for all costs, expenses and fees of any kind or nature, associated with the design, purchase of equipment, installation, permits, and financing associated with the installation and maintenance of electronic security systems in the schools. The Contractor shall further be responsible for the connection and payment of all utilities, including but not limited to power, telephone and cable, needed for the proper functioning of said electronic security systems.

§ 58C102. Assignments. To facilitate the purposes of this Act and to provide security for the holders of any financing instruments issued pursuant to this Act, the Contractor may assign, without the need of the consent of the Government of Guam, the Contract, to any underwriter, trustee or other party as appropriate to facilitate the Contractor financing.

§ 58C103. Funding Source.

(a). Payments under the Contract shall be secured by a pledge *or* other reservation of revenues received by *or* on behalf of the Government of Guam from the United States of America pursuant to Section 30 of the Guam *Orga*nic Act (48 U.S.C.A. Section 1421h). Any pledge *or* reservation of Section 30 revenues authorized by the Act *shall* be subordinate *only* to the existing lien securing the

Government of Guam 2002 Short Term Financing (Line of Credit; P.L. 26-84 amended by P.L. 26-122 and P.L. 26-130). Any such pledge or reservation authorized hereunder shall be valid and binding from the time the pledge or reservation is made and shall be limited to One Million Two Hundred Eighty One Eight Hundred Eighteen Dollars ($1,281,818.00) per year for no longer than seven (7) years. The Section 30 revenues pledged *or* reserved and thereafter received by the government of Guam *or* by any trustee, depository *or* custodian *shall* be deposited in a separate account and *shall* be immediately subject to such reservation *or* the lien of such pledge without any physical delivery thereof *or* further act, and such reservation *or* the lien of such pledge *shall* be valid and binding against all parties having claims of any kind in tort, contract *or* otherwise against the government of Guam *or* such trustee, depository *or* custodian, irrespective of whether the parties have notice thereof. The instrument by which such pledge *or* reservation is created need *not* be recorded.

(b). The funding made available in subsection (a) shall be for the financing, including the financing and underwriting costs, of the electronic security systems to be installed and maintained by the Contractor in the schools, as well as for monitoring and maintenance of the same, as described in § 58C100(e)-(f) of this Act, as needed in the schools.

(c). Alternative method of financing including but not limited to, a short term debt, mortgage, loan, federally guaranteed loan or an instrumentality of the United States of America. In the event that the financing of this project envisioned in this Act be affected by the debt ceiling, the Guam Economic Development

Authority may pursue this project using municipal lease financing with said lease not to exceed seven (7) years.

§ 58C104. Expedited Procurement. The Guam Economic Development Authority shall expedite the procurement process for the awarding of the contract under this Act no later than sixty (60) days from the passage of this Act."

Section 3. A new subsection (s) is added to § 3102.1 of Title 17 of the Guam Code to read as follows:

"(s) adopt a policy concerning the use of electronic security systems on school campuses, to include, but not limited to, emergency contact protocols."

Section 4. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) REGULAR SESSION

Bill No. 1-32 (LS)

Introduced by: **Judith T. Won Pat, Ed.D.**
Tina Rose Muna-Barnes
As Amended by the Committee on Appropriations Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

AN ACT RELATIVE TO AUTHORIZING THE GUAM ECONOMIC DEVELOPMENT AUTHORITY TO PROCURE THE INSTALLATION AND MAINTENANCE OF ELECTRONIC SECURITY SYSTEMS THROUGHOUT GUAM PUBLIC SCHOOLS ALSO KNOWN AS THE SECURE OUR SCHOOLS ACT OF 2013, AND FOR OTHER PURPOSES.

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To deter such crimes, many school districts across the nation have begun installing security cameras in schools. These cameras continually monitor the school and helps police and school officials detect criminal or suspicious activity on school premises. Crimes are less likely to be committed if there is a surveillance camera installed making them an effective deterrent to violent acts, vandalism and theft of property.

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"Chapter 58C. Secure Our Schools Act.

§ 58C100. Definitions.

§ 58C101. Responsibilities of Contractor.

§ 58C102. Assignments.

§ 58C103. Funding Source

§ 58C104. Security System Study

§ 58C105. Expedited Procurement

§ 58C100. Definitions. For purposes of this Chapter and unless otherwise specified, the following words and phrases are defined to mean:

(a) "Contract" shall mean the financing, design, installation, and purchase of equipment agreement entered into by and between the Government of Guam and the Contractor.

(b) "Contractor" shall mean the contractor to the government of Guam whom shall be the signatory on the Contract and shall be fully responsible for carrying out the financing, design, and purchase of equipment necessary for the installation and maintenance of electronic security systems in the schools. The Contractor will be responsible for providing monitoring and maintenance services for the life of the contract envisioned by this Act. The Contractor may cooperate with another entity or entities in any manner the Contractor deems appropriate to accomplish the same.

(c) "Electronic security system" refers to the security cameras and the intrusion detection or alarm systems that shall be installed, monitored and otherwise maintained by the Contractor under this Act.

(d) "Equipment" shall mean the wiring, computer server, network video recorder devices, security cameras, alarm systems, and any and all other equipment relevant to the installation and maintenance of the electronic security systems in the schools.

(e) "Monitoring" refers to a service provided by a third party, to monitor the electronic security systems for up to twenty-four hours a day, seven days a week, or as needed, to be determined by the Guam Department of Education.

(f) "Maintenance" shall mean the bi-annual testing of the electronic security system, including but not limited to, the visual inspection, where accessible, of all the major electronic security system components including cabling and connections for signs of deterioration or damage; the testing of all security camera control equipment to include monitors, VCR, DVR, Multiplexer and other such pieces of equipment; the testing and cleaning of cameras, lenses and equipment housings, as necessary; the testing of lenses for correct fields of view, to be adjusted as necessary; the review of pictures for correct fields of view and any adjustments as necessary; the testing of remote signaling equipment where applicable; the testing of recording and playback quality as well as reviewing the satisfactory transmission of images to remote center where applicable; and the repair of any faults or other defects where possible.

(g) "Schools" shall mean all Guam public schools.

