

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
70-38 (COR)	Joe S. San Agustin V. Anthony Ada Tina Rose Muña Barnes Vincent Anthony V. Borja Christopher M. Dueñas Sabrina Salas Matanane Shelly V. Calvo	AN ACT TO <i>ADD</i> A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.	2/28/25 8:26 a.m.	3/7/25	Committee on Education, Libraries and Public Broadcasting.	Request: 3/7/25 3/17/25	6/6/25 10:00 a.m.	7/8/25 As Amended.	
								9/12/25 As Amended and Further Amended.	



Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATÑA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

September 10, 2025

The Honorable Frank F. Blas Jr.
Speaker, *I Mina'trentai Ocho na Liheslaturan Guåhan*
163 W. Chalan Santo Papa
Hågatña, Guam 96910

Via Honorable Vice Speaker V. Anthony Ada 
Chairman, Committee on Rules

RE: Committee Report on Bill No. 70-38 (COR) - As amended and further amended by the Committee on Education, Libraries, and Public Broadcasting
Buenas yan Håfa Adai Speaker,

Transmitted herewith is the Committee Report on Bill No. 70-38 (COR) As further amended – Joe S. San Agustin - V. Anthony Ada - Tina Rose Muña Barnes - Vincent Anthony V. Borja - Christopher M. Dueñas - Sabrina Salas Matanane - Shelly Vargas Calvo - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

Committee votes are as follows:

4 TO DO PASS
____ TO NOT PASS
4 TO REPORT OUT ONLY
____ TO ABSTAIN
____ TO PLACE IN INACTIVE FILE

Best Regards,



Senator Vincent A.V. Borja
Chairman, Committee on Education, Libraries, and Public Broadcasting



COMMITTEE ON RULES

RECEIVED:

September 10, 2025 3:56 p.m.
Marie Crisostomo



Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
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238 ARCHBISHOP FLORES ST.
HAGATÑA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

June 25, 2025

The Honorable Frank F. Blas Jr.
Speaker, *I Mina'trentai Ocho na Liheslaturan Guåhan*
163 W. Chalan Santo Papa
Hågatña, Guam 96910

Via Honorable Vice Speaker V. Anthony Ada 
Chairman, Committee on Rules

RE: Committee Report on Bill No. 70-38 (COR) As amended

Buenas yan Håfa Adai Speaker,

Transmitted herewith is the Committee Report on Bill No. 70-38 (COR) As amended – Joe S. San Agustin - V. Anthony Ada - Tina Rose Muña Barnes - Vincent Anthony V. Borja - Christopher M. Dueñas - Sabrina Salas Matanane - Shelly Vargas Calvo - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

Committee votes are as follows:

6 TO DO PASS
____ TO NOT PASS
2 TO REPORT OUT ONLY
____ TO ABSTAIN
____ TO PLACE IN INACTIVE FILE

Best Regards,



Senator Vincent A.V. Borja
Chairman, Committee on Education, Libraries, and Public Broadcasting



COMMITTEE ON RULES

RECEIVED:

June 25, 2025 2:28 p.m.

Marie Crisostomo



Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATÑA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

COMMITTEE REPORT

Bill No. 70-38 (COR), *As amended* *and further amended by the* *Committee on Education, Libraries,* *and Public Broadcasting*

Sponsors: Joe S. San Agustin- V.
Anthony Ada - Tina Rose Muña
Barnes - Vincent Anthony V. Borja -
Christopher M. Dueñas - Sabrina
Salas Matanane - Shelly Vargas
Calvo.

**“AN ACT TO ADD A NEW §3135
TO ARTICLE 1, CHAPTER 3,
TITLE 17, GUAM CODE
ANNOTATED RELATIVE TO
AUTHORIZING THE GUAM
DEPARTMENT OF EDUCATION
TO LEASE PROPERTY WITHIN
ITS JURISDICTION.”**



Office of Senator

Vincent A.V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

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HAGATNA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

September 4, 2025

MEMORANDUM

To: All Members
Committee on Education, Libraries, and Public Broadcasting

From: Senator Vincent A.V. Borja
Chairperson, Education, Libraries, and Public Broadcasting

Subject: Committee Report on Bill No. 70-38 (COR) - As amended
and further amended by the Committee

Transmitted herewith for your consideration is the Committee Report on **Bill No. 70-38 (COR)**- As Further Amended - "Joe S. San Agustin – AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION."

This report includes the following:

- Copy of COR Referral of Bill No. 70-38 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 70-38 (COR), As *Introduced*
- Copy of Bill No. 70-38 (COR), As *Amended*
- Copy of Bill No. 70-38 (COR), As *Amended* by the Committee (Markup) (*June 24*)
- Copy of Bill No. 70-38 (COR), As *Further Amended*
- Copy of Bill No. 70-38 (COR), As *Further Amended* by the Committee (Markup)(*August 25*)
- Fiscal Note/Fiscal Note Waiver

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

Respectfully,

Senator Vincent A.V. Borja
Chairman, Committee on Education, Libraries, and Public Broadcasting



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guahan
38th Guam Legislature

March 7, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 70-38 (COR)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 70-38 (COR)** – Joe S. San Agustin, V. Anthony Ada, Tina Rose Muña Barnes, Vincent A. V. Borja, Christopher M. Dueñas, Sabrina Salas Matanane, Shelly V. Calvo.– “AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.”

Please ensure that the subject bill is referred to the Committee on Education, Libraries, and Public Broadcasting chaired by Senator Vincent A. V. Borja. I also request that the same be forwarded to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





Office of Senator Borja <contact@senatorvinceborja.com>

FIRST NOTICE OF PUBLIC HEARING – JUNE 6, 20253 messages

Office of Senator Borja <contact@senatorvinceborja.com>

Fri, May 30, 2025 at 5:17 AM

To: phnotice@guamlegislature.gov

Cc: Ed Pocaigue <sgtarms@guamlegislature.gov>

May 30, 2025

MEMORANDUM**TO: ALL SENATORS, STAKEHOLDERS, MEDIA****FROM: SENATOR VINCENT A. V. BORJA,**
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND PUBLIC BROADCASTING**RE: FIRST NOTICE OF PUBLIC HEARING – JUNE 6, 2025**

Håfa Adai! The Committee on Education, Libraries & Public Broadcasting will conduct a Public Hearing on Friday, June 6, 2025, beginning at 10:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The Committee will hear and accept testimony on the following: 10:00 A.M.

- I. **Bill No. 70-38 (COR)** – Joe S. San Agustin - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION

How to Participate: Written testimony may be delivered to the Office of Senator Vincent A. V. Borja, DNA Building Suite 502, 238 Archbishop Flores Street, Hagåtña, Guam 96910, or via email to contact@senatorvinceborja.com. The Committee requests that testimonies be submitted at least forty-eight (48) hours before the scheduled hearing. Please confirm your attendance by contacting the office of Senator Vincent A. V. Borja via email at contact@senatorvinceborja.com or by voice call at (671) 969-8423

Special Accommodations: All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). For assistance or special accommodations to fully participate in this public hearing, please contact the office of Senator Vincent A.V. Borja at (671) 969-8423 or via email at contact@senatorvinceborja.com

Watch Live/Record: The hearing will be broadcast live on local television (GTA, Channel 21, Docomo Channel 117) and streamed online via *I Liheslaturan Guåhan*'s live feed on YouTube. After the hearing, a hearing recording will also be available online via Guam Legislature Media on YouTube.

 **05.30.25 FIRST NOTICE .pdf**
255K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Office of Senator Borja <contact@senatorvinceborja.com>

Fri, May 30, 2025 at 8:15 AM

Hafa Adai,

Posted on calendar.

[Quoted text hidden]

--



Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910



1-671-969-3514



sgtarms@guamlegislature.gov

"Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the individual responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and immediately delete any copies you may have received. Thank you."

Office of Senator Vince Borja <contact@senatorvinceborja.com>
Reply-To: Office of Senator Vince Borja <contact@senatorvinceborja.com>
To: sgtarms@guamlegislature.gov

Fri, May 30, 2025 at 8:40 AM

Hi Mr. Ed,

Thank you!

Best regards,



Office of Senator Vince Borja
I Mina'trentai Ocho na Lihenslaturan Guåhan 38th Guam Legislature
Suite 502, DNA Building
238 Archbishop Felixberto Chamacho Flores St, Hagåtña, GU 96910
(671)969-8423
office.senatorborja@guamlegislature.gov

[Quoted text hidden]



Office of Senator

Vincent A. V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATNA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

May 30, 2025

MEMORANDUM

TO: ALL SENATORS, STAKEHOLDERS, MEDIA

FROM: SENATOR VINCENT A. V. BORJA,
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND
PUBLIC BROADCASTING

RE: FIRST NOTICE OF PUBLIC HEARING – JUNE 6, 2025

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The Committee will hear and accept testimony on the following: 10:00 A. M.

I. Bill No. 70-38 (COR) – Joe S. San Agustin - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION

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Watch Live/Record: The hearing will be broadcast live on local television (GTA, Channel 21, Docomo Channel 117) and streamed online via *I Liheslaturan Guåhan's* live feed on YouTube. After the hearing, a hearing recording will also be available online via Guam Legislature Media on YouTube.

First Notice of Public Hearing - June 6, 2025

First Notice of Public Hearing - June 6, 2025

PUBLIC HEARING

 **Posted on:** 05/30/2025 08:05 AM

 **Posted by:** Sheryl Cruz, Committee Director

 **Public Hearing Date:** 06/06/2025 10:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF SENATOR VINCE BORJA (/notices?division_id=297)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

May 30, 2025

MEMORANDUM

TO: ALL SENATORS, STAKEHOLDERS, MEDIA

FROM: SENATOR VINCENT A. V. BORJA,
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND
PUBLIC BROADCASTING

RE: FIRST NOTICE OF PUBLIC HEARING – JUNE 6, 2025

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The Committee will hear and accept testimony on the following: 10:00 A. M.

