

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
TWENTY-NINTH GUAM LEGISLATURE JULY 7 PM 3:05  
2007 (FIRST) REGULAR SESSION

BILL NO. 125(ec)

Introduced by:

Committee on Calendar  
by request of *I Maga'láhen Guåhan*,  
the Governor of Guam, in accordance  
with the Organic Act of Guam.

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS  
OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF  
GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2008 AND  
MAKING OTHER APPROPRIATIONS, AND ESTABLISHING  
MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 CHAPTER I

3 GENERAL PROVISIONS

4 Section 1. **Short Title.** This Act shall be known as the "*General Appropriations*  
5 *Act of 2008*". Except as otherwise provided by this Act, the appropriations made by this  
6 Act shall be available to pay for obligations incurred on or after October 1, 2007 but no  
7 later than September 30, 2008. In the event that any appropriation of this Act is found  
8 contrary to federal law, all portions not so found shall remain valid.

9 Section 2. **Estimated Revenues for Fiscal Year 2008.** *I Liheslaturan Guåhan*,  
10 the Guam Legislature, adopts the following revenue estimate for Fiscal Year 2008 which  
11 shall be utilized for appropriations contained in this Act.

1	<b>I. GENERAL FUND REVENUES</b>	<b><u>AMOUNT</u></b>
2	<b>A. TAXES</b>	
3	Income Tax	
4	Corporate	\$ 78,545,130
5	Individual	\$ 72,362,769
6	Withholding Taxes, Interest and Penalties	\$159,028,685
7	Provision for Tax Refund	(\$76,864,455)
8	<b>TOTAL INCOME TAXES</b>	<b>\$233,072,129</b>
9	Gross Receipts Tax	\$175,505,318
10	Other Taxes	<u>\$2,793,300</u>
11	<b>TOTAL TAXES</b>	<b>\$178,298,618</b>
12	<b>B. FEDERAL SOURCES</b>	<b>\$40,058,970</b>
13	Federal Income Tax Collection (Section 30 Funds);	
14	Immigration Fees and Indirect Cost	
15	<b>C. USE OF MONEY AND PROPERTY</b>	<b>\$1,178,325</b>
16	<b>D. LICENSES, FEES AND PERMITS</b>	<b>\$7,334,520</b>
17	<b>E. DEPARTMENT CHARGES</b>	<b>\$783,812</b>
18	<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$460,726,374</b>
19	<b>II. SPECIAL FUND REVENUES APPROPRIATED IN THIS ACT</b>	
20	<b>A. Air Pollution Control Special Fund</b>	<b>\$ 223,394</b>
21	<b>B. Chamorro Land Trust Operations Fund</b>	<b>497,189</b>
22	<b>C. Corrections Revolving Fund</b>	<b>1,554,525</b>

1	<b>D. Customs, Agriculture and Quarantine Inspection</b>	
2	Services Fund	8,249,159
3	<b>E. Enhanced 911 Emergency Reporting System Fund</b>	2,103,615
4	<b>F. Environmental Health Fund</b>	502,687
5	<b>G. Guam Contractors License Board Fund</b>	338,250
6	<b>H. Guam Environmental Trust Fund</b>	193,730
7	<b>I. Guam Highway Fund</b>	15,478,121
8	<b>J. Guam Plant Inspection and Permit Fund</b>	44,952
9	<b>K. Healthy Futures Fund</b>	10,772,121
10	<b>L. Land Survey Revolving Fund</b>	959,500
11	<b>M. Police Services Fund</b>	373,785
12	<b>N. Professional Engineers, Architects and</b>	
13	Land Surveyors Board Fund	203,843
14	<b>O. Public Recreation Services Fund</b>	156,264
15	<b>P. Safe Streets Fund</b>	100,000
16	<b>Q. School Lunch/SAE/Child Nutritional Meal</b>	
17	Reimbursement Fund	6,500,000
18	<b>R. Solid Waste Operations Fund</b>	5,880,808
19	<b>S. Street Light Fund</b>	3,952,056
20	<b>T. Territorial Education Facilities Fund</b>	20,483,648
21	<b>U. Tourist Attraction Fund</b>	23,331,000
22	<b>V. Water Protection Fund</b>	54,784
23	<b>W. Water Research and Development Fund</b>	<u>80,313</u>

1	<b>TOTAL SPECIAL FUND REVENUE</b>	<b>\$102,033,744</b>
2	<b>III. FEDERAL MATCHING GRANTS-IN-AID REVENUES</b>	
3	<b>Federal Grants-In-Aid Requiring Local Match:</b>	
4	A. Agriculture	\$376,500
5	B. Guam Council on the Arts and Humanities Agency	241,300
6	C. Guam Mass Transit Authority	859,915
7	D. Guam Police	615,860
8	E. Integrated Services for Individuals with Disabilities	2,382,160
9	F. Labor	34,200
10	G. Law	3,665,624
11	H. Military Affairs	613,685
12	I. Public Health and Social Services	17,078,192
13	J. University of Guam	<u>1,396,000</u>
14	<b>TOTAL FEDERAL MATCHING GRANTS-IN-</b>	
15	<b>AID REVENUE</b>	<b>\$27,263,436</b>
16	<b>REVENUE SUMMARY:</b>	
17	<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$460,726,374</b>
18	<b>TOTAL SPECIAL FUND REVENUE</b>	<b>\$102,033,744</b>
19	<b>TOTAL FEDERAL MATCHING GRANTS-IN-</b>	
20	<b>AID REVENUE</b>	<b><u>\$27,263,436</u></b>
21	<b>GRAND TOTAL</b>	<b>\$590,023,554</b>

22 **Section 3. Debt Service Continuing Appropriation.** The following are  
23 continuing appropriations for debt service requirements:

1           **A. GENERAL OBLIGATION BONDS 1993 SERIES A**

2                   (For education capital projects; Real Property Taxes pledged;

3                   due FY 2018 as final year; P.L. 22-19 and P.L. 22-24, net

4                   of UOG Bond Payment Obligation \$2,027,376)                   \$10,591,975 1/

5                   1/ Territorial Education Facilities Fund

6           **B. LIMITED OBLIGATION HIGHWAY REFUNDING**

7                   **BOND 2001 SERIES A**

8                   (P.L. No. 24-70; due FY 2012 as the final year;

9                   source of payment from Liquid Fuel Taxes)                   \$ 6,030,463 2/

10                  2/ Guam Highway Fund

11           **C. LIMITED OBLIGATION (SECTION 30) BONDS**

12                   **SERIES A**

13                   (Water System Revenue Bond; P.L. 26-58, amended

14                   by P.L. 25-59; Section 30 fund pledged; due FY 2012

15                   as final year)                   \$ 9,825,780 3/

16                   3/ Section 30 Funds

17           **D. 2002 SHORT TERM FINANCING**

18                   (Line of Credit; P.L. 26-84 amended by P.L. 26-122

19                   and P.L. 26-130; due FY 2012 as the final year; source

20                   of payment Section 30 Funds)                   \$ 1,281,818 4/

21                   4/ Section 30 Funds

22           **E. LIMITED OBLIGATION INFRASTRUCTURE**

23                   **IMPROVEMENT BONDS, 1997 SERIES A**

24                   (Tumon Redevelopment; payment from the Tourist

1	Attraction Fund, pursuant to P.L. 24-111)	<u>\$ 7,243,351</u> 5/
2	5/ Tourist Attraction Fund	
3	<b>GRAND TOTAL</b>	<b>\$34,973,387</b>

1 **CHAPTER II**

2 **APPROPRIATIONS FOR EXECUTIVE BRANCH OPERATIONS**

3 **Section 1. Executive Branch Appropriations.** Four Hundred Forty Three  
4 Million Eight Hundred Eighty Six Thousand Seventy Five Dollars (\$443,886,075) are  
5 appropriated for the operations of the Executive Branch for fiscal year ending September  
6 30, 2008. This sum is composed of Three Hundred Fifty Four Million Four Hundred  
7 Twenty Two Thousand Four Hundred Thirty Eight Dollars (\$354,422,438) from the  
8 General Fund; Sixty Two Million Two Hundred Thousand Two Hundred One Dollars  
9 (\$62,200,201) from Special Funds; and Twenty Seven Million Two Hundred Sixty Three  
10 Thousand Four Hundred Thirty Six Dollars (\$27,263,436) from Federal Matching  
11 Grants-in-Aid. The appropriation shall be expended as follows:

	<b>General</b>	<b>Special</b>	<b>Federal Fund</b>	<b>Total</b>
	<b>Fund</b>	<b>Fund</b>	<b>Match</b>	
<b>I. EXECUTIVE DIRECTION</b>				
<b>A. Office of I Maga'lahaen</b>				
Guåhan and I Segundu				
Na Maga'lahaen Guåhan	\$5,973,357			\$5,973,357
<b>B. Bureau of Budget and</b>				
Management Research	1,399,126			1,399,126
<b>C. Bureau of Statistics</b>				
and Plans	1,107,622			1,107,622
<b>D. Military Affairs</b>	445,520		613,685	1,059,205
<b>E. Veterans Affairs</b>	297,463			297,463

	<b>General</b>	<b>Special</b>	<b>Federal Fund</b>	<b>Total</b>
	<b>Fund</b>	<b>Fund</b>	<b>Match</b>	
1				
2				
3	<b>F. Civil Service</b>			
4	Commission	599,712		599,712
5	<b>G. Guam Election</b>			
6	Commission	339,536		339,536
7	<b>H. Commission on</b>			
8	Decolonization	111,107		111,107
9	<b>TOTAL EXECUTIVE</b>			
10	<b>DIRECTION</b>	<b>\$10,273,443</b>	<b>\$</b>	<b>\$ 613,685</b>
11	<b>II. PUBLIC SAFETY</b>			
12	<b>A. Guam Police</b>	21,793,948	373,785 1/	615,860
13	<b>B. Guam Fire</b>	22,857,831	2,103,615 2/	
14	<b>C. Corrections</b>	14,318,079	1,554,525 3/	
15	<b>D. Youth Affairs</b>	3,513,878	300,000 4/	
16	<b>E. Chief Medical</b>			
17	Examiner	377,393		377,393
18	<b>TOTAL PUBLIC</b>			
19	<b>SAFETY</b>	<b>\$62,861,129</b>	<b>\$4,331,925</b>	<b>\$615,860</b>
20	<b>III. HOMELAND SECURITY</b>			
21	<b>A. Customs and Quarantine</b>		8,249,159 5/	8,249,159



	<b>General</b>	<b>Special</b>	<b>Federal Fund</b>	<b>Total</b>
	<b>Fund</b>	<b>Fund</b>	<b>Match</b>	
<b>3 TOTAL HOMELAND</b>				
<b>4 SECURITY</b>	<b>\$</b>	<b>\$8,249,159</b>	<b>\$</b>	<b>\$8,249,159</b>
<b>5 IV. HEALTH</b>				
<b>6 A. Integrated Services for Individuals</b>				
7 with Disabilities	1,754,007	739,938 4/	2,382,160	4,876,105
<b>8 B. Medical Referral</b>				
9 Offices	635,748			635,748
<b>10 C. Mental Health and</b>				
11 Substance Abuse	5,609,984	1,873,106 4/		7,483,090
<b>12 D. Public Health and</b>				
13 Social Services	19,395,235	7,528,314 6/	17,078,192	44,001,741
<b>14 E. Guam Memorial</b>				
15 Hospital	10,863,778			10,863,778
<b>16 TOTAL HEALTH</b>	<b>\$38,258,752</b>	<b>\$10,141,358</b>	<b>\$19,460,352</b>	<b>\$67,860,462</b>
<b>17 V. EDUCATION</b>				
<b>18 A. Guam Public School</b>				
19 System	172,397,860	6,500,000 7/		178,897,860
<b>20 B. University of Guam</b>	<b>22,368,175</b>	<b>2,737,141 8/</b>	<b>1,396,000</b>	<b>26,501,316</b>
<b>21 C. Guam Community</b>				
22 College	3,703,897	6,627,173 9/		10,331,070
<b>23 D. Guam Educational Telecommunications</b>				

	<b>General</b>	<b>Special</b>	<b>Federal Fund</b>	<b>Total</b>
	<b>Fund</b>	<b>Fund</b>	<b>Match</b>	
1				
2				
3	Corporation	557,722	50,582 8/	608,304
4	E. Guam Public Library	740,870	720,172 8/	1,461,042
5	<b>TOTAL EDUCATION</b>	<b>\$199,768,524</b>	<b>\$16,635,068</b>	<b>\$1,396,000</b>
6	<b>VI. FINANCE AND ADMINISTRATION</b>			
7	A. Administration	7,707,557		7,707,557
8	<b>TOTAL FINANCE AND</b>			
9	<b>ADMINISTRATION</b>	<b>\$7,707,557</b>	<b>\$</b>	<b>\$</b>
10	<b>VII. NATURAL RESOURCES</b>			
11	A. Agriculture	2,748,146	44,952 10/	376,500
12	B. Chamorro Land Trust			
13	Commission		497,189 14/	497,189
14	C. Guam Environmental			
15	Protection Agency		552,221 12/	552,221
16	D. Land Management	1,919,992	959,500 11/	2,879,492
17	E. Ancestral Lands			
18	Commission	229,823		229,823
19	F. Parks and Recreation	3,518,999	256,264 13/	3,775,263
20	<b>TOTAL NATURAL</b>			
21	<b>RESOURCES</b>	<b>\$8,416,960</b>	<b>\$2,310,126</b>	<b>\$376,500</b>
22	<b>VIII. LABOR</b>			
23	A. Contractor's License			

	<b>General</b>	<b>Special</b>	<b>Federal Fund</b>	<b>Total</b>
	<b>Fund</b>	<b>Fund</b>	<b>Match</b>	
3	Board	338,250 16/		338,250
4	<b>B. Licensing and Professional</b>			
5	Labor Regulations			
6	(PEALS, etc.)	203,843 15/		203,843
7	<b>C. Labor</b>	1,739,385	34,200	1,773,585
8	<b>TOTAL LABOR</b>	<b>\$1,739,385</b>	<b>\$34,200</b>	<b>\$2,315,678</b>
9	<b>IX. TRANSPORTATION</b>			
10	<b>A. Public Works</b>	8,920,057	16,780,522 17/	25,700,579
11	<b>B. Guam Mass Transit</b>			
12	Authority/DOA		2,500,000 18/ 859,915	3,359,915
13	<b>TOTAL</b>			
14	<b>TRANSPORTATION</b>	<b>\$8,920,057</b>	<b>\$19,280,522</b>	<b>\$29,060,494</b>
15	<b>X. TOURISM AND CULTURE</b>			
16	<b>A. Cultural Heritage and the Arts (Chamorro</b>			
17	Affairs, etc)	579,991	300,000 19/	879,991
18	<b>B. Guam Council on the Arts and Humanities</b>			
19	Agency		409,950 19/ 241,300	651,250
20	<b>TOTAL TOURISM AND</b>			
21	<b>CULTURE</b>	<b>\$579,991</b>	<b>\$709,950</b>	<b>\$1,531,241</b>
22	<b>XI. REVENUE AND TAXATION</b>			
23	<b>A. Revenue &amp; Taxation</b>	8,696,640		8,696,640

	<b>General</b>	<b>Special</b>	<b>Federal Fund</b>	<b>Total</b>
	<b>Fund</b>	<b>Fund</b>	<b>Match</b>	
<b>3 TOTAL REVENUE AND</b>				
<b>4 TAXATION</b>	<b>\$8,696,640</b>	<b>\$</b>	<b>\$</b>	<b>\$8,696,640</b>
<b>5 XII. JUSTICE</b>				
<b>6 A. Law</b>	<b>7,200,000</b>		<b>3,665,624</b>	<b>10,865,624</b>
<b>7 TOTAL JUSTICE</b>	<b>\$7,200,000</b>	<b>\$</b>	<b>\$3,665,624</b>	<b>\$10,865,624</b>
<b>8 GRAND TOTAL</b>	<b>\$354,422,438</b>	<b>\$62,200,201</b>	<b>\$27,263,436</b>	<b>\$443,886,075</b>