§ 58C101. Responsibilities of Contractor. The Contract shall require that the Contractor be responsible for all costs, expenses and fees of any kind or nature, associated with the design, purchase of equipment, installation, permits, and

financing associated with the installation and maintenance of electronic security systems in the schools. The Contractor shall further be responsible for the connection and payment of all utilities, including but not limited to power, telephone and cable, needed for the proper functioning of said electronic security systems.

§ 58C102. Assignments. To facilitate the purposes of this Act and to provide security for the holders of any financing instruments issued pursuant to this Act, the Contractor may assign, without the need of the consent of the Government of Guam, the Contract, to any underwriter, trustee or other party as appropriate to facilitate the Contractor financing.

§ 58C103. Funding Source.

(a). Payments under the Contract shall be secured by a pledge *or* other reservation of revenues received by *or* on behalf of the Government of Guam from the United States of America pursuant to Section 30 of the Guam *Orga*nic Act (48 U.S.C.A. Section 1421h). Any pledge *or* reservation of Section 30 revenues authorized by the Act *shall* be subordinate *only* to the existing lien securing the Government of Guam 2002 Short Term Financing (Line of Credit; P.L. 26-84 amended by P.L. 26-122 and P.L. 26-130). Any such pledge or reservation authorized hereunder shall be valid and binding from the time the pledge or reservation is made and shall be limited to One Million Two Hundred Eighty One Eight Hundred Eighteen Dollars ($1,281,818.00) of which Eight Hundred Thousand Dollars ($800,000) *shall* be capped per year for no longer than seven (7) years for the funding as described in subsection (b) of this Section. The Section 30 revenues pledged *or* reserved and thereafter received by the government of Guam *or* by any trustee, depository *or* custodian *shall* be deposited in a separate account and *shall* be immediately subject to such reservation *or* the lien of such pledge

without any physical delivery thereof *or* further act, and such reservation *or* the lien of such pledge *shall* be valid and binding against all parties having claims of any kind in tort, contract *or* otherwise against the government of Guam *or* such trustee, depository *or* custodian, irrespective of whether the parties have notice thereof. The instrument by which such pledge *or* reservation is created need *not* be recorded.

(b). The funding made available in subsection (a) shall be for the financing, including the financing and underwriting costs, of the electronic security systems to be installed and maintained by the Contractor in the schools, as well as for monitoring and maintenance of the same, as described in § 58C100(e)-(f) of this Act, as needed in the schools.

(c). Alternative method of financing including but not limited to, a short term debt, mortgage, loan, federally guaranteed loan or an instrumentality of the United States of America. In the event that the financing of this project envisioned in this Act be affected by the debt ceiling, the Guam Economic Development Authority may pursue this project using municipal lease financing with said lease not to exceed seven (7) years.

§ 58C104. Security System Study. The Superintendent of Education *shall* perform or cause to be performed a systemwide comprehensive study that develops the specifications for an appropriate school security system for all the school campuses of the Guam Department of Education. The expedited procurement as authorized in § 58C105 or any procurement of an electronic security system for the school campuses of the Guam Department of Education utilizing the funding source as authorized in § 58C103 *shall not* occur until the study required by this section is submitted to *I Liheslaturan Guahan.*

§ 58C105. Expedited Procurement. The Guam Economic Development

Authority shall expedite the procurement process for the awarding of the contract under this Act no later than sixty (60) days from the passage of this Act."

Section 3. A new subsection (s) is added to § 3102.1 of Title 17 of the Guam Code to read as follows:

"(s) adopt a policy concerning the use of electronic security systems on school campuses, to include, but not limited to, emergency contact protocols."

Section 4. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, February 1, 2013

Bill No. 1-32 (~~COR~~ LS)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes	SUPPORT No
Robert Mlay	DOE	300-1691	rhmlay	✓		4	

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net

2

Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, February 1, 2013

Bill No. 1-32 (~~COR~~)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes	SUPPORT No
Ronald Borja	215 Rojas St	888-6609	r.borja1@yahoo.com			Y	
Frank Aguon	215 Rojas St	688-8877	F.Aguon@senatorben.gov			Y	
Phil Tydingco	AGO					Info	

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net

Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, February 1, 2013

Bill No. ~~1~~ 32 (~~COR~~)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT (Yes) No
FRANK HENSHAW	SECURITECH	648-8877	f.henshaw@securitech.pro		✓	

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net

Eddie Baza Calvo
Governor

Benita A. Manglona
Director

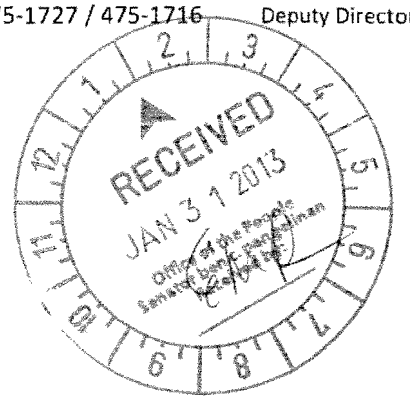
GSA

GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
Department of Administration
148 Route 1 Marine Drive, Piti, Guam 96915
Tel: (671) 475-1707 Fax Nos: (671) 475-1727 / 475-1716

Ray Tenorio
Lieutenant Governor

Anthony C. Blaz
Deputy Director

January 28, 2013



Memorandum

Honorable Vicente (ben) Cabrera Pangelinan
Senator, 32nd Guam Legislature
324 West Soledad Avenue
Suite 101
Hagatna, Guam 96910

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Dear Senator Pangelinan:

Thank you for the opportunity to comment on bill 1-32, an act relative to authorizing the Guam Economic Development Authority to procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013and for other purposes.

The procurement authority for the Guam Department of Education is done by the Guam Department of Education's procurement section. The General Services Agency does not handle any action for GDOE at this time.

We believe that a better system than what is suggested is that the government hires an independent consultant to develop the specifications for an appropriate school security system. Once that is finished, then using that blueprint to procure, installed and maintained is done. We believe that separating the two issues out would provide for a better overall procurement.

