

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 199-33 (LS)

Introduced by:

B. J. F. Cruz
N. B. Underwood



AN ACT TO *APPROPRIATE* THE SUM OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) FROM THE UNAPPROPRIATED HEALTHY FUTURES FUND REVENUES IN FY 2015 TO THE GUAM DEPARTMENT OF EDUCATION OPERATIONS FUND FOR THE OPERATIONS OF THE GUAM DEPARTMENT OF EDUCATION.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

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

finds that in Fiscal Year 2015, the sum of Sixteen Million Two Hundred Seven Thousand Nine Hundred Forty Six Dollars (**\$16,207,946**) was projected to be collected in the Healthy Futures Fund (HFF) pursuant to Public Law 32-181, the General Appropriations Act of FY 2015. *I Liheslaturan Guåhan* further finds that the sum of Twenty Two Million Seven Hundred Fifty Five Thousand Thirty Two Dollars (**\$22,755,032**) was reported as collected by the Bureau of Budget and Management Research FY 2015 Special Revenue Fund Tracking report (Report) for the month ending September 30, 2015 providing for excess HFF revenues of Six Million Five Hundred Forty Seven Thousand Eighty Six Dollars (**\$6,547,086**) that remains unappropriated.

I Liheslaturan Guåhan further finds that in Fiscal Year 2015, the sum of Thirty One Million Two Hundred Thousand Dollars (**\$31,200,000**) was projected to be collected in the Territorial Educational Facilities Fund (TEFF) pursuant to

1 Public Law 32-181 as amended by Public Law 33-29. The sum of Twenty Five
2 Million Seven Hundred Seventy Eight Thousand Three Hundred Thirty Three
3 Dollars (**\$25,778,336**) was reported as collected in the Report creating a revenue
4 shortfall of Five Million Four Hundred Twenty One Thousand Six Hundred Sixty
5 Four Dollars (**\$5,421,664**) which has a detrimental impact to the Guam Department
6 of Education (GDOE) such that cash intended for the GDOE has not been fully
7 provided.

8 Therefore it is the intent of *I Liheslaturan Guåhan* to appropriate HFF funds
9 to the GDOE Operations Fund such that the revenue shortfall as a result of TEF
10 collections does not negatively impact GDOE operations as well as the health and
11 wellness of the children, teachers, and administrators of Guam public schools.

12 **Section 2. Appropriation to the GDOE Operations Fund.** Pursuant to §§
13 52101 and 52102 of Chapter 52, Division 2 of Title 11 GCA, the sum of Two
14 Million Five Hundred Thousand Dollars (**\$2,500,000**) is hereby appropriated from
15 the unappropriated Healthy Futures Fund revenues in FY 2015 to the Guam
16 Department of Education Operations Fund for the operations of Guam Department
17 of Education. Notwithstanding any other provision of law, *I Maga'låhen Guåhan*
18 *shall not* be authorized to transfer any appropriation in this Act. §1303 of Chapter 1,
19 Article 3, Title 5 GCA, *shall not* apply to the appropriation in this Act. The
20 appropriation in this Act *shall not* lapse and *shall* continue until fully expended.

21 **Section 3. Effective Date.** This Act *shall* become effective upon enactment.

22 **Section 4. Severability.** *If* any provision of this Act or its application to any
23 person or circumstance is held invalid, the invalidity *shall not* affect other
24 provisions or applications of this Act which can be given effect without the invalid
25 provision or application and to this end the provisions of this Act is severable.