I. Bill No. 70-38 (COR) – Joe S. San Agustin - AN ACT TO ADD A
NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE



ANNOTATED RELATIVE TO AUTHORIZING THE GUAM
DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN
ITS JURISDICTION

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Guam Educational Telecommunications Corporation

P.O. Box 21449
GMF, Guam 96921
Phone # 671-734-5483

Invoice

Date	Invoice No.
6/20/2025	2025-30

Bill To
Office of Senator Vincent A.V. Borja

P.O. No.	Due Date	Rep	MOU No.
	6/20/2025	CDC	

Item	Description	Qty	Rate	Amount
Air-Time	Public Hearing : June 06, 2025 1st Notice 5/30/2025 2nd Notice 6/03/2025		500.00	500.00
Certified to be true and correct:  Ina Marie V. Carillo General Manager				
THANK YOU FOR SUPPORTING PUBLIC TV!! IF PBS DOESN'T DO IT, WHO WILL? WE WILL TOGETHER!			Total	\$500.00



Office of Senator Borja <contact@senatorvinceborja.com>

SECOND NOTICE OF PUBLIC HEARING – JUNE 6, 20251 message

Office of Senator Borja <contact@senatorvinceborja.com>

Wed, Jun 4, 2025 at 9:36 AM

To: phnotice@guamlegislature.gov

Cc: Ed Pocaigue <sgtarms@guamlegislature.gov>

June 4, 2025

MEMORANDUM**TO: ALL SENATORS, STAKEHOLDERS, MEDIA****FROM: SENATOR VINCENT A. V. BORJA,**
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND PUBLIC BROADCASTING**RE: SECOND NOTICE OF PUBLIC HEARING – JUNE 6, 2025**

Håfa Adai! The Committee on Education, Libraries & Public Broadcasting will conduct a Public Hearing on Friday, June 6, 2025, beginning at 10:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The Committee will hear and accept testimony on the following: 10:00 A.M.

I. Bill No. 70-38 (COR) – Joe S. San Agustin - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION

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hearing recording will also be available online via Guam Legislature Media on YouTube.



06.04.25 SECOND NOTICE .pdf

255K



Office of Senator

Vincent A. V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATÑA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

June 4, 2025

MEMORANDUM

TO: ALL SENATORS, STAKEHOLDERS, MEDIA

FROM: SENATOR VINCENT A. V. BORJA,
CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND
PUBLIC BROADCASTING

RE: SECOND NOTICE OF PUBLIC HEARING – JUNE 6, 2025

Håfa Adai! The Committee on Education, Libraries & Public Broadcasting will conduct a Public Hearing on Friday, June 6, 2025, beginning at 10:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The Committee will hear and accept testimony on the following: 10:00 A. M.

I. Bill No. 70-38 (COR) – Joe S. San Agustin - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION

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Second Notice of Public Hearing - June 06, 2025 at 10:00 AM

Second Notice of Public Hearing - June 06, 2025 at 10:00 AM

PUBLIC HEARING

 **Posted on:** 06/04/2025 09:04 AM

 **Posted by:** Sheryl Cruz

 **Public Hearing Date:** 06/06/2025 10:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF SENATOR VINCE BORJA (/notices?division_id=297)

 **Notice Topic(s):** PRESS RELEASE (/notices?topic_id=40),
PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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June 4, 2025

MEMORANDUM

TO: ALL SENATORS, STAKEHOLDERS, MEDIA

FROM: SENATOR VINCENT A. V. BORJA

CHAIRPERSON, COMMITTEE ON EDUCATION, LIBRARIES, AND
PUBLIC BROADCASTING

RE: SECOND NOTICE OF PUBLIC HEARING – JUNE 6, 2025.

Håfa Adai! The Committee on Education, Libraries & Public Broadcasting
will conduct a **Public Hearing on Friday, June 6, 2025, beginning at 10:00**



A.M., in the Public Hearing Room of the Guam Congress Building.

The Committee will hear and accept testimony on the following: 10:00 A. M.

I. Bill No. 70-38 (COR) – Joe S. San Agustin - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION

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Office of Senator

Vincent A. V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
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238 ARCHBISHOP FLORES ST.
HAGATNA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

PUBLIC HEARING AGENDA
Friday, June 6, 2025
Guam Congress Building, Public Hearing Room

AGENDA FOR 10:00 AM:

1. Bill No. 70-38 (COR) – Joe S. San Agustin – AN ACT TO ADD A NEW § 3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION

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Office of Senator Borja <contact@senatorvinceborja.com>

Invitation Letters for Bill No. 70-38 (COR)

3 messages

Office of Senator Borja <contact@senatorvinceborja.com>
To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Tue, May 27, 2025 at 1:02 PM

Buenas yan Håfa Adai Senator San Agustin,

Our office is planning to conduct a public hearing regarding **Bill No. 70-38 (COR)** on **June 6, 2025, at 10:00 A.M.** We kindly request you to provide us with the names and email addresses of the individuals you would like us to invite to this hearing.

Thank you very much for your time and assistance.

Best regards,



Caden Nathaniel Ong Poblete

Policy Intern

Office of Senator Vincent A.V. Borja

671-727-8692

caden.poblete@guamlegislature.gov

DNA Building Suite 502, Hagatna

Joe S. San Agustin <senatorjoessanagustin@gmail.com>
To: Office of Senator Borja <contact@senatorvinceborja.com>
Cc: Joseph Mesngon <joe.sensorsa@gmail.com>, Mark Perez <mark.sensorsa@gmail.com>

Thu, May 29, 2025 at 2:30 PM

Hafa Adai Caden,

Kindly invite the Guam Department of Education and the Department of Public Works.

Kindly acknowledge receipt of this email.

Very Respectfully,
Hope Delos Reyes

The Office of Senator Joe S. San Agustin

I Mina'trentai Ocho na Liheslaturan Guåhan

38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 989-5445 F: (671) 969-6737 E: senatorjoessanagustin@gmail.com

Website: www.senatorjoessanagustin.com

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[Quoted text hidden]

Office of Senator Borja <contact@senatorvinceborja.com>
To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Fri, May 30, 2025 at 8:59 AM

Hi Ms. Reyes,

Acknowledging receipt

Thank you,
Caden Poblete

[Quoted text hidden]



Office of Senator Borja <contact@senatorvinceborja.com>

Invitation to Provide Testimony for Bill No. 70-38 (COR)

1 message

Office of Senator Borja <contact@senatorvinceborja.com>

Fri, May 30, 2025 at 1:09 PM

To: "Dr. Kenneth E. Swanson (Superintendent)" <keswanson@gdoe.net>

Cc: "MaeRose A. Nauta" <manauta@gdoe.net>

May 30, 2025**Dr. Kenneth Swanson**

Superintendent, Guam Department of Education

501 Mariner Ave.

Barrigada, Guam 96913

Dear Superintendent Swanson,

As part of my commitment to engaging stakeholders in the legislative process, I am writing to invite your agency to participate in a public hearing regarding Bill No. 70-38 (COR) for June 6th, 2025, at 10 AM.

I. Bill 70-38 (COR) - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

Your agency's insights and expertise are invaluable in shaping the discussion around this important topic.

The public hearing will take place at Guam Congress Building and will provide an opportunity for agencies, organizations, and members of the community to voice their opinions and share relevant information concerning this proposed bill.

We would like to have a representative from your agency present to provide testimony and engage with other participants. Please confirm your participation by Tuesday, June 3rd at 2PM. If you have any questions or require additional information, feel free to contact my office at 671-969-8423 or contact@senatorvinceborja.com.

Thank you for considering this invitation. I look forward to your positive response and to an engaging discussion on June 6th, 2025, at 10 AM.

///ORIGINAL SIGNED///

 **05.30.25 GDOE Invitation to Provide Testimony for Bill No. 70-38 (COR) Kenneth Swanson.pdf**

309K



Office of Senator Borja <contact@senatorvinceborja.com>

Invitation to Provide Testimony for Bill No. 70-38 (COR)

1 message

Office of Senator Borja <contact@senatorvinceborja.com>
To: vince.arriola@dpw.guam.gov

Fri, May 30, 2025 at 1:43 PM

May 30, 2025**Vincent P. Arriola**Director, Guam Department of Public Works
542 N. Marine Corps Drive,
Tamuning, Guam 96913**Subject: Invitation to Provide Testimony for Bill No. 70-38 (COR)**

Dear Mr. Arriola,

As part of my commitment to engaging stakeholders in the legislative process, I am writing to invite your agency to participate in a public hearing regarding Bill No. 70-38 (COR) for June 6th, 2025, at 10 AM.

I. Bill 70-38 (COR) - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

Your agency's insights and expertise are invaluable in shaping the discussion around this important topic.

The public hearing will take place at the Guam Congress Building and will provide an opportunity for agencies, organizations, and members of the community to voice their opinions and share relevant information concerning this proposed bill.

We would like to have a representative from your agency present to provide testimony and engage with other participants. Please confirm your participation by Tuesday, June 3rd at 2 PM. If you have any questions or require additional information, feel free to contact my office at 671-969-8423 or contact@senatorvinceborja.com.

Thank you for considering this invitation. I look forward to your positive response and to an

engaging discussion on June 6th, 2025, at 10 AM.

///ORIGINAL SIGNED///

Respectfully,



Office of Senator Vincent A.V. Borja

Committee on Education, Libraries, & Public
Broadcasting

38th Guam Legislature

Suite 502, DNA Bldg. 238 Archbishop Flores St.

Hagåtña, Guam 96910

T +1 (671) 969-8423

E contact@senatorvinceborja.com



05.30.25 DPW Invitation to Provide Testimony for Bill No. 70-38 (COR) .pdf
321K



Chairperson on Education, Public Broadcasting & Libraries
Vincent Anthony V. Borja
I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATNA, GUAM 96910
TEL 671-969-8423

PUBLIC HEARING SIGN-IN SHEET
Friday, June 6, 2025, – 10:00 AM
Public Hearing Room, Guam Congress Building

Bill No. 70-38 (COR) – Joe S. San Agustin – AN ACT TO ADD A NEW § 3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION

NAME:	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. <i>Ir. E. S. San Agustin</i>	<i>GDOF</i>	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☒	
2. <i>Angel Sablan</i>	<i>GEB</i>	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☒	
3.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
5.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
8.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
9.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



Office of Senator

Vincent A. V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATNA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON
COMMITTEE ON
EDUCATION, LIBRARIES
AND PUBLIC
BROADCASTING

COMMITTEE VOTE SHEET

Bill No. 70-38 (COR) — As amended and further amended by the Committee on Education, Libraries, and Public Broadcasting — Joe S. San Agustin, V. Anthony Ada, Tina Rose Muña Barnes, Vincent A. V. Borja, Christopher M. Dueñas, Sabrina Salas Matanane, Shelly V. Calvo - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

Committee Members	INITIAL	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Vincent A.V. Borja <i>Chairperson</i>		✓				
Senator Tina Muña Barnes <i>Vice Chairperson</i>	E-VOTE 09.04.25	✓				
Speaker Frank F. Blas, Jr. <i>Member</i>	E-VOTE 09.04.25			✓		
Vice Speaker V. Anthony Ada <i>Member</i>	E-VOTE 09.05.25			✓		
Legislative Secretary Sabrina Salas Matanane <i>Member</i>	E-VOTE 09.04.25			✓		
Senator Shelly V. Calvo <i>Member</i>	E-VOTE 09.05.25			✓		
Senator Christopher Duenas <i>Member</i>	E-VOTE 09.04.25	✓				
Senator Eulogio Shawn Gumataotao <i>Member</i>	E-VOTE 09.04.25			✓		
Senator Joe S. San Agustin <i>Member</i>	E-VOTE 09.04.25	✓				



Office of Senator Borja <contact@senatorvinceborja.com>

REQUEST FOR EVOTE - Bill No. 70-38 (COR)9 messages

Office of Senator Borja <contact@senatorvinceborja.com>

Thu, Sep 4, 2025 at 8:46 AM

To: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

Buenas yan Håfa Adai Honorable Committee Members,

The Committee on Education, Libraries, and Public Broadcasting has carefully reviewed the proposed amendments introduced on the floor during the July Session. In consideration of feedback received from stakeholders and fellow Senators, the Committee has incorporated revisions to the bill accordingly.