We do not believe that the Guam Economic Development Authority would be the proper vehicle to us as this is just a procurement process. However, if you feel that another agency should handle this, you may want to look at those other agencies exempted from going through the General Services Agency.

Thank you for the opportunity to comment on bill 1-32.

1/30/13
CLAUDIA S. ACFALLE
Chief Procurement Officer

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

www.gdoe.net
P.O. Box D.E., Hagatña, Guam 96932
Telephone: (671)475-0457 or 300-1547/1536•Fax: (671)472-5001
Email: jonfernandez@gdoe.net

JON J. P. FERNANDEZ
Superintendent of Education

February 1, 2013

The Honorable Vicente "ben" C. Pangelinan
Chairman, Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land
32ND Guam Legislature
155 Hesler Place
Hagatna, GU 96910

Dear Senator Pangelinan:

The following is hereby submitted as written testimony on **Bill No. 1-32**, the "Secure Our Schools Act"; **Bill No. 8-32**, relative to appropriating to the Department of Education any additional revenue derived from the expiration of the Bush tax cuts; and **Bill No. 19-32**, relative to capturing license fees and taxes from gaming operators. Thank you for the opportunity to testify.

Bill No. 1-32: Secure Our Schools Act

Bill No. 1-32 would authorize the Government of Guam to enter into a contract with a third-party vendor to finance, purchase, install, monitor and maintain electronic security systems in Guam public schools. Such systems would include security cameras, intrusion detection and alarm systems, and related equipment. Funding to help finance the initiative would come a pledge of up to $1.28 million in Section 30 funds for no longer than a period of seven years. Alternative financing made available through partnership with the Guam Economic Development Authority is also contemplated.

The Guam Department of Education ("GDOE") fully supports Bill No. 1-32 and thanks Speaker Judith Won Pat and Senator Tina Muna-Barnes for introducing this bill. This legislation would help provide our public schools with security equipment that would help in both the detection and prevention of criminal activity on school grounds. Today, our public schools continue to experience a high number of school break-ins and vandalism. These incidents, taken together, have cost GDOE an estimated $1.6 million over the past three years, which accounts for loss and replacement of property as well as labor and materials for facility repairs. The proposed investment in additional security would help to not only prevent loss and damage to our schools, but to help reassure our employees, children and families that our schools remain safe learning environments. *(See Attachment 1: School Security Facts)*

Bill No. 8-32, Relative to Appropriating Additional Revenue from Bush Tax Cuts to Guam DOE

Bill No. 8-32 would appropriate any additional revenues in FY 2013, deriving from the expiration of all or part of the Bush tax cuts, to the Guam Department of Education. The Bush tax cuts refer to changes to the tax code during President George W. Bush's administration, which lowered the marginal income tax rates for most Americans with further reductions to taxes on capital gains, dividends, and estates. These cuts have been continually extended but were due to expire at the end of 2012. On January 2, 2013, President Obama signed into law the American Taxpayer Relief Act of 2012, which further extended all of the cuts but allowed the increase to the highest marginal tax rate to go into effect, raising it from 35 percent to 39.6 percent. This would apply to individuals earning more than $400,000 and married couples earning more than $450,000. Because the Guam income tax code mirrors the Internal Revenue Code,

this tax increase would apply to Guam earners as well. Revenues resulting from this unanticipated revenue increase in FY 2013 would be appropriated by this bill for use by the Guam Department of Education for operations, school repairs and maintenance.

The Guam Department of Education is thankful for Senator Rory Respicio's support in introducing this legislation. While the amount of increased revenue is uncertain, we know that new resources are difficult to come by in the current fiscal environment. Should there be agreement to appropriate these revenues to GDOE, it would be my preference to utilize this funding to address much-needed school repairs or to provide schools with equipment or instructional supplies.

Bill No. 19-32, Relative to Capturing License Fees and Taxes from Gaming Operations

Bill No. 19-32 amends current law to grant the Director of Revenue and Taxation the temporary authority to promulgate rules and regulations related to limited gaming and to assess an interim tax rate of twenty percent on all currently untaxed gaming activities on Guam. The proceeds of this tax – after accounting for administrative costs – would be allocated to the Mayors Council of Guam in year one for the repair and construction of village recreation centers; the Department of Parks and Recreation in year two for the repair and construction of its facilities; and the Department of Education in year three for the repair and construction of its sports facilities, with the allocation schedule repeating beginning in year four. Current law allocates these funds to the Department of Education's Interscholastic Sports Programs, the Guam National Olympic Committee, and the Northern and Southern Sports Complexes.

The Guam Department of Education thanks Senator Chris Duenas, Vice-Speaker B.J. Cruz, and Senator Tommy Morrison for their support for GDOE sports programs and facilities. In this particular case, GDOE would be a beneficiary both under current law as well as under the proposed amendment to the law. The major challenge appears to be that the legal authority to collect fees and taxes on gaming has not been exercised and, therefore, has not produced revenues to be allocated for any purpose. The Department would appreciate any resources that could be made available to ensure a robust Interscholastic Sports Program as well as improve our sports facilities. We would be happy to continue discussing the best use of funds that could be made available for these purposes.

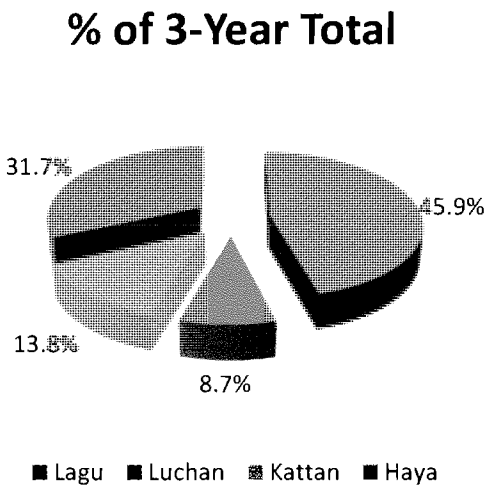
Thank you for this opportunity to submit the testimony. Please feel free to contact me with any further questions or comments.