**9 NOTES:**

- 10 1/ Police Services Fund**
- 11 2/ Enhanced 911 Emergency Reporting System Fund**
- 12 3/ Corrections Revolving Fund**
- 13 4/ Healthy Futures Fund**
- 14 5/ Customs, Agriculture and Quarantine Inspection Services Fund**
- 15 6/ Environmental Health Fund (\$502,687) and Healthy Futures Fund (\$7,025,627)**
- 16 7/ School Lunch/SAE/Child Nutritional Meal Reimbursement Fund**
- 17 8/ Territorial Education Facilities Fund**
- 18 9/ Territorial Education Facilities Fund (\$6,383,778)**
- 19 and Tourist Attraction Fund (\$243,395)**
- 20 10/ Guam Plant Inspection and Permit Fund**
- 21 11/ Land Survey Revolving Fund**
- 22 12/ Air Pollution Control Special Fund (\$223,394); Guam Environmental Trust Fund**
- 23 (\$193,730); Water Research & Development Fund (\$80,313); and Water Protection Fund**
- 24 (\$54,784)**
- 25 13/ Public Recreation Services Fund (\$156,264) and Tourist Attraction Fund (\$100,000)**

- 1    **14/ Chamorro Land Trust Operations Fund**
- 2    **15/ Professional Engineers, Architects and Land Surveyors Board Fund**
- 3    **16/ Guam Contractors License Board Fund**
- 4    **17/ Guam Highway Fund (\$6,947,658); Solid Waste Operations Fund (\$5,880,808); and Street**
- 5       **Light Fund (\$3,952,056)**
- 6    **18/ Guam Highway Fund**
- 7    **19/ Tourist Attraction Fund**

1 **CHAPTER III**

2 **MISCELLANEOUS APPROPRIATIONS**

3 **Section 1. University of Guam for Scholarships and Training Programs.**

4 **(a) Student Scholarships, Financial Assistance Programs and Program**  
5 **Administration.** The sum of One Million Four Hundred Twenty Three Thousand One  
6 Hundred Twenty One Dollars (\$1,423,121) is appropriated from the General Fund to the  
7 University of Guam for Fiscal Year 2008 to be expended for the following student  
8 scholarships, financial assistance programs and program administrations: Merit Awards,  
9 Student Loans, Nurse Training Programs, Professional and Technical Awards, Reserve  
10 Officer Training Corps (“ROTC”), Regent Scholarships, Marine Lab Graduates  
11 Assistance Programs, Early High School Admission Programs, Pedro “Doc” Sanchez  
12 Scholarship Programs, John F. Quan Memorial Scholarship Program and administration  
13 of all student financial assistance programs. The University of Guam shall allocate this  
14 appropriation in order to fund student scholarships, financial assistance programs and  
15 program administration.

16 **(b) Dr. Antonio C. Yamashita Educator Corps.** The sum of Seven  
17 Hundred Twenty Two Thousand One Hundred Dollars (\$722,100) is appropriated from  
18 the General Fund to the University of Guam for Fiscal Year 2008 which shall disburse  
19 the funds pursuant to the directives and policies of the Educator Corps Council, for  
20 stipends for the Dr. Antonio C. Yamashita Educator Corps and for the administration of  
21 the Educator Corps Council, in accordance with the provisions of Public Law 24-231,  
22 and §15107 of Title 17 of the Guam Code Annotated, as *amended*.

1           **Section 2.     Appropriation for Aquaculture Development and Training**  
2 **Center.** The sum of Seventy Six Thousand One Hundred Eighty Two Dollars (\$76,182)  
3 is appropriated from the General Fund to the University of Guam for Fiscal Year 2008  
4 for the *sole* purpose of funding the continued operations of the Aquaculture Development  
5 and Training Center. Such funds shall *not* be transferred or used for any other purpose.

6           **Section 3.     Appropriation for WERI’s Guam Hydrologic Survey.** The sum  
7 of One Hundred Twenty Four Thousand Eight Hundred Seventy Three Dollars  
8 (\$124,873) is appropriated from the General Fund to the University of Guam for Fiscal  
9 Year 2008 to fund the Water and Environmental Research Institute of the Western Pacific  
10 (“WERI”) for the *sole* purpose of funding the Guam Hydrologic Survey (“GHS”). WERI  
11 shall continue to administer the GHS for the same purposes that have previously been  
12 established by the laws of Guam. Such funds shall *not* be transferred or used for any  
13 other purpose.

14           **Section 4.     Appropriation for WERI’s Comprehensive Water Resource**  
15 **Monitoring Program.** The sum of One Hundred One Thousand Nine Hundred Twenty  
16 Nine Dollars (\$101,929) is appropriated from the General Fund to the University of  
17 Guam for Fiscal Year 2008 to fund the Water and Environmental Research Institute of  
18 the Western Pacific (“WERI”). Such funds shall be used for the *sole* purpose of  
19 matching the Federal funding for the Comprehensive Water Resource Monitoring  
20 Program. WERI shall continue to administer the Comprehensive Water Resource  
21 Monitoring Program for the same purposes that have previously been established by the  
22 laws of Guam. Such funds shall *not* be transferred or used for any other purposes.

1           **Section 5. University of Guam for the College of Natural and Applied**  
2 **Sciences.** The sum of Fifteen Thousand One Hundred Sixty Nine Dollars (\$15,169) is  
3 appropriated from the General Fund to the University of Guam for Fiscal Year 2008 for  
4 the College of Natural and Applied Sciences which shall be divided equally between the  
5 Northern and Southern Soil and Water Conservation Districts Programs. Such funds  
6 shall *not* be transferred or used for any other purpose.

7           **Section 6. University of Guam for KPRG (Public Radio).** The sum of  
8 Seventy Five Thousand Eight Hundred Forty Four Dollars (\$75,844) is appropriated from  
9 the General Fund to the University of Guam for Fiscal Year 2008 for the KPRG (Public  
10 Radio) operations.

11           **Section 7. Guam Community College LPN and Vocational Guidance**  
12 **Programs.** The sum of Four Hundred Forty Seven Thousand Six Hundred Fifty Dollars  
13 (\$447,650) is appropriated from the General Fund to the Guam Community College for  
14 Fiscal Year 2008 to support the operational requirements of the Licensed Practical  
15 Nursing Program and Vocational Guidance Program.

16           **Section 8. Appropriations for Supplemental Annuity Benefits and for**  
17 **Other Costs. (a)** The sum of Six Million Nine Hundred Fifty Thousand Four Hundred  
18 Fifty Dollars (\$6,950,450) is appropriated from the General Fund, and the sum of Six  
19 Million Four Hundred Thousand Dollars (\$6,400,000) is appropriated from the  
20 remittance per Subsection (e) of Section 8 of Chapter III of this Act, to the Supplemental  
21 Annuity Benefits Special Fund for Fiscal Year 2008 for direct payments to those  
22 employees who retired *prior* to October 1, 1995, or their survivors, for the continuing  
23 provisions of Four Thousand Two Hundred Thirty Eight Dollars (\$4,238) per year in



1 supplemental annuity benefits, consisting of the sums of One Thousand Two Hundred  
2 Dollars (\$1,200), One Thousand Five Hundred Dollars (\$1,500), Seven Hundred Dollars  
3 (\$700), and Eight Hundred Thirty-Eight Dollars (\$838) in annual benefits formerly  
4 contained in various General Appropriation Acts.

5       **(b)** No persons eligible for Retiree Supplemental Annuity Benefits provided for  
6 in Subsection (a) of this Section shall receive such benefit if their regular annual  
7 retirement annuity, *excluding* survivor benefits, exclusive of the supplemental amounts  
8 herein is more than Forty Thousand Dollars (\$40,000). Persons eligible for Retiree  
9 Supplemental Annuity Benefits shall *only* receive an amount of such benefits up to the  
10 total aggregate sum of Forty Thousand Dollars (\$40,000) in combined retirement  
11 annuities and supplemental retirement annuities and *not more*.

12       **(c)** The Department of Administration shall be the responsible agency to  
13 disburse to the retirees or their survivors the supplemental annuities provided for in  
14 Subsection (a) of this Section. The Government of Guam Retirement Fund shall provide  
15 the necessary information for disbursement to the retirees or their survivors to the  
16 Department of Administration.