Please see the attached committee report of Bill No. 70-38 (COR) - JOE S. SAN AGUSTIN - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

Please indicate your preferred action, based on the following options:

- TO DO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. Your responses will be logged into the vote sheet, which will be submitted as part of the final Committee Report to the Committee on Rules.

Si Yu'os ma'åse',

Caden Nathaniel Ong Poblete

Policy Intern

Office of Senator Vincent A.V. Borja

671-727-8692

caden.poblete@guamlegislature.gov

DNA Building Suite 502, Hagatna



2 attachments

 **Committee Report Bill 70 .pdf**
10336K

 **09.04.25 Bill 70 .pdf**
133K

Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>
To: Office of Senator Borja <contact@senatorvinceborja.com>

Thu, Sep 4, 2025 at 9:16 AM

To Report Out Only

[Quoted text hidden]

--

Office of Senator Eulogio Shawn Gumataotao
Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard
38th Guam Legislature
[120 Father Duenas Avenue](#) Capitol Plaza Building, Suite 103, Hagåtña, Guam 96910
(671) 647-1409/1411

Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Thu, Sep 4, 2025 at 9:37 AM

To: Office of Senator Borja <contact@senatorvinceborja.com>

Cc: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

To report out only.

On Thu, Sep 4, 2025 at 8:46 AM Office of Senator Borja <contact@senatorvinceborja.com> wrote:

[Quoted text hidden]

--

All the best,

Isaiah Aguon

Director of Communications & Policy



Office of Legislative Secretary

SENATOR SABRINA SALAS MATANANE*I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature*

Chairperson, Committee on Health and Veterans Affairs

163 W. Chalan Santo Papa, Hagatña, Guam 96910

office.senatorbri@guamlegislature.gov

671-989-2572

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Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Thu, Sep 4, 2025 at 9:59 AM

To: Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Cc: Office of Senator Borja <contact@senatorvinceborja.com>, "Vice Speaker V. Anthony Ada"

<vicespeakertonyada@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

To Report Out Only

**Speaker, Frank F. Blas, Jr.***I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature*

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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[Quoted text hidden]

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Thu, Sep 4, 2025 at 11:33 AM

To: Office of Senator Borja <contact@senatorvinceborja.com>

Cc: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada"

<vicespeakertonyada@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>,

officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao

<office.senatorshawn@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

To Do Pass

The Office of Senator Joe S. San Agustin

I Mina'trentai Ocho na Liheslaturan Guåhan

38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 989-5445 F: (671) 969-6737 E: senatorjoessanagustin@gmail.com

Website: www.senatorjoessanagustin.com

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[Quoted text hidden]

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Thu, Sep 4, 2025 at 11:48 AM

To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Cc: Office of Senator Borja <contact@senatorvinceborja.com>, "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

To do pass



Office of Senator Christopher M. Dueñas

Chairman, Committee on Government Finance and Operations

259 Martyr St., Hagatna, Guam 96910

senator.duenas@guamlegislature.gov

(671) 989-9554

[Quoted text hidden]

Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

Thu, Sep 4, 2025 at 11:56 AM

To: Office of Senator Borja <contact@senatorvinceborja.com>

Cc: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

to do pass

[Quoted text hidden]

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

Fri, Sep 5, 2025 at 7:50 AM

To: Office of Senator Borja <contact@senatorvinceborja.com>

Cc: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, Office Senator Bri <office.senatorbri@guamlegislature.gov>,

officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>

To Report Out Only

On Thu, Sep 4, 2025 at 8:46 AM Office of Senator Borja <contact@senatorvinceborja.com> wrote:

[Quoted text hidden]

--



Office of Vice Speaker V. Anthony Ada

38th Guam Legislature

I Mina'trentai Ocho Na Liheslaturan Guåhan

Guam Congress Building, 2nd Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910

Phone: (671) 989-0855

Email: vicespeakertonyada@guamlegislature.gov

[Quoted text hidden]

Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Sat, Sep 6, 2025 at 5:56 PM

To: Office of Senator Borja <contact@senatorvinceborja.com>

Hafa Adai.

To whom it may concern,

It was brought to my attention that my previous email regarding the E-Vote on Bill No. 70-38 (COR) was not received.

For your convenience, I am forwarding the correspondence below.

Si Yu'os Ma'ase.

Respectfully,



Office of the People • Senator Shelly V. Calvo

Majority Whip & Chairwoman

Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation & Hagåtña Restoration

38th Guam Legislature

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 989-5682

E officeofsenatorshellycalvo@guamlegislature.gov

----- Forwarded message -----

From: **Office of Senator Shelly Calvo** <officeofsenatorshellycalvo@guamlegislature.gov>

Date: Fri, Sep 5, 2025 at 10:15 AM

Subject: Re: REQUEST FOR EVOTE - Bill No. 70-38 (COR)

To: Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

Hafa Adai

To Report Out only.
Si Yu'os Ma'åse.

Respectfully,



Office of the People • Senator Shelly V. Calvo

Majority Whip & Chairwoman

Committee on Child Welfare, Youth Affairs, Senior
Citizens, Women's Affairs, Disability Services, the Arts,
Culture, Historic Preservation & Hagåtña Restoration

38th Guam Legislature

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 989-5682

E officeofsenatorshellycalvo@guamlegislature.gov

[Quoted text hidden]



Office of Senator

Vincent A. V. Borja

I Mina'trentai Ocho Na Liheslaturan Guåhan

DNA BUILDING
SUITE 502
238 ARCHBISHOP FLORES ST.
HAGATNA, GUAM 96910
TEL 671-969-8423

CHAIRPERSON

COMMITTEE ON

EDUCATION, LIBRARIES

AND PUBLIC

BROADCASTING

COMMITTEE VOTE SHEET

Bill No. 70-38 (COR) As amended – Joe S. San Agustin – V. Anthony Ada – Tina Rose Muña Barnes – Vincent Anthony V. Borja – Christopher M. Dueñas – Sabrina Salas Matanane- Shelly Vargas Calvo - "AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION."

Committee Members	INITIAL	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Vincent A.V. Borja <i>Chairperson</i>		✓				
Senator Tina Muña Barnes <i>Vice Chairperson</i>	E-VOTE 06.25.25	✓				
Speaker Frank F. Blas, Jr. <i>Member</i>	E-VOTE 06.24.25	✓				
Vice Speaker V. Anthony Ada <i>Member</i>	E-VOTE 06.24.25	✓				
Legislative Secretary Sabrina Salas Matanane <i>Member</i>	E-VOTE 06.24.25			✓		
Senator Shelly Calvo <i>Member</i>						
Senator Christopher Duenas <i>Member</i>	E-VOTE 06.25.25	✓				
Senator Eulogio Shawn Gumataotao <i>Member</i>	E-VOTE 06.24.25			✓		
Senator Joe S. San Agustin <i>Member</i>	E-VOTE 06.24.25	✓				



Office of Senator Borja <contact@senatorvinceborja.com>

URGENT REQUEST FOR EVOTE - Bill No. 70-38 (COR)

8 messages

Office of Senator Borja <contact@senatorvinceborja.com>

Wed, Jun 25, 2025 at 9:12 AM

To: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Buenas yan Håfa Adai, Honorable Committee Members,

In light of the upcoming legislative session, please see the attached committee report of **Bill No. 70-38 (COR) - JOE S. SAN AGUSTIN - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.**

Please indicate your preferred action, based on the following options:

- **TO DO PASS**
- **TO NOT PASS**
- **TO REPORT OUT ONLY**
- **TO ABSTAIN**
- **TO PLACE IN INACTIVE FILE**

Please submit your response **ASAP**. Your responses will be logged into the vote sheet which will be submitted as part of the final Committee Report to the Committee on Rules.

Si Yu'os Ma'åse',

**Caden Nathaniel Ong Poblete***Policy Intern**Office of Senator Vincent A.V. Borja*

671-727-8692

caden.poblete@guamlegislature.gov

DNA Building Suite 502, Hagatna

**06.24.25 FINAL CR REPORT BILL 70-38(COR).pdf**
9569K

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Tue, Jun 24, 2025 at 4:15 PM

To: Office of Senator Borja <contact@senatorvinceborja.com>

Cc: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada"

<vicespeakertonyada@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>,

Chris Duenas <senator.duenas@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Office Senator

Bri <office.senatorbri@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

To do Pass.

Bula thanks!

[Quoted text hidden]

Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Tue, Jun 24, 2025 at 4:21 PM

To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Cc: Office of Senator Borja <contact@senatorvinceborja.com>, "Frank Blas Jr." <speakerblas@guamlegislature.gov>,

"Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Senator Tina Muna Barnes

<senator.munabarnes@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>,

officeofsenatorshellycalvo@guamlegislature.gov, Senator Shawn Gumataotao

<office.senatorshawn@guamlegislature.gov>

To Report Out Only.

