


MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

Bill No. 295(00)

Introduced by:

J. T. Won Pat 

AN ACT TO AMEND SECTION 3103(C), ARTICLE 1, CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE ADMINISTRATION OF FEDERAL FUNDS AND TO ADD SECTION 3103.1 TO ARTICLE 1 CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE SUPERINTENDENT'S DUTIES IN THE ADMINISTRATION AND IMPLEMENTATION OF FEDERAL PROGRAMS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 3103(c), Article 1, Chapter 3 of Title 17, Guam Code
3 Annotated, is hereby amended to read as follow:

4 "(c) administer and implement Federal funds/programs on behalf of the
5 GPSS in accordance of Section 3103.1 of this Chapter;"

6 Section 2. A new Section 3103.1 is hereby added to Article 1, Chapter 3 of
7 Title 17, Guam Code Annotated, to read as follows:

8 "3103.1 Superintendent's Duties in the Administration and
9 Implementation of Federal Programs.

1 (a) The Superintendent may:

2 (1) apply for, receive, and administer funds made available through
3 programs of the federal government;

4 (2) only expend federal funds for the purposes for which they are
5 received and;

6 (3) reduce or eliminate a program created with or expanded by federal
7 funds to the extent allowed by law when federal funds for that program are
8 subsequently reduced or eliminated.

9 (b) The Superintendent shall:

10 (1) prioritize resources, especially to resolve conflicts between federal
11 provisions or between federal and GPSS programs, including:

12 (i) providing first priority to meeting GPSS goals, objectives,
13 program needs, and accountability systems as they relate to federal programs;
14 and

15 (ii) providing second priority to implementing federal goals,
16 objectives, program needs, and accountability systems that do not directly and
17 simultaneously advance GPSS goals, objectives, program needs, and
18 accountability systems;

19 (2) interpret the provisions of federal programs in the best interest of
20 GPSS students;

21 (3) maximize GPSS control and flexibility;

22 (4) minimize additional government of Guam resources that are diverted
23 to implement federal programs beyond the federal monies that are provided to
24 fund the programs;

25 (5) request changes to federal educational programs, especially programs

1 that are under funded or provide conflicts with other GPSS or federal
2 programs, including:
3 (i) federal statutes;
4 (ii) federal regulations; and
5 (iii) other federal policies and interpretations of program provisions;
6 and
7 (6) seek waivers from all possible federal statutes, requirements,
8 regulations, and program provisions from federal education officials to:
9 (i) maximize GPSS flexibility in implementing program provisions; and
10 (ii) receive reasonable time to comply with federal program provisions.
11 (7) submit quarterly reports to the board on the status of federal
12 programs.”