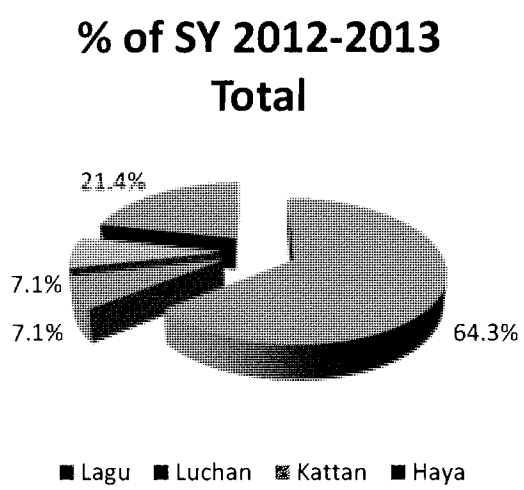
Senseramente,

JON J. P. FERNANDEZ

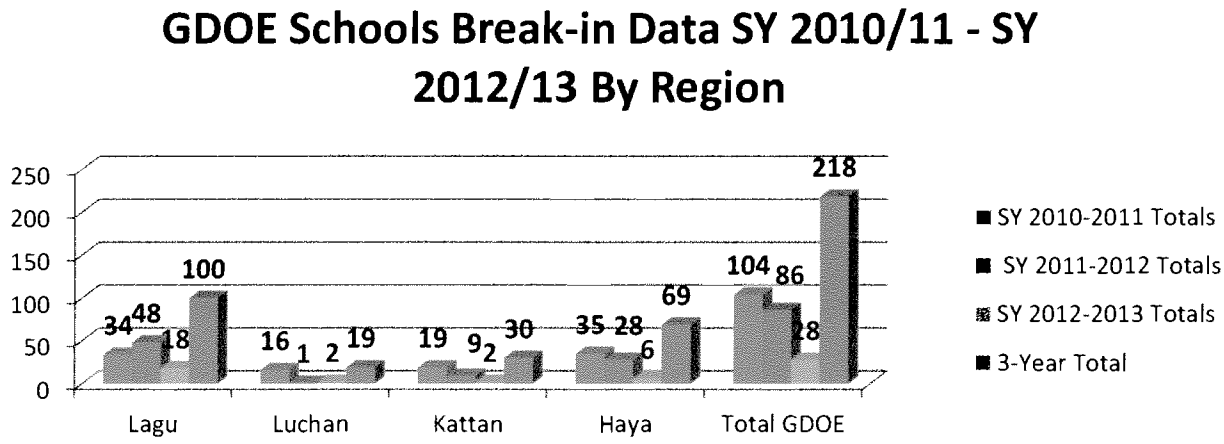
Attachment 1: School Security Facts

Over the past three school years, GDOE has had 218 instances of some form of "break-in", a term that covers ranging from vandalism to destruction or theft of property. The majority of the break-ins have taken place in our Lagu (Northern) region, which continues to be the area of greatest concern. The Lagu schools make up nearly 46 percent of all break-ins in the district since the beginning of the 2010-2011 school year. They are followed by Haya (31.7%), Kattan (13.8%) and Luchan (8.7%), respectively. The rate of incidents for this current year shows that Lagu schools have reported 64% of all break-ins, compared to Haya (21.4%), and Kattan and Luchan (each at 7.1%). This information is shown below.





An overall look at the real numbers by regions shows the break down by year for each region and the totals for GDOE below:



A school by school comparison of all 40 GDOE schools is also provided for review:

	Name of School	Number of Break-ins			Total
		SY 2010-2011	2011-2012	2012-2013	
Elementary Schools					
1	Adacao ES	0	0	0	**0**
2	Agana Heights	0	0	0	**0**
3	Astumbo ES	4	1	0	**5**
4	B.P. Carbullido ES	0	0	0	**0**
5	C.L. Taitano ES	3	0	0	**3**
6	Chief Brodie ES	0	1	0	**1**
7	D.L. Perez ES	0	0	2	**2**
8	Finegayan Elem.	2	4	4	**10**
9	Harry S. Truman	1	0	1	**2**
10	Inarajan ES	0	2	0	**2**
11	J.M. Guerrero ES	0	3	2	**5**
12	JQSM Elementary	1	0	0	**1**
13	LBJ Elem.	0	0	0	**0**
14	Liguan Elem. School	1	1	0	**2**
15	M.U. Lujan ES	20	9	2	**31**
16	Machananao ES	4	1	0	**5**
17	Marcial Sablan ES	2	0	0	**2**
18	Maria Ulloa Elem.	0	10	0	**10**
19	Merizo ES	0	0	0	**0**
20	Ordot Chalan Pago ES	0	0	0	**0**
21	P.C. Lujan Elementary	1	1	0	**2**
22	Price ES	0	1	0	**1**
23	Talofofo Elementary	1	3	0	**4**
24	Tamuning ES	0	0	0	**0**
25	Upi Elementary School	1	0	2	**3**
26	Wettengel Elementary	2	2	2	**6**
Middle Schools					
27	Agueda Johnson MS	1	1	1	**3**
28	Astumbo Middle School	5	1	1	**7**
29	F.B. Leon Guerrero MS	0	7	1	**8**
30	Inarajan MS	4	13	0	**17**
31	Jose L.G. Rios MS	2	0	2	**4**
32	L.P. Untalan MS	3	2	1	**6**
33	Oceanview MS	4	0	1	**5**
34	Vicente Benavente MS	6	13	2	**21**
High Schools					
35	George Washington HS	13	4	0	**17**
36	John F. Kennedy HS	11	0	0	**11**
37	Okkodo HS	4	1	1	**6**
38	Simon Sanchez HS	5	4	1	**10**
39	Southern HS	2	1	2	**5**
Alternative School					
40	J.P. Torres Alternative School	1	0	0	**1**
TOTAL>>>>>>>>>>>>>>>>>>>>>>>>		**104**	**86**	**28**	**218**

With each break-in, a cost is incurred and reprogrammed from other object categories within our budget. Incurred costs during a "typical break-in" can include:

- **Repair of Damaged Property** (Supplies, Materials and Labor): this has included broken window, doors, door knobs, lighting, fence line damage, and other general destruction of building interiors.
- **Replacement of Property** (Supplies, Materials and Equipment): this has included classroom and instructional supplies and materials, food, technology such as computers, laptops, tv's, vcr's, projectors and copper wiring).
- **Restoration of Facility** (Supplies, Materials and Labor): this has included cleaning supplies and materials and recharging of fire extinguishers.
- **Purchase of Security Measures** (Equipment and Labor): this has included hiring security guards and installation of security systems.