[Quoted text hidden]

--

All the best,

Isaiah Aguon

Director of Strategic Communications



Office of Legislative Secretary

SENATOR SABRINA SALAS MATANANE

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson, Committee on Health and Veterans Affairs

163 W. Chalan Santo Papa, Hagåtña, Guam 96910

office.senatorbri@guamlegislature.gov

671-989-2572

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Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Tue, Jun 24, 2025 at 4:25 PM

To: Office of Senator Borja <contact@senatorvinceborja.com>

Cc: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada"

<vicespeakertonyada@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>,

Chris Duenas <senator.duenas@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Office Senator

Bri <office.senatorbri@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

TO REPORT OUT ONLY

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--

Office of Senator Eulogio Shawn Gumataotao

Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard
38th Guam Legislature
120 Father Duenas Avenue Capitol Plaza Building, Suite 103, Hagåtña, Guam 96910
(671) 647-1409/1411

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Tue, Jun 24, 2025 at 4:52 PM

To: Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Cc: Office of Senator Borja <contact@senatorvinceborja.com>, "Vice Speaker V. Anthony Ada"

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To Do Pass



Speaker, Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

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Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

Tue, Jun 24, 2025 at 5:08 PM

To: Office of Senator Borja <contact@senatorvinceborja.com>

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On Tue, Jun 24, 2025 at 4:11 PM Office of Senator Borja <contact@senatorvinceborja.com> wrote:

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Office of Vice Speaker V. Anthony Ada



38th Guam Legislature
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Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov> Wed, Jun 25, 2025 at 10:07 AM
To: Office of Senator Borja <contact@senatorvinceborja.com>
Cc: "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Chris Duenas <senator.duenas@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

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On Tue, Jun 24, 2025 at 4:11 PM Office of Senator Borja <contact@senatorvinceborja.com> wrote:

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Senator Chris Duenas <senator.duenas@guamlegislature.gov> Wed, Jun 25, 2025 at 11:28 AM
To: Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>
Cc: Office of Senator Borja <contact@senatorvinceborja.com>, "Frank Blas Jr." <speakerblas@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, officeofsenatorshellycalvo@guamlegislature.gov, Office Senator Bri <office.senatorbri@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

to do pass.

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COMMITTEE REPORT DIGEST

Committee on Education, Libraries and Public Broadcasting
Senator Vincent Anthony V. Borja, Chairman

BILL NO. 70-38 (COR)- JOE S. SAN AGUSTIN - AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

I. OVERVIEW:

Bill No. 70-38 (COR) was introduced on **February 28, 2025** by **Senator Joe San Agustin**, and was subsequently referred by the Committee on Rules to the **Committee on Education, Libraries and Public Broadcasting** on **March 7, 2025**.

The **Committee on Education, Libraries and Public Broadcasting** convened a Public Hearing for Bill No. 70-38(COR) on **June 6, 2025** at **10:00AM** in the Guam Congress Building's Public Hearing Room.

PUBLIC NOTICE REQUIREMENTS:

Public Hearing Notices were posted to the Government Public Notices Portal and disseminated via electronic mail to all senators and all main media broadcasting outlets on **May 30, 2025** (5-Day Notice), and again on **June 4, 2025** (48-Hour Notice).

SENATORS PRESENT:

Vincent A.V. Borja, Chairman
Joe San Agustin, Bill Sponsor, Member
Eulogio Shawn Gumataotao, Member
Christopher M. Dueñas, Member
Telo T. Taitague
Therese Terlaje

PANELISTS PRESENT:

Dr. Kenneth Swanson, Superintendent
Angel Sablan, Guam Education Board Chair

II. SUMMARY OF TESTIMONY & DISCUSSION:

The public hearing for Bill No. 70-38 (COR) began at **10:00 AM**

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Good morning. Thank you everyone for being with us here today. Today's date is June 6, 2025.

This morning's public hearing is held by the Committee on Education, Libraries, and Public Broadcasting. It's called to order at 10 o'clock a.m. Some housekeeping matters that I'll briefly discuss so we can get right to work. The first notice of this public hearing was disseminated to all senators and media outlets on May 30, 2025 with its second notice disseminated on June 4, 2025. The hearing notices were also made available on PBS Guam, the Guam Legislature's website, our legislative calendar, and the Government of Guam's public notice portal. Today we will hear testimony on Bill No. 70-38, Committee on Rules, an act to add a new subsection 3135 to Article 1, Chapter 3, Title 17, Guam Code Annotated relative to authorizing the Guam Department of Education to lease property within its jurisdiction.

At this time, I'd like to welcome my colleagues who are joining us this morning, the sponsor of the bill, Senator Joseph San Agustin, and Senator Therese Terlaje. Before we begin, I'd like to remind everyone in attendance of the Institute and Guam's general rules of conduct. Individuals testifying shall be first recognized by the chairperson before speaking and shall state their full name for the record. Questions and testimony shall be confined to the substance or nature of today's agenda.

Personal inferences to the character and motive of any senator or individual testifying is not permitted. Pursuant to Subsection 11.07 of the 38th Guam Legislature Standing Rules, a chairperson may order the removal from a hearing of a committee or subcommittee of any person who is not a member of the Institute and Guam and who fails to observe proper decorum. Any violation of this general rule of conduct will result in an immediate removal from this public hearing room. With that, we will now proceed to hear testimony on Bill No. 70-38. I'll now defer to the bill sponsor for his opening statement. Senator Joe San Agustin, you may proceed.

SENATOR JOE SAN AGUSTIN, MEMBER:

Thank you, Mr. Chair. Good afternoon and good morning, my colleagues. And to all in attendance or watching, welcome and thank you for joining us. I'm here today to present a bill that empowers the Guam Department of Education with the ability to lease property within its jurisdiction. That's specifically Bill 70-38 COR, an act to add a new Section 3135 to Article 1 of Chapter 3, Title 17, Guam Code Annotated, relative to authorize the Guam Department of Education to lease property within its jurisdiction.

This legislation is straightforward in its intent, but it's far-reaching in its potential to help strengthen our education system and serve our community for years to come by turning underutilized or unoccupied school properties into possibilities of advancement, sustainability, and reinvestment in our educational system. Twenty years ago, Public Law 23-67 was enacted to authorize the Board of Education to establish a fee schedule that each school may use to rent out

part of their facilities for community use. This would allow for outside groups to use the gymnasium or cafeteria for a variety of uses for a day.

This bill, however, will authorize DOE to execute longer-term leases of unused or underutilized properties. In addition to the authorization, this measure creates a procurement team consisting of seven members, including representatives from the Guam Board of Education and GDOE, to execute the process for approving leases. Mr. Chair, the revenue earned by these leases will not go into the general fund. Instead, it will be reinvested directly into our schools, where it is most needed. Every dollar generated from these leases will help to repair leaking roofs, plumbing, upgrades to classrooms, and provide a better learning environment for our students.

Bill 70-38 will empower GDOE to establish their underutilized or vacant property, lease the property, and use the funding it generates to help maintain actively used facilities. It is about embracing innovation to solve longstanding problems and provide our educators and administrators with the tools they need to create a better value for the next generation, for our students, our schools, and to assist address the challenges in public education in Guam.

Mr. Chair, when I mentioned the lease, it even includes if the Department wanted to, they could lease part of the advertisement. You know, you have business owners that want to advertise good drinks, eating healthy, and stuff like that? You can lease that out. Even though you do have a law that authorizes you to rent your unoccupied schools, if the bill is signed, and I hope it does get passed, you can start renting it today and then be prepared to do the lease. And once it's passed, then you can foresee the funding will come into your lap.

And I humbly ask for your support. Thank you, Mr. Chair.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Senator San Agustin. And we'll go ahead and start with testimony. Dr. Swanson, if you'd like to go first. Thank you, Senator and members of the committee.

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

I thank you for the opportunity to appear today and provide support for Bill No. 70-38 relative to authorizing the Guam Department of Education to lease properties within its jurisdiction. You're aware of the extensive needs across GDOE to repair, modernize, and replace aging facilities. Over time, this body has been able to provide long-range and predictable funding for capital projects and scheduling maintenance that's not been consistent year on year.

As we see our need for active classroom spaces reduce over time, there is an opportunity for us to generate a revenue stream that can fund normal maintenance and capital projects. Currently,

we have three campuses that are surplus to our classroom space needs, and there is interest in leasing them over time for other government operations and charter school activities. Leasing facilities to funded and reliable clients can provide us with predictable resources to maintain the school facilities and reinvest in our school campuses.

The struggles in recent years centering on keeping schools well-maintained, failed inspections, and even litigation in some cases can be put behind us. Passing Bill No. 70-38 will provide us a legal avenue and authority to generate funds beyond appropriations that we can leverage and improve the climate of all of our campuses. I encourage you to move this bill forward into law and move a guaranteed funding for maintenance without further burden or budgets that strain taxpayers. Thank you.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Dr. Swanson. Chairman Sablan, you may proceed.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

Chairman As chair of the GEB, obviously we have not discussed this as a body, as a board, but in my own personal testimony here, I do support the bill. I just have a few maybe areas that we can't amend or areas of concern that we have to look at. One of them, I know the bill says property under the jurisdiction of GDOE.

Now, all the facilities are under GDOE. That's under our jurisdiction. Where I see maybe that a problem may come up is some of the property where the facilities sit on are not GDOE's property. It still belongs to the government of Guam and not specifically under GDOE. So that may be amended because we don't want some other entity to come in and say, wait a minute, that's my property. We need to make sure that that's all clear.

So when it comes, it comes as a whole, not just we lease the facility and then they have to go lease the property from some other entity. So that probably has to be looked at. As far as the funds from any potential revenue that comes in from this lease, I would prefer that it be clear that the funds will go to the Guam Department of Education and not just into the general fund because if it goes there, then we will not, although the intent is there, we may not see it. And then on the listing of the number of people to be on this procurement of the property, you say five from GDOE's Guam Education Board. To me, that's too many. It can be reduced.

Right now for the Guam Education Board to take any action, actually, they need five votes. And so my question is, how many of all these people, how many votes does it require to approve a procurement or to make a procurement go through? Because five members of the board, it requires all five of them to say yes or all five of them to say no to have an action be taken. So those are just the things that maybe we need to look at.

But certainly, we are in support of having our facilities that are not being utilized to become revenue-generating facilities. And like Senator San Agustin said, we can go beyond just the facility. We go to the fence line.

We go inside the cafeteria. Anywhere where, you know, just like the billboards you see outside, we can charge for companies that want to advertise whatever it is that they offer to students or for their education or the improvement of their education. So those are the kind of things that we can look at. But we are in support of the bill. Thank you.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Mr. Chair.

SENATOR TELO TAITAGUE: Mr. Chair. Hi, everyone. I'm here. Anyways, Mr. Chair, on Google Drive, I'm trying to find the fiscal note as well as the testimonies. There's nothing on Google Drive except the bill itself. Could we get a copy of that, please? Yeah.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Can we take a one-minute recess real quick?

{RECESS}

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you. And before we start our rounds of questions, I want to recognize my colleague who joined us, Senator Telo Taitague. Senator San Agustin, did you want to speak? Yes.

SENATOR JOE SAN AGUSTIN, MEMBER:

Thank you, Mr. Chair. What would be the recommended number of board members? I threw the number five. And when you look at it, when you have any, like, your procurement team, it's 50% plus one.

So all you need is four. But I agree with you, maybe five, maybe too many for the board. Maybe we should reduce that to three.

The key is we've got to make sure that the number of members on the team has to be an odd number. So if we go from five to three, then the seven becomes five. And then you can probably get things passed.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

I'm not going to vote for that, but maybe specify in the statute that 50% plus one is needed. Okay. All right.