17       **(d)** Deposits made to the Supplemental Annuity Benefits Special Fund ("Fund")  
18 shall *not* be commingled with the General Fund and shall continue to be kept in a  
19 separate bank account which shall continue to be administered by the Director of the  
20 Department of Administration. This Fund shall *not* be subject to *I Maga'lahen Guåhan's*  
21 transfer authority.

22       **(e)** For October 1, 2007 to September 30, 2008, the Guam Power Authority, the  
23 A.B. Won Pat International Airport Authority of Guam, the Guam Economic

1 Development and Commerce Authority, the Guam Housing Corporation, the Government  
2 of Guam Retirement Fund, the Jose D. Leon Guerrero Commercial Port, the Guam  
3 Waterworks Authority and the Guam Visitors Bureau shall remit to the Department of  
4 Administration an amount equal to the number of eligible employees which are retired  
5 from each entity multiplied by the amounts listed in Subsection (a) of this Section. The  
6 remittance shall be made in two (2) equal installments on or before October 10, 2007, and  
7 April 12, 2008, respectively. Once remitted, this amount shall *not* be subject to *I*  
8 *Maga'lahi's* transfer authority.

9 (f) The sum of Seven Million Eight Hundred Ninety Seven Thousand Fifty  
10 Dollars (\$7,897,050) is appropriated from the General Fund to the Government of Guam  
11 Retirement Fund for the payment of benefits of current retirees from October 1, 2007 to  
12 September 30, 2008, consisting of the continuing provisions of Items (1) through (2),  
13 below:

14 (1) Retiree group health, dental and life insurance premiums (to  
15 continue existing programs currently contained in the semi-  
16 monthly payments); and

17 (2) Retiree life insurance subsidy (to continue existing programs  
18 currently contained in the semi-monthly payments).

19 (g) For October 1, 2007 to September 30, 2008, the Guam Power Authority, the  
20 A.B. Won Pat International Airport Authority of Guam, the Guam Economic  
21 Development and Commerce Authority, the Guam Housing Corporation, the Government  
22 of Guam Retirement Fund, the Jose D. Leon Guerrero Commercial Port, the Guam  
23 Waterworks Authority and the Guam Visitors Bureau shall remit to the Government of

1 Guam Retirement Fund the respective share of payments for medical, dental, and life  
2 insurance payments for their respective retirees. The remittance shall be due in two (2)  
3 equal installments on or before October 10, 2007, and April 1, 2008 respectively.

4 The autonomous agencies' share of payments for medical, dental, and life  
5 insurance authorized herein are *ex gratia* payments and are for Fiscal Year 2008 *only*.  
6 Future medical, dental, and life insurance payments made after October 1, 2008 may be  
7 addressed by future legislation.

8 **(h)** For October 1, 2007 through September 30, 2008, Three Hundred Eighty  
9 Seven Thousand Eight Hundred Ninety Five Dollars (\$387,895) is appropriated from the  
10 General Fund to the Government of Guam Retirement Fund to defray the cost of  
11 Medicare premiums for Government of Guam Retirees and their survivors who are  
12 eligible to receive social security income benefits and are required under the Government  
13 of Guam group health insurance program to pay such premiums in order to continue to  
14 participate in such health insurance program failing which they are excluded therefrom  
15 (to continue existing programs contained in the monthly payments).

16 **(i)** For Fiscal Year 2008, the sum of One Hundred Thirty Four Thousand Three  
17 Hundred Seventy Five Dollars (\$134,375) is appropriated from the General Fund to the  
18 Government of Guam Retirement Fund for *I Maga'lahi* and *I Segundu na Maga'lahi/I*  
19 *Segundu na Maga'haga* Pensions.

20 **(j)** For Fiscal Year 2008, the sum of Five Hundred Thousand Two Hundred  
21 Twenty Four Dollars (\$500,224) is appropriated from the General Fund to the  
22 Government of Guam Retirement Fund for retirement annuities for the Guam Superior  
23 Court Judges and Guam Supreme Court Justices.

1           (k) The Board of Trustees shall promulgate, maintain and amend, *if necessary*,  
2 administrative procedures to ensure the proper submission, receipt and accounting of all  
3 sums remitted in conformance with Subsections (f) and (h) of this Section.

4           **Section 9. Survivor Supplemental Annuity Additions.** Title 4 GCA  
5 §8135(d)(6) is *amended* to read as follows:

6                   “(6) the prospective payment of supplemental benefits for the period of  
7 ~~[October 1, 2006, through September 30, 2007]~~ October 1, 2007, through  
8 September 30, 2008, for survivors of those employees who retired *prior* to  
9 October 1, 1995, to be paid in the following manner:

- 10                   (i) Four Thousand Two Hundred Thirty-eight Dollars (\$4,238.00) in  
11 Retiree Supplemental Annuity Benefits, known as the sum of One  
12 Thousand Two Hundred Dollars (\$1,200.00), One Thousand five  
13 Hundred Dollars (\$1,500.00), Seven Hundred Dollars (\$700.00),  
14 and Eight Hundred Thirty-eight Dollars (\$838.00) in annual  
15 benefits formerly contained in various General Appropriation Acts.
- 16                   (ii) *No* persons eligible for Retiree supplemental Annuity Benefits  
17 provided for in Paragraph (6) of this Section shall receive such  
18 benefit *if* their regular annual retirement annuity *prior* to the  
19 supplemental amounts herein is more than Forty Thousand Dollars  
20 (\$40,000.00). Persons eligible for Retiree Supplemental Annuity  
21 Benefits shall *only* receive an amount of such benefits up to the  
22 total aggregate sum of Forty Thousand dollars (\$40,000.00) in

1 combined retirement annuities and supplemental retirement  
2 annuities and not more.”

3 **Section 10. Disability Supplemental Annuity Additions.** Title 4 GCA  
4 §8129(g) is *amended* to read as follows:

5 “(g) Any disability retirement annuitant who commenced receiving a  
6 disability retirement annuity *prior* to October 1, 1995, and who is entitled to  
7 disability retirement benefits under this Chapter shall receive, during the period  
8 commencing on [~~October 1, 2006, and ending on September 30, 2007~~] October 1,  
9 2007, and ending on September 30, 2008, prospective non-cumulative  
10 supplemental annuity benefits as follows:

11 (1) Four Thousand Two Hundred Thirty-eight Dollars(\$4,238.00)  
12 in Retiree Supplemental Annuity Benefits, known as the sum of  
13 One Thousand Two Hundred Dollars (\$1,200.00), One Thousand  
14 Five Hundred Dollars (\$1,500.00), Seven Hundred Dollars  
15 (\$700.00), and Eight Hundred Thirty-eight Dollars (\$838.00) in  
16 *annual* benefits formerly contained in various General  
17 Appropriation Acts.

18 (2) *No* persons eligible for Retiree Supplemental Annuity  
19 Benefits provided for in Paragraph (g) of this Section shall receive  
20 such benefit *if* their regular annual retirement annuity, *excluding*  
21 survivor benefits, *prior* to the supplemental amounts herein is more  
22 than Forty Thousand Dollars (\$40,000.00). Persons eligible for  
23 Retiree Supplemental Annuity Benefits shall *only* receive an

1 amount of such benefits up to the total aggregate sum of Forty  
2 Thousand Dollars (\$40,000.00) in combined retirement annuities  
3 and supplemental retirement annuities and *not more.*”

4 **Section 11. Retirees Supplemental Annuity Additions.** Title 4 GCA  
5 §8122(d)(6), is hereby *amended* to read as follows:

6 “(6) Any retirement annuitant who commenced receiving a retirement  
7 annuity *prior* to October 1, 1995, and who is entitled to retirement benefits under  
8 this Chapter, shall receive, during the period commencing on [~~October 1, 2006,~~  
9 ~~and ending on September 30, 2007~~] October 1, 2007, and ending on September  
10 30, 2008, prospective, non-cumulative supplemental annuity benefits as follows:

11 (i) Four Thousand Two Hundred Thirty-eight Dollars  
12 (\$4,238.00) in Retiree Supplemental Annuity Benefits, known as  
13 the sum of One Thousand Two Hundred Dollars (\$1,200.00), One  
14 Thousand Five Hundred Dollars (\$1,500.00), Seven Hundred  
15 Dollars (\$700.00), and Eight Hundred Thirty-eight Dollars  
16 (\$838.00) in annual benefits formerly contained in various General  
17 Appropriation Acts.