A single incident can range in cost from as low as $1,000 to the well published recent occurrences regarding the copper wire thefts of more than $90,000. Our estimate for the past three years is that school break-ins have costs the district an estimated $1.6 million.

A breakdown of the recent copper wire thefts experienced in December of 2012 shows that the 8 occurrences came at a cost of $231,374.99 to GDOE.

Initial Re-Wiring

Item	PO #	Cost
Manpower	GDOE	$1,652.55
Supplies and Materials	20130114	$11,225.08
Supplies and Materials	20130117	$2,009.00
Supplies and Materials	20130126	$121.50
Supplies and Materials	20130128	$6,168.40
	Subtotal	$21,176.53

Foot Patrol Services

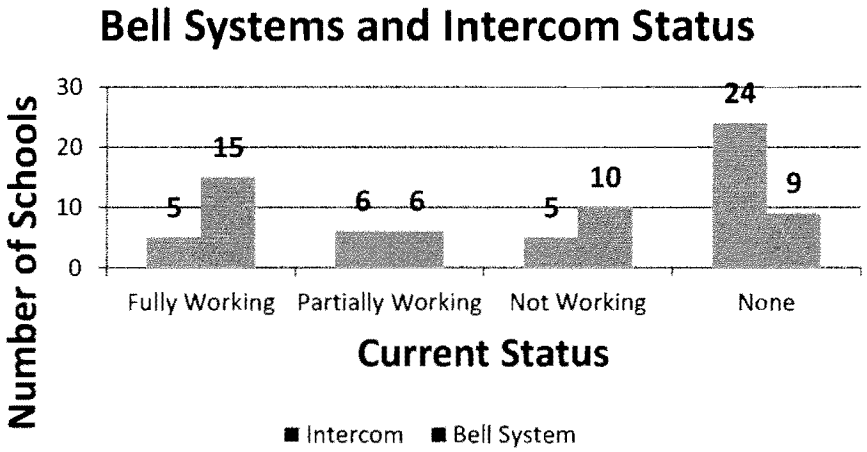
Vendor	Schools	PO #	Cost
Denanche	5	20130144	$16,831.50
Hawk	5	20130145	$18,060.00
G4S	5	20130143	$19,425.00
		Subtotal	$54,316.50

Contracted Re-Wiring

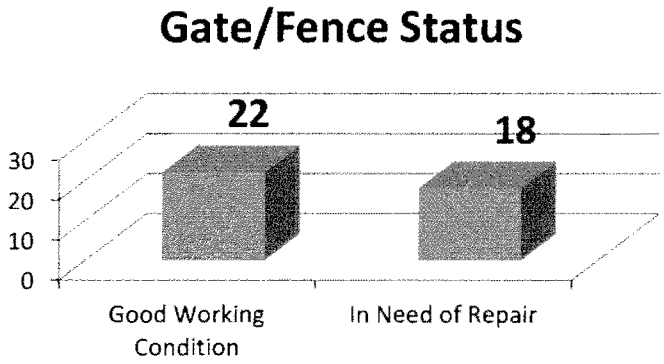
Schools	Vendor	PO #	Cost
FBLG/SSHS	DCK Worldwide	20130174	$86,461.03
Wettengel	Z4 Corporation	20130173	$49,769.01
Finegayan	Z4 Corporation	20130170	$19,651.92
		Subtotal	$155,881.96
		Grand Total	$231,374.99

Infrastructural Security Needs. Many of our schools lack basic communication technology to assist during an emergency on campus. While the primary use of bell systems is to signal starting and ending times of instructional blocks, they are also valuable tools when signaling an emergency by the number and/or type of ringing. Likewise, while intercom systems are commonly used for school-wide announcements, they can also serve in providing instructions during an emergent situation.

The following indicates the number of schools that have bell systems and intercom systems that are fully working, partially working, not working, or do not exist:



Additionally, 18 of our 40 schools have indicated a need for repairs on the gates and/or perimeter fencing as indicated below (note – Inarajan Elementary does not have a fence):



COMMITTEE ON RULES

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 7, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill Nos. 1-32 through 6-32 (LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 1-32 through 6-32(LS).

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

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

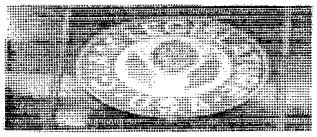
Si Yu'os Ma'åse!

(1) Attachment

I Mina'Trentai Unu Na Liheslaturan Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
1-32 (LS)	Judith T. Won Pat, Ed.D., Tina Rose Muna-Barnes	AN ACT RELATIVE TO AUTHORIZING THE GUAM ECONOMIC DEVELOPMENT AUTHORITY TO PROCURE THE INSTALLATION AND MAINTENANCE OF ELECTRONIC SECURITY SYSTEMS THROUGHOUT GUAM PUBLIC SCHOOLS ALSO KNOWN AS THE SECURE OUR SCHOOLS ACT OF 2013, AND FOR OTHER PURPOSES.	01/07/2013, 10:43am	**1/7/13**	1/17/2013	Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land			



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 11:01 AM
To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Michael Limtiaco <mlimtiaco671@gmail.com>, Tommy Morrison <tommy@senatormorrison.com>
Cc: Senator ben pangelinan <senbenp@guam.net>

INEKUNGOK PUPBLEKO

(*PUBLIC* HEARING)

***gi Betnes, gi diha 1 gi Fibreru*, 2013)**

Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan

(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an

(9:00 AM)

TAREHA

(AGENDA)

Priniponi Siha:

(Bills)

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority

to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

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Yanggen un nisisita espesiåt na setbisio put fabot ågang i Ifisinan Senadot ben pangelinan gi 473- Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net

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Lisa Dames
Chief of Staff

Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 25, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – FIRST NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am,** on **Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to *Add* a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