SENATOR JOE SAN AGUSTIN, MEMBER:

That can be annotated there. And then you ask for specificity that the money will go to DOE. It says there on the bill, The revenue collected from these leases shall be used for maintenance, renovation, and capital improvement projects of the Guam Department of Education.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

I think maybe we just need to word it where it specifically goes to DOE. Because right now it doesn't say where it's going to go. It just says it's going to be used for GDOE.

SENATOR JOE SAN AGUSTIN, MEMBER:

Okay. All right. Okay. I think we'll just change the verbiage and we'll make sure. Because that's the intent of this bill. It's not for the general fund. It's for the general fund of DOE. Nobody else. Okay.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

We know what happens here sometimes. Yes. Thank you.

But then also, Senator, in the jurisdiction, I think we'd have to have clarification as far as the property versus the facility. That's correct.

SENATOR JOE SAN AGUSTIN, MEMBER:

I found that out with the gym that's up in Astumbo. The building is DOE, but the property is Guam. I think maybe we need to change the verbiage here that wherever there's a DOE facility, it encompasses the property also. Maybe we just need to figure that out.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

Chief Brodie, it's actually a GDOE facility, but it's governing Guam property.

SENATOR JOE SAN AGUSTIN, MEMBER:

Okay. Well, maybe we need to try to word this where it'll include the property and captures it. But I'll communicate that with land management, and I'll advise the chairman of the result of that interview with Mr. Borja. Thank you, Mr. Chair.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Senator San Agustin. Senator Terlaje?

SENATOR THERESE TERLAJE:

Uh, thank you. Does GDOE have property that it owns, or is all the property government of Guam?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

I do believe on some of our sites, we actually do own the property that's on the real estate records, but that's what we're researching right now to get an accurate inventory. Because we have had another one that was one campus that is partially trust fund land. So, I mean, there's two or three places it can be, and we're trying to get that specifically defined.

SENATOR THERESE TERLAJE:

The public law that the sponsor of the bill referred to, Public Law 2367, allowed the board to grant permission for non-school hours to use the facilities. That was supposed to be for revenue for the principals to use, but that has not been used. So, and I guess I just wonder why not, if income is what you're looking for. And the other thing is, yeah, I kind of agree, the board is already kind of authorized to do that. They didn't do that. So, I'm thinking maybe the board doesn't need to be on this procurement team, and you should just use your procurement specialist. I actually think you should use GEDA to, if you're going to lease it out for the most revenue that you can get, maybe you should partner with GEDA for some ideas of, you know, what other uses it could be used for, for higher revenue for DOE, if that's what we're going to do.

But, and of course, because it seems like the board is going to have to prove it in the end. I mean, maybe that's not very clear by this, but I think it's supposed to be. You procure it, or you, you know, you determine how you want to use it, what's the best way to do it with your procurement team, your procurement trained officials. And then you propose those to the board. You get authority that these properties are going to be subject to these terms, right? And then you do your RFP or your bid, however you're going to go out. But I think there should be protections in here where it is competitive, where it is going to be treated like other government of Guam property. Where we have provisions required in the lease, we have to make sure liability is, so the other law said, if someone else was going to use your campus, liability goes to them. All of that, I think, should be very clear in the lease. That's why I would work with your council and your procurement officials, come up with a proposal and maybe that kind of like a standard.

And then talk to GEDA about, instead of just regular advertisement, is there anything else that you can do to get more value for use of this property, right? If you're going for the money. I'm also worried that you've got your hands full. This is my biggest concern, right? Is DOE, who's trying right now to deal with federal funds, the loss of federal funds, school maintenance and facilities, opening schools and all of the other things you're in charge of, now going to set a team aside to take care of procuring or, you know, leasing property? Or can we more efficiently just partner with someone to do that while you have the final say or you have, you know, the

guidelines? Like, for example, I think what DOE's interest would be was to make sure that they can stop that whenever they need the school again, right? And other than that, almost nothing except the money, right? Mr. Swanson.

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Senator, my instinct, because of all the things you listed and other stuff that's still on the list that you didn't mention, my intention would be to go out in a procurement process to identify a real estate management company to handle that because they have all the mechanics and the tools in place to do it and contract with them. And having managed property of my own that way, I realize that it works much better when you have someone that's a specialist in that field.

SENATOR THERESE TERLAJE:

All right. So I think that maybe your team should come up with its own parameters. For example, is there a possibility you need these schools back again? Then that always has to be written into your lease, right? Or if you need to share gym facilities with schools that don't have gyms right now, things like that, if there are any. Just make sure that GDOE is taken care of first before anyone else. All right. Thank you, Mr. Chair. Yeah, I haven't seen the fiscal note yet, so I'll look at that.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Senator Terlaje. Can we get our fiscal note? Before we go to Senator Taitague, I'd like to recognize Senator Shawn Gumataotao, my colleagues, and Senator Duenas for joining us. Thank you. Senator Taitague?

SENATOR TELO TAITAGUE:

Thank you, Mr. Chair. And thank you so much for taking the time to ensure that we get the proper documents so that we can review, especially from BBMR, the fiscal impact that it may have or the concerns that it may have. And I greatly appreciate, Mr. Chair, that we try to be, you know, paperless and go through, so this information was put on our drive for us to review, so I appreciate that, too, as well, saving paper.

You know, this is very similar to what the Department of Land Management does and GEDA does as well when it comes to leasing properties. So they definitely have years of experience of knowing how to do this. When you said earlier that you're looking at providing some kind of RFP out for, you know, a real estate development company or something to go through that, I think that you might want to reconsider that and look at GEDA and Department of Land Management, and especially GEDA, because they generate revenue based on the services they provide, and this may be a way of giving back to the government as well.

So I appreciate it if you, you know, veer away from that predicament and go straight to GEDA for their assistance and services in that perspective. But the fiscal note was important to me to listen to what they had to say, and it says the Bureau does anticipate that Bill 17-38 will have a positive revenue impact to the Guam Department of Education in terms of proceeds from the enacted leases of Guam DOE properties. Absent detailed information from the Department of Education, such as the total number and description of Department of Education properties and or office space available for leases, the total square footage and cost per square foot of such properties, and or office space for lease, the Bureau is unable to provide an estimated cost impact at this time.

So what has changed since the time that they tried to reach out to DOE for this fiscal impact? Has anything changed? What's obvious, you mentioned one, about thinking about going for procurement. Is there anything else?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Not that I'm aware of, no.

SENATOR TELO TAITAGUE:

So you, that's the only thing that you're concerned about?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

At the present time, the one thing that we have to do procedurally is actually identify the exact amount, each facility, the amount of square footage that's available, the type and function of the properties that are there, so that we can define it and advertise it that way.

And we don't have that kind of description because we have not been in the commercial real estate business before. So that's what we get to define. We have to have that done first before we go any further with either inside the government or commercially.

SENATOR TELO TAITAGUE:

And that's concerning to me because the Department of Education has shown nothing regarding responsibility. I mean, there's still mold issues that we're dealing with. And now here you're taking on another project when we can't even fix what's broken right now in DOE and moving forward because it's not a simple task just to go out and rent out property and keep on top of it and ensure that procurement is followed because we have seen what DOE has been done in the last five years.

And it's not good, it hasn't yielded anything productive. I mean, the last oversight chair has made quite great strides to assist DOE, putting the feet to the fire every single month by having oversight hearings, not oversight, but informational briefings monthly to see what you're doing. And quite frankly, it seems that it's dropped and now you're coming into something like this.

Now I do understand PTAs at schools, they generate revenue, they have projects, they try to have fundraisers, et cetera, to assist the schools in purchasing awnings that are needed for the students, repair of certain parts of the school to help donate in that perspective. And that's a good thing. I mean, that seems to be going well.

The parents seem to be doing a great job when it comes to that. But now you're moving into a direction here that, one, you don't even know what properties really belong to you. For instance, Chief Brodie School Elementary, which is closed down, do you own that property?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

No, the government of Guam does.

SENATOR TELO TAITAGUE:

Okay, and what's, have you had any charter schools go to any of the schools that have closed down to look at for potential, you know, wanting to rent already?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Yes, we have.

SENATOR TELO TAITAGUE:

So you have already had people coming around looking at these properties?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

That's correct.

SENATOR TELO TAITAGUE:

Okay, well that's a procurement issue right there, number one.

Secondly, there has been talk of utilizing Chief Brodie for a middle school. Is that still in the making? Is that what, I know there's been discussion about it. What is the progress so far now using Chief Brodie as a middle school for Tamuning? I mean, a lot of the constituents in Tamuning have to be bused all the way down to Jose Rios and Piti. So what's the status on that?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

To be able to convert the campus to a middle school, we have to do a significant amount of renovation, especially in restrooms, because they're designed for small children. So we need to get adult-size fixtures. There's quite a bit of work.

SENATOR TELO TAITAGUE:

Can you speak directly into the mic, Mr. Swanson? Sorry.

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Yes, to make that school suitable as a middle school. Two things have to happen.

First of all, there's a significant renovation of restrooms to adult-size rather than preschool and kindergarten size. The other part of it is there's no gymnasium, so we have to work out the structures around that to what we can handle PE, because it's a limited-scale piece of real estate. It's only three and a half acres. Normally, for a middle school, you'd want 20 to 30 acres. So that's a big difference. But the community does want a central middle school.

SENATOR TELO TAITAGUE:

Is it needed?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

I'm sorry?

SENATOR TELO TAITAGUE:

Is it needed?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Is it needed? Yeah, a middle school for the central. In terms of commute and transit time, yes. In terms of total population, that's arguable.

SENATOR TELO TAITAGUE:

Okay. I'm sorry? The what? The last part?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT: I said in terms of numbers, it could be arguable. Because right now, the Tamuning students travel down to Jose Rios for middle school. So that commute time is much longer than we want it to be.

SENATOR TELO TAITAGUE:

For Angel, the board, from the board's perspective, what conversations have the board had regarding turning that school into a middle school, Chief Brodie?

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

Actually, it was on our agenda a couple months ago because the Tamuning Municipal Planning Council had adopted a resolution asking the GEB to convert it to a middle school once it's made

available. The board did entertain it, but the problem is it will not, although we may support the middle school, it cannot happen without funding to make it into a middle school.

And remember, since back in 2019, the Municipal Planning Council of Tamuning, upon hearing that Chief Brodie may someday be not used as an elementary school, they did, since back then, pass a resolution to make Chief Brodie into a middle school. So they did, again, this year, reintroduce that same resolution that they had in 2019, just changed the dates, and asked the board again to consider that if Chief Brodie is available, that the first priority would be to make it into a middle school. So there has been conversation on it.