18 (ii) *No* persons eligible for Retiree Supplemental Annuity  
19 Benefits provided for in Paragraph (6) of this Section shall receive  
20 such benefit *if* their regular annual retirement annuity *prior* to the  
21 supplemental amounts herein, but *excluding* survivor benefits, is  
22 more than Forty Thousand Dollars (\$40,000.00). Persons eligible  
23 for Retiree Supplemental Annuity Benefits shall *only* receive an

1 amount of such benefits up to the total aggregate sum of Forty  
2 Thousand Dollars (\$40,000.00) in combined retirement annuities  
3 and supplemental retirement annuities and *not more.*”

4 **Section 12. Appropriation for Cost of Living Allowance (COLA).** (a) *I*  
5 *Maga'lahaen Guåhan* is authorized to give a “Cost of Living Allowance” (COLA) of One  
6 Thousand One Hundred Dollars (\$1,100) per retiree of the Government of Guam  
7 Retirement Fund who has retired as of September 30, 2007.

8 (b) *No* person eligible for the COLA benefits provided in Subsection (a) of  
9 this Section shall receive such benefit if his or her regular annual retirement annuity,  
10 *excluding* survivor benefits, exclusive of the supplemental amounts per Section 8,  
11 Chapter III of this Act, is more than Forty Thousand Dollars (\$40,000).

12 (c) The sum of Four Million Two Hundred Thirty Three Thousand Eight  
13 Hundred Dollars (\$4,233,800) is appropriated from the General Fund to the Department  
14 of Administration for Government of Guam retirees’ Cost of Living Allowance, as per  
15 subsection (a) of this Section, to be paid in Fiscal Year 2008.

16 (d) For Fiscal Year 2008, the Guam Power Authority, the A.B. Won Pat  
17 International Airport Authority Guam, the Guam Economic Development and Commerce  
18 Authority, the Guam Housing Corporation, the Government of Guam Retirement Fund,  
19 the Jose D. Leon Guerrero Commercial Port, the Guam Waterworks Authority and the  
20 Guam Visitors Bureau shall pay for the “Cost of Living Allowance” (COLA), as per  
21 subsection (a) of this Section, for their respective retirees.

22 **Section 13. Appropriation for Textbooks and Collateral Materials.** The  
23 following are appropriations to the Guam Public School System for the purchase of

1 textbooks, e-book readers and collateral materials to include software, sheet music and  
2 music books in accordance with the conditions and terms expressed in the following  
3 subsections:

4 (1) For Fiscal Year 2008, the sum of Three Million Five  
5 Hundred Thousand Dollars (\$3,500,000) is appropriated from the General Fund  
6 from Fiscal Year 2009 revenues to the Guam Public School System for the  
7 purchase of textbooks, e-book readers and collateral classroom instructional  
8 materials to include software, sheet music and music books. The Superintendent  
9 may, *if necessary*, through agreements with textbook vendors, defer payment for  
10 said materials until *after* October 1, 2008, but *not later than* December 31, 2008,  
11 with the full faith and credit of the government of Guam.

12 (2) The Guam Public School System shall order all textbooks, e-book  
13 readers and collateral classroom instructional materials, to include software, sheet  
14 music and music books funded by this section, *no later than* March 1, 2008 for  
15 Fiscal Year 2009, and the Bureau of Budget and Management Research shall  
16 release such allotments as are necessary to ensure that such textbooks, e-book  
17 readers and collateral classroom instructional materials, to include software, sheet  
18 music and music books, are ordered by this deadline. All textbooks and collateral  
19 classroom instructional materials to include software, sheet music and music  
20 books, shall be received and distributed to schools *no later than* thirty (30) days  
21 *prior* to the start of the school calendar established pursuant to Title 17 Guam  
22 Code Annotated §4111. All funds appropriated for textbooks, e-book readers and



1 collateral classroom instructional materials, to include software, sheet music and  
2 music books, shall *not* be used for any other purpose.

3 (3) For Fiscal Year 2008, on the first (1st) day of each fiscal quarter, the  
4 Superintendent of Education shall provide a detailed report to *I Maga'lahren*  
5 *Guåhan* and the Speaker of *I Liheslaturan Guåhan* on all receipts and  
6 expenditures for textbooks, e-book readers and collateral classroom instructional  
7 materials to include software, sheet music and music books. The report shall be  
8 accompanied by the certified list of textbooks approved by the Guam Education  
9 Policy Board and all purchase orders issued. The report shall be posted on the  
10 GPSS website. The report shall include summaries of the following information:

11 (A) purchases by allotment account number, unit cost and total cost of  
12 books charged against appropriation account, vendor, quantity, title,  
13 copyright date and ISBN number of books ordered, allocation of such  
14 books by school and grade, and statements as to whether books are for  
15 teachers or students and whether books are textbooks or e-books;

16 (B) the number of textbooks and e-book readers lost *or* damaged, the  
17 amounts collected for such lost *or* damaged items and the amount of  
18 receivables due for such lost *or* damaged items for the preceding fiscal  
19 year and the current fiscal year by month; and

20 (C) other information that may be useful, *or* requested by *I*  
21 *Liheslaturan Guåhan*, regarding an accounting for funds appropriated for  
22 such purposes.

1 Non-compliance with these reporting requirements by the Superintendent of Education  
2 shall result in the sanctions and penalties imposed by this Act.

3       **Section 14. Appropriation to the Guam Public School System for**  
4 **Summer School.** For Fiscal Year 2008, there is hereby appropriated such sums as are  
5 necessary from the Summer School Fund established pursuant to §6119 of Article 1 of  
6 Chapter 6 of Division 1 of Title 17 Guam Code Annotated, to the Guam Public School  
7 System to fund the operations of the 2008 Summer School Program. The Superintendent  
8 of Education shall submit a detailed report to *I Maga'lahren Guåhan* and the Speaker of *I*  
9 *Liheslaturan Guåhan* regarding the receipt and expenditure of said funds *no later than*  
10 thirty (30) days after the close of summer school and post the same on the GPSS website.  
11 Such report shall include the following:

- 12       (1) total revenues received, including identification of each revenue source;
- 13       (2) total expenditures and encumbrance by object classification and by school;
- 14       and
- 15       (3) the fund balance.

16       **Section 15. *Y Kuantan Salappe' Prinsepat (Principal's Fund).*** The sum of  
17 Five Hundred Fifty Five Thousand Dollars (\$555,000) is appropriated from the General  
18 Fund to the Guam Public School System for the Principal's Fund for Fiscal Year 2008.  
19 The amount appropriated herein shall be allocated per student to each school, based on  
20 the student population of each school at the end of the prior school year; provided that no  
21 school shall receive less than Five Thousand Dollars (\$5,000).

1           The Superintendent of Education shall submit a detailed quarterly report to *I*  
2 *Liheslaturan Guåhan* on the receipt and expenditure of said funds no later than thirty (30)  
3 days after the close of each quarter and post the same on the GPSS website.

4           **Section 16.     School Nutritional Meals.** Up to Six Million Five Hundred  
5 Thousand Dollars (\$6,500,000), as appropriated in Chapter II, Section 1, Part V (A) of  
6 this Act, from the School Lunch/SAE/Child Nutritional Meal Reimbursement Fund is  
7 made available to the Guam Public School System for non-personnel operating expenses  
8 incurred in accordance with the established guidelines for said programs.

9           **Section 17.     Interscholastic Sports Fund.** For Fiscal Year 2008, the sum of  
10 Five Hundred Nine Thousand Thirty Four Dollars (\$509,034) is appropriated from the  
11 Healthy Futures Fund to the Interscholastic Sports Fund within the Guam Public School  
12 System to fund Interscholastic Sports Programs. Expenditure of these funds shall comply  
13 with Title 17 GCA §7108.