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324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 10:56 AM
To: phnotice@guamlegislature.org

INEKUNGOK PUPBLEKO

(*PUBLIC* HEARING)

***gi Betnes, gi diha 1 gi Fibreru*, 2013)**

Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan

(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an

(9:00 AM)

TAREHA

(AGENDA)

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--
Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

Agenda Feb 1.pdf
107K

UPDATED 2013.02.11

32GL Senators:

"Judith T. Won Pat, Ed.D." <speaker@judiwonpat.com>, "Benjamin JF Cruz" <senator@senatorbjcruz.com>, "Tina Rose Muna Barnes" <tinamunabarnes@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>"Thomas C. Ada" <tom@senatorada.org>, "Frank Blas Aguon, Jr." aguon4guam@gmail.com, "vicente 'ben' pangelinan" <senbenp@guam.net>,"Dennis G. Rodriguez" <senatordrodriguez@gmail.com>, "Michael F. Q. San Nicolas" responsibleguam@gmail.com, "V. Anthony Ada" <tony@tonyada.com >, "Christopher M. Duenas" <duenasenator@gmail.com>, "Michael T. Limtiaco"<mike@mikelimtiaco.com>, "Brant McCreadie"<brantforguam@gmail.com>, "Thomas (Tommy) Morrison" <tommy@senatormorrison.com>, "Aline A. Yamashita, Ph.D" <aline4families@gmail.com>,

32GL Senator Staff

therese@judiwonpat.com, frank@judiwonpat.com, rob@judiwonpat.com, jason@judiwonpat.com, wil@judiwonpat.com, steve@judiwonpat.com, faith@judiwonpat.com, senator@senatorbjcruz.com,carlos.pangelinan@senatorbjcruz.com, mike.lidia@senatorbjcruz.com, chris.carillo@senatorbjcruz.com, sgflores@tinamunabarnes.com, jblas@tinamunabarnes.com, jean@tinamunabarnes.com, Vparriola1@gmail.com, etajalle@guamlegislature.org, tjtaitano@cs.com, mlwheeler2000@yahoo.com, phillipsguam@gmail.com, avon.guam@gmail.com, jennifer.lj.dulla@gmail.com, marymaravilla19@gmail.com, chechsantos@gmail.com, committee@frankaguonjr.com, admin@frankaguonjr.com, cipo@guamlegislature.org, chris.budasi@guamlegislature.org, aokada@guamlegislature.org, smendiola@guamlegislature.org, avillaverde@guamlegislature.org, ahernandez@guamlegislature.org, sonedera-salas@guamlegislature.org, berthaduenas@gmail.com, emqcho@gmail.com, karenc@guamlegislature.org , senatorsannicolas@gmail.com, alerta.jermaine@gmail.com, louise@tonyada.com, pete@tonyada.com, ed@tonyada.com, val@tonyada.com, santos.duenas@gmail.com, mcarlson@guamlegislature.org, ang.duenas@gmail.com, angela.lgrios@gmail.com, mike@mikelimtiaco.com, conedera@mikelimtiaco.com, cos@senatormorrison.com, manuela@senatormorrison.com, ryanjames@senatormorrison.com, tanya4families@gmail.com, lou4families@gmail.com, evelyn4families@gmail.com, jcamacho@senatorada.org, cyrus@senatorada.org, nsantos@senatorada.org, Juliette@senatorada.org, office@senatorada.org, coy@senatorada.org, tom@senatorada.org , carlaborja.73@gmail.com, baza.matthew@gmail.com, senatordrodriguez@gmail.com, clifton@toduguam.com,cherbert.senatordrodriguez@gmail.com, rfteehan@yahoo.com, amanda@toduguam.com, nicole@toduguam.com, joe@toduguam.com, jmesngon.senatordrodriguez@gmail.com, sitarose2@yahoo.com, meia@toduguam.com, menchu@toduguam.com

Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 10:58 AM
To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

INEKUNGOK PUPBLEKO

(*PUBLIC* HEARING)

***gi Betnes, gi diha 1 gi Fibreru*, 2013)**

Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan

(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an

(9:00 AM)

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Yanggen un nisisita espesiåt na setbisio put fabot ågang i Ifisinan Senadot ben pangelinan gi 473- Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 30, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – SECOND NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am,** on **Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to *Add* a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

Bill No. 9-32 (COR): An Act to *add* new §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *amend* sections of Chapter 58 of Title 12 Guam Code Annotated, Relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency Website, and for other purposes.

Bill No. 18-32 (COR): An Act to Appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents ($392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.

324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

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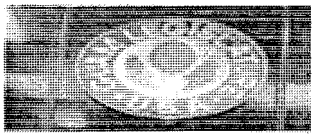

Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Wed, Jan 30, 2013 at 10:16 AM
To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,
The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will conduct a public hearing on Friday, February 1, 2013 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

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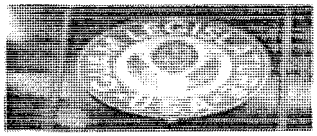

Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

2 messages

Lisa Dames <cipo@guamlegislature.org> Wed, Jan 30, 2013 at 10:17 AM
To: phnotice@guamlegislature.org

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Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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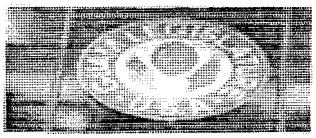
Adam Bearce <adam@guamlegislature.org> Wed, Jan 30, 2013 at 10:19 AM
To: Lisa Dames <cipo@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Hi. confirmed posted.
[Quoted text hidden]



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Wed, Jan 30, 2013 at 10:23 AM
To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Senator Michael Limtiaco <mike@mikelimtiaco.com>, Tommy Morrison <tommy@senatormorrison.com>
Cc: Senator ben pangelinan <senbenp@guam.net>

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The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will conduct a public hearing on Friday, February 1, 2013 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

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Bill No. 7-32 (COR): An Act to *Add* a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

Bill No. 9-32 (COR): An Act to *add* new §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and *amend* sections of Chapter 58 of Title 12 Guam Code Annotated, Relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency Website, and for other purposes.