SENATOR TELO TAITAGUE:

What about price or cost?

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

Over \$10 million.

SENATOR TELO TAITAGUE:

To make this into a middle school?

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR

Yes, ma'am.

SENATOR TELO TAITAGUE:

Okay. So have you talked about a lease to own, similar to the other schools that we've done?

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

No, we have not.

SENATOR TELO TAITAGUE:

So there's been no conversation with regards to that?

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

Right, correct.

SENATOR TELO TAITAGUE:

Are you familiar with Hawaii's scenario, Mr. Superintendent, with regards to leases of property, what Hawaii is doing currently? Doing a public-private partnership scenario?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Not in terms of Hawaii. I'm familiar with what we're doing here with Simon Sanchez and with John F. Kennedy.

SENATOR TELO TAITAGUE:

No, I'm sorry. I'm going back to the legislation.

Basically, to, you know, authorize DOE the scenario to redevelop or lease underutilized school properties, that's what I'm talking about, that the public-private partnership that is done in Hawaii, have you reviewed what they're doing there?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

No I have not.

SENATOR TELO TAITAGUE:

Okay, you might want to see what they're doing. Also Los Angeles, as well as New York, has these same types of scenarios.

But it's done thoroughly, thought out, it's done in districts where, you know, they're not under a lot of situations that Guam is under, with our schools falling apart and not knowing what belongs to them or not. So I think that's something that you might want to look into if this bill does pass.

But I do have a lot of reservations on your ability to be able to even do something like this because of your track record right now is not very good, especially to the public, and I think that, you know, there's still a lot of deficiencies that you have to address right now, and it's not always money, it doesn't always have to do with money, it has to do with being able to have the right ideas and enforcing what you do have and being accountable and transparent, and especially fiscally responsible, and we haven't seen that with DOE. So though the idea, the intent of this legislation is good, it's worked in other jurisdictions, I do have reservations on your ability to even do anything, something like this. So thank you, Mr. Speaker, I mean, Mr. Chair.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Senator Taitague. Senator Gumataotao.

SENATOR SHAWN GUMATAOTAO, MEMBER:

Thank you, Mr. Chair, and thank you to our Chair of Education and our Superintendent.

I just wanted to, if I could start with this, Mr. Chair, according to GDOE's School Facility Master Plan that was issued in May of 2022, you know, it lists the schools, its sites, the leased schools, who's responsible, the square footage, and estimated replacement value. One of the things that

also jumped out at me in just kind of looking at the bill, and I hope I can offer it up to the committee, is an OPA report, 17-02, which was in January of 2017, Mr. Chair, that analyzed the government of Guam leases. Now the report found that in little over a decade, the government of Guam nearly doubled its annual cost for leasing commercial space, going down from \$6.8 million in FY 2004 to \$12.5 million in FY2005.

Mr. Chair, since the report, I'm hoping, I know they can't answer, but I'm hoping that the committee can add to the bill. Has there been any updated review of the annual rent payments that taxpayers continue to support for leasing office space and other private properties for government operations, and what would be the estimated annual fiscal impact to the general fund and special fund accounts?

Why this is important, Mr. Chair, goes to my question to DOE. With respect to your properties, what effort has been made by GDOE to determine whether any of the facilities that are under your jurisdiction, which may be decommissioned moving forward, meets the space and infrastructure requirements of government of Guam agencies that are currently renting from the private sector?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Senator, we're just at the beginning of that work, so it's not complete.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

I can add to that. We currently have the J.P. Torres in Santa Rita Sumai. We have LBJ in Tumon and, of course, Chief Brodie Elementary School in Tumon.

My first impression is that why keep leasing the government agency, why keep leasing government property when we have some, a lot that we can offer up, and those spaces that are available in those schools can actually be turned into offices of Guam. And so that's also another option.

And the other side of that coin, Senator, is that if we don't do anything, if it takes us time to lease it out to a private entity, that facility is going to sit and rot and be vandalized, and then it's going to cost GDOE more in the end instead of having small agencies come, five or six small agencies come into the one school and use it. They have the parking lot, the location is there. So that, I believe that's also an option.

SENATOR SHAWN GUMATAOTAO, MEMBER:

And I'm with you on this, and, in fact, I was going to ask you to encourage you, Mr. Chair, to talk to your GovGuam counterparts in the Cabinet that there may be some vacancies, and again,

when we think about the amount of savings that would go to those agencies, I think that would be significant.

Also when we think about underutilized facilities, for example, Southern High School, nothing precludes the Department from going into some of these facilities at Southern. And if you can improve one facility, why wouldn't we try to improve a space like that?

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

Yes, it's things that we at the Board are looking at. In fact, I even mentioned it to the Superintendent.

I mean, instead of leasing this big central facility in the millions of dollars every year, why can't we not use something we already own?

SENATOR SHAWN GUMATAOTAO, MEMBER:

Absolutely. And I just want to refer to your 2022 Master Plan. One of the interesting notes of it when you read through it, there is in it the plan to convert Brodie to a middle school, but it totally needs to get Jose Rios to be converted to a K-8, I believe, if I'm not mistaken, according to your report.

And so if we can convert those two, Mr. Chair, I think it might take Brodie off of the chopping block, but again, looking at other facilities, it makes much more sense to perhaps look at these lease facilities. I was talking in Santa Rita to my friends down in Santa Rita to that village, why can't we parse the Southern softball field, Southern football field, Southern baseball field, and lease those properties and generate revenues for Southern high school?

I think we got quite a bit of real estate down there that really can assist the not only private sector groups who would be pumping in money to those facilities, but also money into your coffers. And I just say that, Mr. Chair, and again, I thank you for coming down here today and thank you, Senator Agustin, for this bill.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Senator Gumataotao. Senator Duenas?

SENATOR CHRISTOPHER DUENAS, MEMBER:

Thank you, Mr. Chairman, and forgive us for our tardiness. There was a promotional down at the governor's office for some customs captains, so we raced right over.

So maybe a couple of my questions might be a little redundant, but I wanted to start by saying thank you once again, Superintendent, and of course, our Chairman of the Board, that despite all

the challenges that exist within the Department of Education, the schools continue to receive much higher grades with regard to the inspections and to all the teams that were put together to ensure that we get to the place where we are now.

So I know, you know, sometimes it takes a lot of hits, but the fact is that you've done great work in that area, and congratulations to those schools who continue to pass inspections and many of them with flying colors.

Having said that, coming in a little bit tardy, as I said, maybe I'll just ask once again, obviously the author has set this legislation out, I think to be broad as it's on set, just to, I want to just get from the two of you that this is something that you support and you're currently under development, in particular at the board level, because you've been announcing the use of schools and things that you've been doing with schools that have been closed, as well as, you know, what you've done in terms of cross-leveling with staff, so is this a timely bill and something that makes sense to you to set the direction? Thank you.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

Yes, of course. Of course it's a timely bill, and I just want to, Senator left already, but we didn't ask for this. It's something that was proposed, and we just come here to support it or not support it. But as far as GDOE, the board, asking for some more mandates, we did not ask for this. But we all have to think out of the box, Senator. We all have to find opportunities, and when there's an opportunity to help GDOE, in some way, somehow, someday, we will. We know our limits, but a proposal like this, we can always amend it and make it workable. We're talking about too many GDOE board members, well, and they want to use some other, we can use the Guam Land Use Commission and make that a part of the, you know, GEDA, as they suggested. I mean, there's always ways to skin a cat.

And the thing is, what we're trying to do is just have opportunities to be able that when the opportunity arises, that we can make revenue be generated for GDOE, that it's already in statute, and that we don't have to peddle back again and say, oh, we can't do that because we don't have the authority. It's better to have the authority and not use it than need it and not have it. So that's my point. But we never asked for it. Thank you.

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Yeah, I would say I wouldn't never ask for it, but I would, because what I'm looking at, because it's been presented in a couple of settings, I know I need to come back to look at the law and say, what are we allowed to do? And we need those parameters defined so that we can do some more creative things out of the box, because all of us have been working very closely on the challenges that are ahead of us, and they all add up to a whole lot of money that doesn't appear to be in the local economy to be able to afford. But we know we need to work on schools that are 50 or 60

years old, and that's going to cost money. And renovation costs more than replacement. I've just finished the work on selecting the vendor for Simon Sanchez, which I can't discuss yet, but except it is, and that's, your body approved \$166 million cap to do that work.

That's just one campus. We have 39 now that are open. So we need to figure this out, and this is an opportunity and a venue to help us do maintenance on a more predictable schedule at a higher level. That's going to help. And I appreciate the creativity that went into forming the bill and the number of senators that have signed on. That's really helpful. Thank you.

SENATOR CHRISTOPHER DUENAS, MEMBER:

Yeah. Thank you, gentlemen. I also, with all due respect, didn't, I don't sign up along with some of the characterizations that were made earlier. I think that you're here to demonstrate your willingness to work within the framework. Let's just be clear. You've made tough decisions, Angel, yourself, and the board. It's not popular to close schools. Definitely not popular. And it's not popular to have to do what you have to do right now to manage the fact that you have a decreased population. It's just a reality. So in that, you've made those tough decisions, and you continue to make tough decisions going forward.

So one thing I want to put on the record again, and I think, see, for me, unless I see pieces of paper or agreements made that have done, been done, and discussions that have, commitments have been made, to me, that's just all speculation, okay? It is right for individuals to start taking a look at facilities and government properties that are obviously being decommissioned. And I agree with you, Mr. Chairman Sablan, that we have all kinds of examples all over Guam right now of government buildings that we mothball and don't use, that are in disrepair, that are vandalized, that become homeless encampments, that become all kinds of vagrancy. So I agree with why we're here. Is this framework perfect? No. Is this a done deal?

No. But the fact is that we have to start thinking along these lines, and we have to join you and the proactivity that you've put out there to say, look, we made the tough decisions, and now we have real estate within the inventory that could benefit the department, either financially or in collaboration with other systems. So I'm going to put it on the record again, and I don't think it's premature to do this. Mr. Chairman and Mr. Superintendent, have you initiated any discussions to at least sit down at the table with the DODEA system and the federal system on opportunities going forward in terms of their needs that could possibly meet our needs, bring in much-needed finances, financing, and operational capabilities of our properties partnering with DODEA schools?

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Not in recent months. About a year ago, a little over a year ago, they visited several of our sites, brought their engineering team with them from Okinawa to evaluate facilities. Unfortunately,

some of the key players have, under the change in administration, are no longer in DoDEA, so I've got to go back and rebuild the connections. The conversation is going to come out of Okinawa, out of that area office. But we can certainly revisit. They looked at Southern High School because of its proximity to the Naval Station. They looked at Okkodo High School because of its proximity to Anderson and the Marine Corps facilities at Camp Blaz. And they also looked at Oceanview Middle School.