14           **Section 18.     Health and Physical Education Activities.** For Fiscal Year 2008,  
15 the sum of Three Hundred Twenty Four Thousand Four Hundred Sixteen Dollars  
16 (\$324,416) is appropriated from the Healthy Futures Fund to the Guam Public School  
17 System for Health and Physical Education programs, intramural sports, and similar  
18 activities.

19           **Section 19.     Guam State Clearinghouse.** The sum of Three Hundred Twenty  
20 Five Thousand Dollars (\$325,000) is appropriated from the General Fund to the Guam  
21 State Clearinghouse for its operations in Fiscal Year 2008.

22           **Section 20.     Court Appointed Attorney Fees.** The sum of Six Hundred  
23 Eighty Thousand Seven Hundred Seventy Six Dollars (\$680,776) is appropriated from

1 the General Fund for Fiscal Year 2008 to the Judiciary, for the *sole* purpose of paying  
2 court-appointed attorney fees related to the legal defense of indigent people. Such funds  
3 shall be deposited into the Judicial Client Services Fund account, as created by Title 7  
4 G.C.A. Division One, Chapter 9.6, and shall *not* be subject to any transfer authority.

5 **Section 21. Adult and Juvenile Drug Courts.** The sum of Five Hundred  
6 Thirty Two Thousand Seven Hundred Forty Three Dollars (\$532,743) is appropriated  
7 from the General Fund to the Judiciary for the operational costs of the Adult and Juvenile  
8 Drug Courts for Fiscal Year 2008.

9 **Section 22. Permanent Injunction.** For Fiscal Year 2008, the sum of Eight  
10 Hundred Eighty Nine Thousand Six Hundred Sixty Seven Dollars (\$889,667) is  
11 appropriated from the General Fund to the Department of Integrated Services for  
12 Individuals with Disabilities for compliance with the requirements of the Permanent  
13 Injunction Civil Case No. CV 01-00041, J.C. et al v. Governor of Guam et al.

14 **Section 23. Youth Program Appropriation. (a)** The sum of Two Hundred  
15 Forty Four Thousand Six Hundred Sixty Two Dollars (\$244,662) is appropriated from  
16 the General Fund for Fiscal Year 2008 to the Department of Youth Affairs (DYA) to  
17 fund programs contracted out to non-governmental organizations for youths who are  
18 runaways, homeless, or victims of abuse.

19 **(b)** DYA shall submit a report to *I Maga'lahaen Guåhan* and the *Speaker of I*  
20 *Liheslaturan Guåhan* containing a full disclosure of all expenditures of said funds from  
21 this appropriation *no later than* forty-five (45) days after the close of each quarter of the  
22 fiscal year and post the same on DYA's website.

1           **Section 24. Off-island Residential Treatment Fund.** (a) The sum of One  
2 Million Three Hundred Ninety Seven Thousand Nine Hundred Nine Dollars (\$1,397,909)  
3 is appropriated from the General Fund to the Department of Administration to pay  
4 authorized expenses in Fiscal Year 2008 for persons under the jurisdiction of the Superior  
5 Court of Guam requiring residential care because of physical, mental or emotional  
6 disabilities or severe emotional disturbances. All patients and their escorts referred off  
7 Guam shall submit to the Director of Administration supporting documents to justify  
8 their authorized travel expenses.

9           **(b)** The Director of Administration shall submit a report to *I Maga'lahen*  
10 *Guåhan* and the Speaker of *I Liheslaturan Guåhan* a report containing a full disclosure of  
11 all expenditures of this appropriation, *no later than* thirty (30) days after the close of each  
12 quarter of the fiscal year and post the same on its website.

13           **Section 25. Public Assistance Program Payments.** The sum of Three  
14 Million Seven Hundred Fifty One Thousand Nine Hundred Dollars (\$3,751,900) is  
15 appropriated from the General Fund for Fiscal Year 2008 to the Department of Public  
16 Health and Social Services for Public Assistance Program payments.

17           **Section 26. Medically Indigent Program (MIP) and Medicaid Program**  
18 **Appropriation.** The sum of Twenty Two Million Two Hundred Twelve Thousand  
19 Four Hundred Thirty Three Dollars (\$22,212,433) is appropriated from the General Fund  
20 for Fiscal Year 2008 to the Department of Public Health and Social Services to be used  
21 for the following programs:

1           **(a)**     The sum of Fifteen Million Eight Hundred One Thousand Four Hundred  
2 Thirty Three Dollars (\$15,801,433) to the Medically Indigent Program Payment  
3 Revolving Fund (MIPPR) for the Medically Indigent Program (MIP).

4           **(b)**     The sum of Six Million Four Hundred Eleven Thousand Dollars  
5 (\$6,411,000) for the Medicaid Program.

6           **Section 27.   Appropriation to Catastrophic Illness Program.** The sum of  
7 One Hundred Thousand Dollars (\$100,000) is appropriated from the General Fund for  
8 Fiscal Year 2008 to the Department of Public Health and Social Services for the *sole*  
9 purpose of funding the Catastrophic Illness Program. The funds appropriated herein shall  
10 *not* be subject to *I Maga'lahaen Guåhan's* transfer authority.

11           **Section 28.   Government Claims Fund.   (a)**   The sum of One Hundred  
12 Thousand Dollars (\$100,000) is appropriated from the General Fund to the Department of  
13 Administration for the Government Claims Fund for the payment of eligible and  
14 approved Government Claims for Fiscal Year 2008.

15           **(b)**     The Director of Administration shall, *no later than* thirty (30) days after  
16 the close of each quarter for Fiscal Year 2008, submit to the Speaker of *I Liheslaturan*  
17 *Guåhan* a report containing a full disclosure of all expenditures of this appropriation and  
18 post the same on the Department's website.

19           **Section 29.   Government of Guam's General Purpose Financial Statement**  
20 **and Single Audit Report.** The sum of Three Hundred Seven Thousand Five Hundred  
21 Twenty Seven Dollars (\$307,527) is appropriated from the General Fund to the  
22 Department of Administration for the Fiscal Year 2007 Audit of the Government of  
23 Guam's General Purpose Financial Statement and the Single Audit Report. The Office of

1 the Public Auditor shall be responsible for the administration of such funds and shall  
2 maintain oversight of the conduct of the annual audit.

3       **Section 30. Appropriation to the Worker's Compensation Fund. (a)** The  
4 sum of Eight Hundred Forty Seven Thousand Nine Hundred Eighty Dollars (\$847,980) is  
5 appropriated from the General Fund to the Department of Labor for the Worker's  
6 Compensation Fund for Fiscal Year 2008. The funds appropriated in this Section shall be  
7 utilized for worker's compensation payments for the purposes set out in §9144 of Title 22  
8 of the Guam Code Annotated to pay worker's compensation for claims by employees of  
9 the government of Guam, including outstanding prior years' obligations and future  
10 obligations associated with the provisions of this Section.

11       **(b)** Notwithstanding any other provision of law, the appropriation made in this  
12 Section may be used to pay for medical, surgical, and other treatment; nurses; hospital  
13 services; medical travel and/or per diem; medicine; crutches; and apparatus required by  
14 the claimant for such period as the nature of the injury, or the process of recovery, may  
15 require.

16       **(c)** Notwithstanding any other provision of law, the appropriation made in this  
17 Section shall *not* be expended for disability compensation payments for FTE's funded by  
18 this Act.

19       **(d)** Notwithstanding any other provision of law, the Director of the  
20 Department of Labor is authorized to spend *up to* Forty Thousand Dollars (\$40,000) from  
21 this fund to pay for legal services for worker's compensation hearings for Fiscal Year  
22 2008.





1 a fund known as the 'Guam Public School System Operations Fund'. This fund shall *not*  
2 be commingled with the General Fund and shall be kept in a separate bank account to be  
3 in the name of the Guam Public School System (GPSS). The amount appropriated by *I*  
4 *Liheslaturan Guåhan* to the Guam Public School System for its annual operations shall  
5 be deposited in the Guam Public School System Operations Fund to cover the operational  
6 expenses of the Guam Public School System, and any use associated with the Guam  
7 Public School System, as determined in the Guam Public School System budget in  
8 accordance with Title 10 GCA Chapter 3, by the Guam Education Policy Board *or* the  
9 laws of Guam. The Superintendent of Education shall conduct public hearings at the  
10 public schools *prior* to the submission of the budget to the Guam Education Policy Board  
11 in order to address each school's individual budgetary requirements.