Bill No. 18-32 (COR): An Act to Appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents ($392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.
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WEDNESDAY, JANUARY 30, 2013

I Mina'Trenta Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Homelot Wisegup Sinaky Gobetnon Pamalaoan
Office of the Speaker

ANEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Betnes, gi dihas 1 gi Febreru, 2013
(Friday, February 1, 2013)

Kuattos Ineksangok Pupbleko gi I Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

Alas nueve gi eggas'an (9:00 AM)

TAREHAS I AGENDAN

Prisiopan Sihas:
(Both)

Bill No. 1-32 (LS): An Act to Authorizing the Guam Economic Development Authority to Procure the Construction and Maintenance of Electronic Security Systems in the school facilities, which are known as the Security Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to Add a new §4107.50 to Chapter 41 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction and authority of Guam Economic Development Authority to the Guam Aerospace Authority, Commission.

Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenues derived from the expansion of any part of the Back Tax Law.

Bill No. 9-32 (COR): An Act to add new §§5148, 5149, 5150, 5151, 5152, 5153, 5154, and 5155 to Chapter 51 of Title 12, Guam Code Annotated, and amend sections of Chapter 51 of Title 12, Guam Code Annotated, Relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency Website, and for other purposes.

Bill No. 10-32 (COR): An Act to Appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents ($392,162.17) from unobligated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II Department of Commerce Project No. EAC-5-10(6) CMAQ, including Change Order No. 1 and Change Order No. 2.

Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to Capturing License Fees and Taxes from Gaming Operators.

Kumbokasion siempre na atensyon para todos siempre Senadot ya para mangaguf gi 473. Kumpleto na mensahi para gi sesion, para todos i otro

I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013
(Friday, February 1, 2013)

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an
(9:00 AM)

TAREHA
(AGENDA)

Priniponi Siha:
(Bills)

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to Add a new §480105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

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32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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INEKUNGOK PUPBLEKO
(*PUBLIC* HEARING)

***gi Betnes, gi diha 1 gi Fibreru,* 2013)**
Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an
(9:00 AM)

TAREHA
(AGENDA)

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(Bills)

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Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

Yanggen un nisisita espesiåt na setbisio put fabot ågang i Ifisinan Senadot ben pangelinan gi 473-
Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at www guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net

324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net
www.senbenp.com

COMMITTEE ON RULES

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 7, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill Nos. 1-32 through 6-32 (LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 1-32 through 6-32(LS).

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

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

Si Yu'os Ma'åse!

(1) Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) REGULAR SESSION

2013 JUN -7 AM 10:44

Bill No. I-32(LS)

Introduced by: **Judith T. Won Pat, Ed.D.**
Tina Rose Muna-Barnes

AN ACT RELATIVE TO AUTHORIZING THE GUAM ECONOMIC DEVELOPMENT AUTHORITY TO PROCURE THE INSTALLATION AND MAINTENANCE OF ELECTRONIC SECURITY SYSTEMS THROUGHOUT GUAM PUBLIC SCHOOLS ALSO KNOWN AS THE SECURE OUR SCHOOLS ACT OF 2013, AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that vandalism of Guam's public schools has cost the people of Guam hundreds of thousands of dollars. More important is the countless hours of instructional time students have lost because of these crimes.

To deter such crimes, many school districts across the nation have begun installing security cameras in schools. These cameras continually monitor the school and helps police and school officials detect criminal or suspicious activity on school premises. Crimes are less likely to be committed if there is a surveillance

camera installed making them an effective deterrent to violent acts, vandalism and theft of property.

It is therefore the intent of *I Liheslaturan Guahan* to enter into an agreement with a contractor for the financing, design, and purchase of equipment necessary to accomplish the purpose of this Act to install electronic security systems in Guam's public schools and to maintain the same.

Section 2. A new Chapter 58C is hereby added to Title 5 of the Guam Code to read as follows:

"Chapter 58C. Secure Our Schools Act.
§ 58C100. Definitions.
§ 58C101. Responsibilities of Contractor.
§ 58C102. Assignments.
§ 58C103. Funding Source
§ 58C104. Expedited Procurement

§ 58C100. Definitions. For purposes of this Chapter and unless otherwise specified, the following words and phrases are defined to mean:

(a) "Contract" shall mean the financing, design, installation, and purchase of equipment agreement entered into by and between the Government of Guam and the Contractor.

(b) "Contractor" shall mean the contractor to the government of Guam whom shall be the signatory on the Contract and shall be fully responsible for

carrying out the financing, design, and purchase of equipment necessary for the installation and maintenance of electronic security systems in the schools. The Contractor will be responsible for providing monitoring and maintenance services for the life of the contract envisioned by this Act. The Contractor may cooperate with another entity or entities in any manner the Contractor deems appropriate to accomplish the same.

(c) "Electronic security system" refers to the security cameras and the intrusion detection or alarm systems that shall be installed, monitored and otherwise maintained by the Contractor under this Act.

(d) "Equipment" shall mean the wiring, computer server, network video recorder devices, security cameras, alarm systems, and any and all other equipment relevant to the installation and maintenance of the electronic security systems in the schools.

(e) "Monitoring" refers to a service provided by a third party, to monitor the electronic security systems for up to twenty-four hours a day, seven days a week, or as needed, to be determined by the Guam Department of Education.

(f) "Maintenance" shall mean the bi-annual testing of the electronic security system, including but not limited to, the visual inspection, where accessible, of all the major electronic security system components including cabling and connections for signs of deterioration or damage; the testing of all security camera control equipment to include monitors, VCR, DVR, Multiplexer and other such pieces of equipment; the testing and cleaning of cameras, lenses and equipment housings, as necessary; the testing of lenses for correct fields of view, to be adjusted as necessary; the review of pictures for correct fields of view and any

adjustments as necessary; the testing of remote signaling equipment where applicable; the testing of recording and playback quality as well as reviewing the satisfactory transmission of images to remote center where applicable; and the repair of any faults or other defects where possible.

(g) "Schools" shall mean all Guam public schools.