They were kind of taken aback at the conditions of some of the things there, but they did, they brought their engineering team along to do the measurement, the observation, the calculations of what they thought it was going to take to bring those facilities up. But like I said, the change in the political situation has changed some of the players, so I need to go back and see if we can revisit that and reactivate it.

SENATOR CHRISTOPHER DUENAS, MEMBER:

Well, I'm going to highly encourage you to do that. And as well, I would highly encourage you, Mr. Chairman, to consider a discussion on the board and maybe adopt a resolution. You know, let's be honest with ourselves and put everything on the table. We are now up against \$120 million of renovation costs that we're committed to that we cannot fulfill. We are knocking against the federal government right now that looks like they are not going to make any changes when it comes to a change of their attitude or positioning on federal funds. Now I know you're actively, because of the meetings we've been having, and we announced our meetings. These are not private meetings.

I know that you've been doing everything you can to get another letter in, in terms of reconsideration and trying to re-scope how you're making that presentation to make them realize how it is associated with COVID and we should be able to use that money. But absent that, let's be honest with ourselves. We're going to be facing a need for funding, funding infusion to be able to handle this issue. Locally, we are, and I am preparing to go forward and see if we can get some kind of financing arrangement. But in the meantime, we've been touting Guam and asking the federal government to understand what our position here is in Guam, in all of the impacts of the military buildup.

Financially, yes, it has helped our coffers, but in our community, it has caused a lot of changes and a lot of necessity to change. So once again, I think this is timely, to put this on the table, that we're talking about possibilities of leasing property, to talk to the federal government, to talk to DoDEA schools, to see if there is still interest. This is a reality. Once again, I'll reiterate on the record, our charter schools have come before this body in committee and also in front of our hearings on charter schools. DODEA kids are going to our schools. Dependents who are here that have teaching qualifications and educational qualifications are expressing interest and some even working in our charter schools. This coming together of the school system once again of

Dodea and GDOE is a reality. It's a reality because it's already happening, not at the GDOE level, but you are partners as well with the charter schools.

You have the same student population, essentially, migrating in and out, and I hear in and out. I was at a lunch the other day, and a parent of a special needs child said, I love the charter school, but I had to take my child back to Department of Education because the services are more robust and they're better. So you have transitions in and out of charter schools even as you speak right now. So I just want to once again say I believe this opportunity and this vehicle is twofold. One is partnerships, perhaps with the charter schools that are currently looking at expanding, but also partnerships with military schools to ensure that we can get towards reintegration. I think it's good for our community.

And also the fact that we have opportunities because we have the property. Yes the structures are dilapidated. Yes they need refurbishment. Maybe they need to be raised and completely built again. But the fact is that you have the inventory, and I think we should put all options on the table, and I want to just get your final thoughts on that.

DR. KENNETH ERIK SWANSON, GDOE SUPERINTENDENT:

Senator, I agree with you in every option that we can exercise that makes sense and we can manage effectively for our community. We need to take advantage of it, and I will reach out to the folks in DoDEA and see what can, if we can renew, revitalize that conversation.

ANGEL SABLAN, GUAM BOARD OF EDUCATION CHAIR:

I know that there is a statute that says that GDOE facilities can also be used as charter schools. In this case, though, we already have the cap for charter schools on Guam. And so in order for any of our facilities to be used by a charter school, it has to be an existing charter school. It can't be a new one because unless, of course, the legislature amends the cap to over seven. But we're also very open to that. We've heard from US DOE that they are going to give more money to charter schools than to public schools. So that may be another avenue we look at.

Do we convert some of our own schools and charter them? So that they can get the funding that's coming out of US DOE. And I certainly appreciate all the help, Mr. Chair, of us all working together to try to get some of this funding from US DOE be given back to Guam. And if you haven't heard the good news from yesterday, remember the \$27 million that we supposedly lost because it was not liquidated in time? Well, we got \$9 million of that back. They approved to open the liquidation period for \$9 million of the community block grant. So the superintendents are going to get on the dāgans of all those people that are making those invoices. This is not new money. This is money to pay past invoices.

And so at least we have \$9 million to pay and that we don't have to get out of the general fund or to look somewhere else to make good for these vendors. We're still working with the special education, SPED funds, to see whether or not we can also have their \$7 million that supposedly have been lost to be reopened and changed the liquidation dates for that. So we are working towards that.

And I told the superintendent last night, I hope we get more good news from it's the same person that denied our appeals to send us a letter that says, hey, good news for you, we're going to reopen your liquidation period, at least for the community. So I think they understand where we're coming from, that we're not asking for any special treatment, but just look at us way out here. You know, we're not in the continental United States. Look at us out here and see the circumstances that we have to deal with. And if you say that you have to deny our appeals because they weren't COVID related, then what is not COVID related in our education system? We closed it down because of COVID. Bringing it back up to par, we need to do some mitigation. And you're denying us that because it's not a construction, it's not part of COVID.

Then we have to put the English in a different way. I don't know, we have to summarize it or what, but we have to, you know, put it in a different verbiage to make them understand. And I think they are now beginning to understand just the fact that they have opened up this opportunity to give us an additional liquidation period for \$9 million. It's good news.

SENATOR CHRISTOPHER DUENAS, MEMBER:

That is good news. And forgive me if I'm somewhat aggressive on this, but it's you, it's me who you're going to come to see when we get final decisions. And that's why I'm saying I appreciate every opportunity. So once again, thank you, Mr. Chairman. And I really hope you have a vigorous conversation with the board on this issue, because it sounds like with the opportunities that are unfolding with US DOE, so then you're right. Maybe that's not a direct conversation at this time.

But if you now have a major transformation where funding is coming in and US DOE converts its current properties, we lift the caps for charter schools, who's going to attend those charter schools? If DoDEA says they're not expanding their school system, they'll start sending their students. Their student population starts to migrate there. We have a case to bring up to the feds saying, once again, we had agreements with you before where you pay \$6,000, \$7,000 a year for your children to attend our schools.

There's already precedents for that. Once we open that door and we start moving in that direction, we start negotiations again. So I'm just asking you to use this.

And I appreciate the author of this bill. I think this is the vehicle, because that's what you can come back to us with later on with the board and with the superintendent and say, you know, now that we see the opening on the charter school side, we need you to also in agreement with this type of legislation, including legislation that lifts the caps and then now gets us to where we're entering in agreements with charter schools because we have the capability with the lifted caps and they have the ability to recognize the revenue and bring in the student base. So I appreciate your open-mindedness.

And I know this bill is simply under development at this point. That's why I'm happy with the conversation. I'm happy with your openness to work with the committee. And I think this vehicle is really going to be something that will assist us going forward. So thank you very much for your efforts. And once again, thank you for all the work you're doing in spite of all of the difficulties that you're facing.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Mr. Chairman. Thank you, Senator Duenas. And now, Senator San Agustin, I'll allow your time to close.

SENATOR JOE SAN AGUSTIN, MEMBER:

Thank you, Mr. Chair. And yes, Mr. Chair and Mr. Superintendent, this is a work in progress. This is like trying to just find ways to help DOE. There's got to be many other ways, but it's a work in progress. This bill is the opening to find ways to help you. And I'll be working with the chair. We're going to reach out to land management, find out what his DOE property is, what it is going to want, and find out what they have on record.

And then we try to work the bill to include the board members, to even consider what the other colleagues brought up, GEDA. I'm going to reach out to these agencies and find out, are you willing to do this? Do you have the expertise? Sure, they do leases. I mean, they do leases for DOE. They do leases for another part of the world. You know, we'll figure this out. And it's a work in progress. And at the end of the day, we want to just get it passed. So you have the authority to do what you need to do and generate some money.

SENATOR VINCENT ANTHONY V. BORJA, CHAIRPERSON:

Thank you, Mr. Chair. Thank you, Senator Agustin. This now concludes the public hearing for bill number 70-38 introduced by Senator Joe San Agustin. The committee will continue to accept written testimony within seven days from today, which may be addressed to myself, Senator Vince Borja as the Chairman of the Committee on Education, Libraries, and Public Broadcasting, or mail to DNA Building Suite 502-238 Archbishop Flores Street, Hagatna, Guam. You may also send your testimonies to contact at senatorvinceborja.com. This morning's public hearing is now adjourned, and the time is now 10:56 a.m. Have a good day, everyone.

III. FINDINGS & RECOMMENDATIONS

The public hearing was conducted by the Guam Education Committee to discuss Bill No. 70-38, which aims to authorize the Guam Department of Education (GDOE) to lease out underutilized or vacant properties within its jurisdiction. The bill intends to create a procurement team responsible for overseeing the leasing process, with revenue generated earmarked for school repairs and improvements rather than the general fund. The legislation aims to help address longstanding infrastructure issues, generate additional revenue for maintenance, and encourage innovative use of school properties, including potential leasing for advertising or community purposes.

Testimonies from various stakeholders, including the GDOE Superintendent, Guam Board of Education Chair, and committee members, expressed support for the bill but also raised concerns. Notably, questions were raised about property ownership, the proper allocation of lease revenues, and the need for clear legal parameters to ensure accountability and protect DOE interests. Additionally, there were discussions about the availability of properties, the potential for partnerships with federal agencies like DoDEA, and the importance of leveraging existing land management expertise to maximize revenue and efficiency.

Throughout the hearing, committee members emphasized the need for strategic planning, accountability, and coordination with other government agencies to ensure the success of such leasing initiatives. Many underscored that while the bill presents opportunities to optimize government property use, careful attention must be given to existing issues within DOE related to facility conditions, land ownership, and resource management. The hearing concluded with a recognition that the bill is a work in progress, with the committee encouraging continued collaboration and written testimony submissions to refine the legislation further.

The Committee on Education, Public Libraries, and Public Broadcasting hereby reports Bill 70-38 (COR) - Introduced by Joe S. San Agustin. - “AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.” with the recommendation of **TO REPORT OUT**.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 70-38 (COR)

Introduced by:

Joe S. San Agustin
V. Anthony Ada
Tina Rose Muña Barnes
Vincent Anthony V. Borja
Christopher M. Dueñas
Sabrina Salas Matanane
Shelly Vargas Calvo

**AN ACT TO ADD A NEW §3135 TO ARTICLE 1,
CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED
RELATIVE TO AUTHORIZING THE GUAM
DEPARTMENT OF EDUCATION TO LEASE
PROPERTY WITHIN ITS JURISDICTION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that allowing GDOE to lease properties in strategic locations, GDOE can ensure that underutilized or vacant spaces are repurposed to meet the needs of the students and the department. Additionally, leasing could generate revenue by utilizing surplus or underused spaces, which could be reinvested into maintaining or improving existing facilities and educational programs.