12 **(b)** The Superintendent of Education shall create and submit to the Speaker of  
13 *I Liheslaturan Guåhan, I Maga'lahren Guåhan* and the Director of Administration  
14 projected schedules of monthly cash disbursements for each school, division and  
15 program, by expenditure category, for the fiscal year. Such projected disbursements shall  
16 *not* exceed the total amount appropriated by *I Liheslaturan Guåhan* for the purpose of  
17 such appropriation. The Public Auditor shall approve the schedules.

18 **(c)** Thirty (30) days after the Public Auditor approves the cash disbursement  
19 schedules, the Superintendent of Education shall certify and submit to the Speaker of *I*  
20 *Liheslaturan Guåhan, I Maga'lahren Guåhan*, the Director of Administration and the  
21 Public Auditor, a revised budget document, in the format of the FY [~~2007~~] 2008 Budget  
22 Call forms of the Bureau of Budget and Management Research, including appropriations  
23 necessary to comply with Title 1 GCA §715 Item 12 (a) through (n), that shall reflect *all*

1 adjustments to the detailed breakdown contained in the original GPSS budget submission  
2 to *I Liheslaturan Guåhan*, to be consistent with the amounts allocated for each school and  
3 division in the GPSS projected cash disbursement schedules prepared by the  
4 Superintendent and approved by the Public Auditor. *All* quantities and items must be  
5 adjusted accordingly. The revised budget document will be a guide for every school,  
6 division and program, as well as *I Liheslaturan Guåhan*, *I Maga'lahen Guåhan* and the  
7 Public Auditor, to ensure that appropriated funds are used for the purposes intended. The  
8 revised budget document shall be posted, in its entirety, on the GPSS website and shall be  
9 updated each quarter. Penalties imposed for noncompliance with reporting requirements  
10 shall apply to this requirement.

11 (d) The Director of Administration shall deposit, on the last day of each  
12 month, a sum equal to the minimum amount required ~~[by the]~~ to meet local payroll and  
13 utility payments per projected schedules of cash disbursements prepared by the  
14 Superintendent, into the Guam Public School System Operations Fund, *except* that the  
15 Director of Administration for the first (1<sup>st</sup>) month of the fiscal year, on the first (1<sup>st</sup>)  
16 Friday of October, shall make a deposit equal to the amount required for the first (1<sup>st</sup>)  
17 month of the fiscal year, as reflected in the Guam Public School System's projected  
18 monthly schedules of cash disbursements, from the prior month's General Fund revenue  
19 collections. The Director of Administration shall, on the first (1<sup>st</sup>) day of each month,  
20 transfer to the Guam Public School System all funds held in the Guam Public School  
21 System Operation Fund, *except* that for the first (1<sup>st</sup>) month of Fiscal Year ~~[2007]~~ 2008,  
22 on October 15, ~~[2006]~~ 2007, the Director of Administration shall transfer all funds

1 contained in the Guam Public School System Operations Fund to the Guam Public  
2 School System.

3 (e) Before releasing the appropriation allotment to any government entity  
4 other than the Guam Public School System *or* from any other appropriation, the Director  
5 of the Bureau of Budget and Management Reserch shall *first* ensure that the Director of  
6 Administration has deposited the monthly cash requirement, as per subsection (d) of this  
7 Section, of the Guam Public School System into the Guam Public School System  
8 Operations Fund.

9 (f) Nothing herein shall be construed as preventing *I Liheslaturan Guåhan*  
10 from making additional appropriations to the Guam Public School System. *I Maga'lahren*  
11 *Guåhan's* transfer authority shall *not* apply to this *or* any other appropriation to the Guam  
12 Public School System, *except* that *I Maga'lahren Guåhan* may transfer funds into the  
13 Guam Public School System to the extent permitted by law. *I Maga'lahren Guåhan* may  
14 transfer to the Guam Public School System funds in excess of the amounts appropriated  
15 to the Guam Public School System herein if he determines that an emergency has created  
16 a need for such a transfer.”

17 **Section 36. Guam Public School System Operations Fund Appropriation.**  
18 Pursuant to §§52101 and 52102 of Chapter 52, Division 2 of Title 11 Guam Code  
19 Annotated, the sum of One Hundred Seventy Two Million Three Hundred Ninety Seven  
20 Thousand Eight Hundred Sixty Dollars (\$172,397,860) as appropriated from the General  
21 Fund in Chapter II, Section 1, Part V (A) of this Act, is hereby transferred to the Guam  
22 Public School System Operations Fund for Fiscal Year 2008. This appropriation shall be

- 1 expended in accordance with the approved cash disbursement schedules mandated under
- 2 Section 35 of this Act.

1 CHAPTER IV

2 MISCELLANEOUS PROVISIONS

3 Section 1. Transfer of Employees. Notwithstanding any other provision of  
4 law, and in recognition of the shortages of personnel in certain areas of the government, *I*  
5 *Maga'lahaen Guåhan* is authorized to transfer employees within or between any  
6 department or agency of the Government of Guam, *except* that:

7 (1) The provisions of this Section shall *not* apply to any employee of the  
8 Legislative or Judicial Branches of government, the Guam Public School System, the  
9 Guam Police Department, the Attorney General's Office (Department of Law), the Office  
10 of the Public Auditor, the University of Guam and Guam Community College;

11 (2) The transfer of any employee shall *not* result in a loss of pay or salary;

12 (3) *No* employee shall be transferred if the employee has filed a legitimate  
13 grievance with the Civil Service Commission for discrimination based on political  
14 affiliation, gender, or sexual harassment, unless the said transfer is agreed to by the  
15 employee;

16 (4) The provisions of this Section shall not authorize the transfer of  
17 autonomous agency employees into line departments or agencies;

18 (5) The transfer of any employee, including an employee of Guam Memorial  
19 Hospital Authority, Public Health and Mental Health pursuant to this Section shall be  
20 accompanied by a transfer of the authorized funding for the transferred employee's  
21 position by the department or agency from which the employee is being transferred,  
22 unless the employee is transferred to an autonomous department or agency; and

1           (6) This Section shall not be used to transfer employees acting in the best  
2 interest of the government in reporting or exposing bad business practices, illegal  
3 activities, or unofficial conduct by public officials.

4           **Section 2. Retirement Option for Government of Guam Employees Upon**  
5 **the Completion Remittance of Individual Retirement Fund Contributions.** Any and  
6 all active members of the Government of Guam Retirement Fund who meet the minimum  
7 eligibility requirements for retirement shall be granted the opportunity to retire upon the  
8 complete remittance of his or her outstanding individual retirement fund contributions.  
9 Such contributions shall include the employee and employer retirement fund  
10 contributions. Any and all fees, interest at actuarial rate, and penalties associated with  
11 the requirements set forth by the Government of Guam Retirement Fund shall be paid by  
12 the Government.

13           This Section does not restrict the continuing remittance of existing retirement  
14 fund contributions as required by law, or as set forth by the Government of Guam  
15 Retirement Fund. By the fifteenth (15<sup>th</sup>) day of each month, *I Maga'Lahen Guåhan* shall  
16 provide a detailed report to the Speaker of *I Liheslaturan Guåhan* on the remittances and  
17 number of retirements for the prior month pursuant to this Section. Nothing herein shall  
18 be construed to abrogate any of the provisions of Public Law 28-38.

19           **Section 3. Government of Guam Retirement Fund Rate of Contribution.**  
20 In accordance with §8137(e) of Article 1, Chapter 8 of Title 4 of the Guam Code  
21 Annotated, the government rate of contribution to the Retirement Fund, beginning  
22 October 1, 2007 for Fiscal Year 2008, shall equal 23.49%.

