

MINA BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) REGULAR SESSION

BILL NO. 306 EC
INTRODUCED BY:

F. B. AGUON, JR. 

AN ACT RELATIVE TO AUTHORIZING THE USE OF UNEXPENDED AND UNENCUMBERED FUNDS APPROPRIATED TO THE EXECUTIVE BRANCH IN FISCAL YEAR 2006 TO ADDRESS THE PAYMENT OF THE \$3.8 MILLION OWED TO TEACHERS AS A RESULT OF THE RECENT JUDGEMENT BY THE SUPERIOR COURT OF GUAM WITH THE GUAM PUBLIC SCHOOL SYSTEM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

3 The Liheslaturan Guahan finds that the Superior Court of Guam
4 recently rendered a ruling in favor of the teachers within the Guam Public
5 School System who are owed approximately \$3.8 million, as a result of the
6 non-compensation of teachers who were previously not paid due to the
7 delay in the commencement of the 2003-2004 school year. I Liheslaturan
8 Guahan further finds that this ruling is consistent with the decision
9 rendered by the Civil Service Commission which was filed by the Guam
10 Federation of Teachers on behalf of a teacher who had raised this concern.
11 The court ruling stipulates that the payment of this obligation must be
12 made within thirty (30) days of the rendering of the judgement, thus it is

1 the intent of I Liheslaturan Guahan to insure that such payments are made
2 and that the judgement be properly complied with. This provision would
3 allow for the identification of any unexpended or unencumbered funds
4 within the Executive Branch budget for fiscal year 2006, and apply such
5 funds for the payment of this obligation.

6 **Section 2. Expenditure Authorization of the Sum of \$3.8 Million to**
7 **the Guam Public School System for the Payment to Teachers, in**
8 **Compliance with a Court Judgement.**

9 The sum of \$3.8 million dollars is hereby authorized to be used from
10 any unexpended or unencumbered funds appropriated to the Executive
11 Branch of the Government of Guam in Fiscal Year 2006, to comply with the
12 recent judgement rendered by the Superior Court of Guam for the payment
13 of teachers who were affected by the decision to delay the start of school
14 year 2003-2004.

15 The funds appropriated within the Fiscal Year 2006 budget to the
16 Guam Public School System shall be exempted from the application of this
17 provision, and shall remain solely for the operation and administration of
18 the Guam Public School System.

19 **Section 3. Reporting Requirements.**

20 The Guam Public School System in conjunction with the Department
21 of Administration shall provide a written report to the Speaker of I
22 Liheslaturan Guahan and I Maga'lahen Guahan on the payment of such
23 obligation as highlighted in Section 2 of this Act. The report shall entail the

1 financing source of the funds and date of such payments to the affected
2 teachers.

3 **Section 4. Severability Clause.**

4 If any provision of this Act or its application to any person or
5 circumstances is held invalid, the invalidity shall not affect other
6 provisions or applications of this Act which can be given effect without the
7 invalid provision or application, and to this end the provisions of this Act
8 are severable.