In addition to addressing current infrastructure issues, leasing property offers a sustainable long-term strategy for GDOE. It allows for greater operational efficiency, with the department having the ability to quickly secure and adapt properties as educational needs evolve. Therefore, it is the intent of *I Liheslaturan Guåhan* to permit GDOE to lease property within its jurisdiction which would

1 support the department's efforts to provide a dynamic and responsive environment
2 for the department to meet current and future needs.

3 **Section 2.** A new §3135 *added* to Article 1, Chapter 3, Title 17, Guam Code
4 Annotated to hereby read as follows:

5 **“§3135. Authorization to Lease GDOE Property.**

6 (a) The Guam Department of Education is hereby authorized to lease
7 properties within its jurisdiction. The handling of these lease agreements shall be
8 conducted by a procurement team that shall consist of seven (7) members as follows:

9 (1) The Superintendent or a designated representative.

10 (2) The Chief Finance Officer or a designated representative.

11 (3) Five (5) members of the Guam Board of Education as selected by
12 the Chairperson of the Board of Education.

13 (b) The revenue collected from these lease agreements shall be used for
14 maintenance, renovation, and capital improvement projects of the Guam Department
15 of Education.”

16 **Section 3. Severability.** If any provision of this Act or its application to any
17 person or circumstance is found to be invalid or inorganic, such invalidity shall not
18 affect other provisions or applications of this Act that can be given effect without
19 the invalid provision or application, and to this end the provisions of this Act are
20 severable.

21 **Section 4. Effective Date.** This Act shall be effective upon enactment.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 70-38 (COR)

As Amended by the Committee on Education,
Libraries, and Public Broadcasting

Introduced by:

Joe S. San Agustin
V. Anthony Ada
Tina Rose Muña Barnes
Vincent Anthony V. Borja
Christopher M. Dueñas
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12 the Chairperson of the Board of Education.

13 (b) The revenue collected from these lease agreements shall be used for
14 maintenance, renovation, and capital improvement projects of the Guam Department
15 of Education. Lease payments shall be deposited into an account separate and apart
16 from the General Fund and may be expended upon approval by the adoption of a
17 resolution by the Guam Board of Education.

18 (c) The lease amount for any property leased under this Section shall be a
19 minimum of ninety percent (90%) of the appraised value of the property at the time
20 such lease is executed.”

21 **Section 3. Severability.** If any provision of this Act or its application to any
22 person or circumstance is found to be invalid or inorganic, such invalidity shall not
23 affect other provisions or applications of this Act that can be given effect without
24 the invalid provision or application, and to this end the provisions of this Act are
25 severable.

26 **Section 4. Effective Date.** This Act shall be effective upon enactment.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 70-38 (COR)

As Amended by the Committee on Education,
Libraries, and Public Broadcasting

Introduced by:

Joe S. San Agustin
V. Anthony Ada
Tina Rose Muña Barnes
Vincent Anthony V. Borja
Christopher M. Dueñas
Sabrina Salas Matanane
Shelly Vargas Calvo

**AN ACT TO ADD A NEW §3135 TO ARTICLE 1,
CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED
RELATIVE TO AUTHORIZING THE GUAM
DEPARTMENT OF EDUCATION TO LEASE
PROPERTY WITHIN ITS JURISDICTION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that allowing GDOE to lease properties in strategic locations, GDOE can ensure that underutilized or vacant spaces are repurposed to meet the needs of the students and the department. Additionally, leasing could generate revenue by utilizing surplus or underused spaces, which could be reinvested into maintaining or improving existing facilities and educational programs.

In addition to addressing current infrastructure issues, leasing property offers a sustainable long-term strategy for GDOE. It allows for greater operational efficiency, with the department having the ability to quickly secure and adapt properties as educational needs evolve. Therefore, it is the intent of *I Liheslaturan Guåhan* to permit GDOE to lease property within its jurisdiction which would

1 support the department's efforts to provide a dynamic and responsive environment
2 for the department to meet current and future needs.

3 **Section 2.** A new §3135 *added* to Article 1, Chapter 3, Title 17, Guam Code
4 Annotated to hereby read as follows:

5 **“§3135. Authorization to Lease GDOE Property.**

6 (a) The Guam Department of Education is hereby authorized to lease
7 properties within its jurisdiction. The handling of these lease agreements shall be
8 conducted by a procurement team that shall consist of seven (7) members as follows:

9 (1) The Superintendent or a designated representative.

10 (2) The Chief Finance Officer or a designated representative.

11 (3) Five (5) members of the Guam Board of Education as selected by
12 the Chairperson of the Board of Education.

13 (b) The revenue collected from these lease agreements shall be used for
14 maintenance, renovation, and capital improvement projects of the Guam Department
15 of Education. Lease payments shall be deposited into an account separate and apart
16 from the General Fund and may be expended upon approval by the adoption of a
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5 **“§3135. Authorization to Lease GDOE Property.**

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7 properties within its jurisdiction if the school cannot be utilized to alleviate double
8 sessions. The handling of such lease agreements shall be conducted by a
9 procurement team that shall consist of five (5) voting members as follows:

10 (1) The Superintendent of GDOE or a designated representative.

11 (2) The Chief Finance Officer or a designated representative.

12 (3) Three (3) members of the Guam Board of Education as selected by
13 the Chairperson of the Board of Education.

14 (4) The Chief Procurement Officer of GDOE shall participate as an
15 ex-officio member of the procurement team to provide the team with technical
16 assistance relative to procurement laws applicable to the lease acquisition.

17 (b) The revenue collected from these lease agreements shall be used for
18 maintenance, renovation, and capital improvement projects of the Guam Department
19 of Education. Lease payments shall be deposited into an account separate and apart
20 from the General Fund and may be expended upon approval by the adoption of a
21 resolution by the Guam Board of Education.

22 (c) The lease amount for any property leased under this Section shall be a
23 minimum of ninety percent (90%) of the appraised value of the property at the time
24 such lease is executed, except when the prospective lessee is an educational
25 institution or instrumentality of the Government of Guam, provided that the lease
26 for said prospective lessee requires cash payments.

1 (1) If the prospective lessee is an educational institution or
2 instrumentality of the Government of Guam, the property for lease shall not
3 be leased below sixty percent (60%) of the appraised value of the property.

4 (2) If the lessee is a charter school approved to operate by the Guam
5 Academy Charter Schools Council pursuant to §12106 of Chapter 2, Title 17
6 Guam Code Annotated, or an instrumentality of the Government of Guam,
7 lease payments may be derived from legislative appropriations or existing
8 funds available to expend for rental payments.

9 (d) GDOE is authorized to establish fees pursuant to the Administrative
10 Adjudication Law found in Chapter 9, Title 5 Guam Code Annotated, for the
11 implementation of this Section.

12 (e) The Board shall require lessees to prove financial ability to pay rent for
13 the duration of the lease term, and the ability to improve and maintain to meet
14 sanitary permit requirements. GDOE shall determine if upon termination any
15 fixtures or other improvements shall remain or be removed and restored to original
16 conditions.”

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COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

March 17, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Senator Christopher M. Dueñas** 
Acting Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 70-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 70-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 70-38 (COR)

AN ACT TO ADD A NEW § 3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.

Department/Agency Appropriation Information		
Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Dr. Kenneth E. Swanson, Superintendent	
Department's General Fund (GF) appropriation(s) to date: P.L. 37-125: Operations (\$230,506,660); P.L. 37-135: Operations/Maint./Repair (\$10,000,000); P.L. 37-135: Parent Teacher Organizations (\$205,000); P.L. 37-135: Opioid Antagonists (\$25,000)		240,736,660
Department's Other Fund (Specify) appropriation(s) to date: Guam Educational Facilities Fund (\$11,354,810); Public School Library Resources Fund (\$774,942); Healthy Futures Fund (\$891,754); School Lunch/Child Nutritional Meal Reimbursement Fund (\$12,504,000); Limited Gaming Fund (\$350,944)		25,876,450
		266,613,110

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2024 Unreserved Fund Balance		\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Appro. (P.L. 37-125 thru P.L. 37-135)	\$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 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	\$0	1/	1/	1/	1/	1/
Special Fund	\$0	1/	1/	1/	1/	1/
Total	\$0	1/	1/	1/	1/	1/

- Does the bill contain "revenue generating" provisions? / X / Yes / / No
If Yes, see attachment 1/
- 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
- 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? / / Yes / X / No
- Will the enactment of this Bill require new physical facilities? / / Yes / X / No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / X / Yes / / No
/X / Requested agency comments not received by due date / / Other:

Analyst: <u>William P. Taitingfong</u>	Date: <u>3/19/25</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>MAR 17 2025</u>
William P. Taitingfong, Acting BMA Supvr.			

Footnotes:

1/ See attached comments on Bill 70-38 (COR).

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 70-38 (COR)

The proposed Bill 70-38 (COR) is an act to add a new § 3135 to Article 1, Chapter 3, Title 17, Guam Code Annotated relative to authorizing the Guam Department of Education (GDOE) to lease property within its jurisdiction.

According to the legislative findings and intent of the proposed Bill 70-38, the allowing of GDOE to lease properties in strategic locations can ensure that underutilized or vacant spaces are repurposed to meet the needs of the students and the department. Leasing could generate revenue by utilizing surplus or underused spaces, which could be reinvested into maintaining or improving existing facilities and educational programs.

If enacted, the GDOE is authorized to lease properties within its jurisdiction. The handling of these lease agreements shall be conducted by a procurement team consisting of 7 members to include the GDOE Superintendent or designated representative, the Chief Finance Officer or designated representative, and 5 members of the Guam Education Board as selected by the Chairperson of the Guam Education Board. The revenue collected from these lease agreements shall be used for maintenance, renovation, and capital improvement projects of the GDOE.

According to comments received from the GDOE, the proposed language is in line with the desires of the Guam Education Board and achieves the intent of the Board. The GDOE also notes that the department does not foresee a need to add any additional language. However, the Bureau does recommend that the proposed legislation also include the creation of a special revolving fund account within the GDOE, that is separate from the appropriations of any other special fund sources to the GDOE, so that revenues specifically received from the leases of GDOE properties can be deposited into and that the noted authorized expenditures can then be made from.

The Bureau does anticipate that Bill 70-38 will have a positive revenue impact to the GDOE in terms of proceeds from the enacted leases of GDOE properties. Absent detailed information from the GDOE such as the total number and description of the GDOE properties and/or office space available for lease, the total square feet and cost per square feet of such properties and/or office space for lease, the Bureau is unable to provide an estimated cost impact at this time.