§ 58C101. Responsibilities of Contractor. The Contract shall require that the Contractor be responsible for all costs, expenses and fees of any kind or nature, associated with the design, purchase of equipment, installation, permits, and financing associated with the installation and maintenance of electronic security systems in the schools. The Contractor shall further be responsible for the connection and payment of all utilities, including but not limited to power, telephone and cable, needed for the proper functioning of said electronic security systems.

§ 58C102. Assignments. To facilitate the purposes of this Act and to provide security for the holders of any financing instruments issued pursuant to this Act, the Contractor may assign, without the need of the consent of the Government of Guam, the Contract, to any underwriter, trustee or other party as appropriate to facilitate the Contractor financing.

§ 58C103. Funding Source.

(a). Payments under the Contract shall be secured by a pledge *or* other reservation of revenues received by *or* on behalf of the Government of Guam from the United States of America pursuant to Section 30 of the Guam *Orga*nic Act (48 U.S.C.A. Section 1421h). Any pledge *or* reservation of Section 30 revenues authorized by the Act *shall* be subordinate *only* to the existing lien securing the

Government of Guam 2002 Short Term Financing (Line of Credit; P.L. 26-84 amended by P.L. 26-122 and P.L. 26-130). Any such pledge or reservation authorized hereunder shall be valid and binding from the time the pledge or reservation is made and shall be limited to One Million Two Hundred Eighty One Eight Hundred Eighteen Dollars ($1,281,818.00) per year for no longer than seven (7) years. The Section 30 revenues pledged *or* reserved and thereafter received by the government of Guam *or* by any trustee, depository *or* custodian *shall* be deposited in a separate account and *shall* be immediately subject to such reservation *or* the lien of such pledge without any physical delivery thereof *or* further act, and such reservation *or* the lien of such pledge *shall* be valid and binding against all parties having claims of any kind in tort, contract *or* otherwise against the government of Guam *or* such trustee, depository *or* custodian, irrespective of whether the parties have notice thereof. The instrument by which such pledge *or* reservation is created need *not* be recorded.

(b). The funding made available in subsection (a) shall be for the financing, including the financing and underwriting costs, of the electronic security systems to be installed and maintained by the Contractor in the schools, as well as for monitoring and maintenance of the same, as described in § 58C100(e)-(f) of this Act, as needed in the schools.

(c). Alternative method of financing including but not limited to, a short term debt, mortgage, loan, federally guaranteed loan or an instrumentality of the United States of America. In the event that the financing of this project envisioned in this Act be affected by the debt ceiling, the Guam Economic Development

Authority may pursue this project using municipal lease financing with said lease not to exceed seven (7) years.

§ 58C104. Expedited Procurement. The Guam Economic Development Authority shall expedite the procurement process for the awarding of the contract under this Act no later than sixty (60) days from the passage of this Act."

Section 3. A new subsection (s) is added to § 3102.1 of Title 17 of the Guam Code to read as follows:

"(s) adopt a policy concerning the use of electronic security systems on school campuses, to include, but not limited to, emergency contact protocols."

Section 4. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

From:	Guam Legislature Clerks Office
To:	"speaker@judiwonpat.com"; "senator@senatorbjcruz.com"; "tom@senatorada.org"; "senatortonyada@guamlegislature.org"; "duenasenator@gmail.com"; "senator@tinamunabarnes.com"; "senbenp@guam.net"; "roryforguam@gmail.com"; "senatordrodriguez@gmail.com"; "aline4families@gmail.com"; "mlimtiaco671@gmail.com"; "brantforguam@gmail.com"; "morrison671@gmail.com"; "responsibleguam@gmail.com"; "aguon4guam@gmail.com"
Cc:	"tmterlaje@gmail.com"; "mis@guamlegislature.org"; "yong@guamlegislature.org"; "adam@guamlegislature.org"
Bcc:	"colleenw@guamlegislature.org"; "vparriola@gmail.com"; "etajalle@guamlegislature.org"; "marymaravilla19@gmail.com"; "fbtorres@yahoo.com"; "mike.lidia9@gmail.com"; "carlospguam@yahoo.com"; "chris.carillo@senatorbjcruz.com"; "garrett.duenas@senatorbjcruz.com"; "jcamacho@senatorada.org"; "cyrus@senatorada.org"; "nsantos@senatorada.org"; "maryfejeran@gmail.com"; "sayama01@yahoo.com"; "leonguerrero.angela@gmail.com"; "santos.duenas@gmail.com"; "rob.tupaz@gmail.com"; "phillipsguam@gmail.com"; "richard@tinamunabarnes.com"; "jean@tinamunabarnes.com"; "elaine@tinamunabarnes.com"; "peterlg@gmail.com"; "jmesngon.senatordrodriguez@gmail.com"; "jmanibusan.senatordrodriguez@gmail.com"; "cherbert.senatordrodriguez@gmail.com"; "cipo@guamlegislature.org"; "chris.budasi@guamlegislature.org"; "sonedera-salas@guamlegislature.org"; "jennifer.lj.dulla@gmail.com"; "jason@judiwonpat.com"; "tanya4families@gmail.com"; "lou4families@gmail.com"; "evelyn4families@gmail.com"; "chechsantos@gmail.com"; "alerta.jermaine@gmail.com"; "charisha.hualde@gmail.com"; "doreen.garcia80@gmail.com"; "josecruzjr17@yahoo.com"; "baza.matthew@gmail.com"; "director@gec.guam.gov"
Subject:	Ref. of Bill Nos. 1-32 (COR) through 7-32 (COR)
Date:	Tuesday, January 08, 2013 4:15:00 PM
Attachments:	Bill No. 1-32 (LS) jtwp HISTORY.pdf Bill No. 2-32 (LS) aav.pdf Bill No. 3-32 (LS) bjfc.pdf Bill No. 4-32 (LS) tam.pdf Bill No. 5-32 (LS) tam.pdf Bill No. 6-32 (LS) bm.pdf Bill No. 7-32 (COR) jtwp.pdf
Importance:	High

Please see attached.

Colleen

CLERKS OFFICE, GUAM LEGISLATURE

I Mina'Trentai Unu na Liheslaturan Guåhan

671-472-3465 or 3474 •fax: 671-472-3524

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