1           **Section 4.     Staffing Pattern Reporting.**

2           **(a)     Staffing Pattern.** Beginning October 1, 2007, and continuing on each  
3 quarter thereafter, each agency or department head in the Executive Branch of the  
4 government of Guam, the Chairperson of the Judicial Council and the Chairperson of the  
5 Board of Trustees of the Public Defender Service Corporation shall submit to the Speaker  
6 of *I Liheslaturan Guåhan* a current staffing pattern, in the format of the Executive Branch  
7 FY 2008 Budget Call, as of the previous month's ending, of employees funded by the  
8 respective instrumentality. Such staffing pattern shall include, *at a minimum*, the name of  
9 the employee, position title, salary, increment cost and benefits cost for each employee,  
10 as well as the funding source for the salary and benefits of each employee and shall be  
11 posted on the agency website.

12           **(b)     Electronic Data.** In addition to the document requested in Subsection (a)  
13 of this Section, reports shall be submitted in electronic format (including, but *not limited*  
14 *to*, diskettes, CD, and/or email) to the Speaker of *I Liheslaturan Guåhan*.

15           **Section 5.     Revenue Tracking Report.** The Director of the Bureau of  
16 Budget and Management Research, in collaboration with the Director of the Department  
17 of Revenue and Taxation and the Director of the Department of Administration shall  
18 determine, *no later than thirty (30) days after* the close of each month of Fiscal Year  
19 2008, the revenue tracking for the balance of the fiscal year, based upon the actual  
20 collections of the preceding month and prepare a comparative statement of the "actual"  
21 and "projected" revenues. Such information shall be compiled in a Report, certified by  
22 each of the aforementioned Directors and submitted to the Speaker of *I Liheslaturan*  
23 *Guahån no later than thirty (30) days after* the close of each month of the fiscal year.

1           **Section 6.       Contracts Exceeding Funds Restriction.**   No agency shall  
2 contract to spend, or enter into an agreement to spend, any money in *excess* of the amount  
3 allotted to the agency by the Bureau of Budget and Management Research (“BBMR”).  
4 Any contract or agreement in violation of this provision shall be void.

5           Any agency head or certifying officer who knowingly contracts to spend, or  
6 enters into an agreement to spend, any money in *excess* of the amount allotted by BBMR  
7 to the agency for the contract or agreement shall be guilty of a misdemeanor

8           **Section 7.       Moratorium on Compensation for Boards and Commissions.**  
9 For Fiscal Year 2008, notwithstanding any other provision of law, rule, or regulation, and  
10 *except* for the Civil Service Commission, the Guam Education Policy Board, and the  
11 Consolidated Commission on Utilities, a moratorium is hereby placed on the  
12 compensation of all members of government boards and commissions for their  
13 attendance at hearings and meetings.

14           **Section 8.       Limited Term Appointment Moratorium.** For Fiscal Year 2008,  
15 notwithstanding the provisions of §4102 of Title 4 of the Guam Code Annotated, or any  
16 other provision of law, *no* person may be employed on a temporary or limited term basis  
17 by an instrumentality of the government of Guam during the Fiscal Year, *except* for the  
18 following:

19           (1)   Certified persons in the Guam Public School System as identified in  
20 subsection (12) of Section 715 of Chapter 7 of Title 1 of the Guam Code Annotated;

21           (2)   Attorneys at the Department of Law (within the staffing pattern funding  
22 levels);

23           (3)   Nurses and doctors (within the staffing pattern funding levels);



1           (4)    Temporary survey workers employed by the Department of Labor and  
2 Bureau of Statistics and Plans for the purpose of conducting employment surveys (within  
3 staffing pattern funding levels);

4           (5)    Licensed healthcare professionals and other ancillary service personnel  
5 employed at the Guam Memorial Hospital Authority, the Department of Mental Health  
6 and Substance Abuse, and the Department of Public Health and Social Services (all  
7 within staffing pattern funding levels);

8           (6)    Academic personnel positions at the University of Guam and the Guam  
9 Community College (within their appropriated funding levels);

10          (7)    Substitute school bus drivers.

11          (8)    Persons filling temporary vacancies created by the call to active military  
12 duty of employees who are members of the reserve components of the Department of  
13 Defense and the Department of Transportation, included but not limited to the United  
14 States Army, United States Navy, United States Marine Corps, United States Air Force,  
15 the Army National Guard, the Air National Guard, and the United States Coast Guard.

16          (9)    Federally-funded positions (matching and up to 100%); and

17          (10)   Temporary Solid Waste Technicians employed by the Division of Solid  
18 Waste Management of the Department of Public Works for the purpose of collecting  
19 residential solid waste.

20           **Section 9.       Restrictions on Executive Branch Hiring of Unclassified**  
21 **Employees.** *No* government funds of any kind or description may be expended on the  
22 employment or hiring of unclassified employees in the Executive Branch of the  
23 government of Guam, *except* for the following:

- 1 (a) Certified persons in the Guam Public School System as identified in  
2 Subsection (12) of §715 of Chapter 7 of Title 1 of the Guam Code  
3 Annotated;
- 4 (b) Academic personnel positions at the University of Guam and the Guam  
5 Community College;
- 6 (c) Nurses, doctors, licensed health professionals and ancillary health  
7 employees necessary for clinical purposes at the Department of Public  
8 Health and Social Services, the Department of Mental Health and  
9 Substance Abuse, the Office of the Chief Medical Examiner, the Guam  
10 Memorial Hospital Authority, the Guam Police Department, and the  
11 Department of Integrated Services for Individuals with Disabilities;
- 12 (d) Department of Labor Survey Workers;
- 13 (e) Systems and Programming Administrator, Junior Systems Programmer,  
14 Senior Programmer Analyst, Junior Application Analyst, Junior  
15 Programmer Analyst and Junior Application Programmer at the  
16 Department of Revenue and Taxation;
- 17 (f) Federally-funded positions (matching and up to 100%); and
- 18 (g) Persons filling temporary vacancies created by the call to active military  
19 duty of employees who are members of the reserve components of the  
20 Department of Defense and the Department of Transportation including,  
21 *but not limited to*, the United States Army, United States Navy, United  
22 States Marine Corps, United States Air Force, the Army National Guard,  
23 the Air National Guard, and the United States Coast Guard.

1           This Section does *not* apply to employees of the Office of *I Maga'lahen Guåhan*,  
2 the Office of *I Segundu Na Maga'lahen Guåhan* and the Guam State Clearing House and  
3 department or agency heads, deputies and a private secretary.

4           **Section 10. Independent Contractors.** The Office of *I Maga'lahi*, the Office  
5 of *I Segundu Na Maga'lahen Guåhan* and the Guam State Clearing House may enter  
6 into agreements with independent contactors pursuant to Guam procurement laws.

7           **Section 11. Autonomous Agency Revenues and Expenditures Reported to I**  
8 ***Lihselaturan Guåhan.*** Notwithstanding any other provision of law, all autonomous and  
9 semi-autonomous agencies or public corporations shall report all revenues and  
10 expenditures for all funds under its purview and administration to the Speaker of *I*  
11 *Lihselaturan Guåhan* on a monthly basis showing revenues and expenditures from *all*  
12 funds and post the same on their websites.

13           **Section 12. Quarterly Reports of Medical Referral Offices.** Each of the  
14 Guam Medical Referral Offices funded by this Act shall provide quarterly reports on  
15 their activities and expenditures. Each report shall include, but not limited, to the  
16 following:

- 17           (a) number of referred patients served;
- 18           (b) number of patient escorts or accompanying family members served;
- 19           (c) average cost per patient referral incurred by the respective office during  
20 that quarter;
- 21           (d) actual office expenditures for the quarter including fuel costs; and
- 22           (e) outline of services provided during the quarter.

1 The Quarterly Reports required by this Section shall be submitted to *I Maga'laha*  
2 *Guåhan*, the Speaker of *I Liheslaturan Guåhan*, and the Office of the Public Auditor  
3 within the thirty (30) days after the close of each quarter of the fiscal year, and shall be  
4 posted on the offices' website.

5 **Section 13. Facilities Insurance Requirements.** Every department and  
6 agency of the government of Guam, as part of its appropriations for operations contained  
7 in this Act, may expend such sums as necessary for facilities insurance requirements.

8 **Section 14. Environmental Health Fund.** The Department of Public Health  
9 and Social Services ("DPHSS") is authorized to expend up to the level of revenues  
10 collected in the Environmental Health Fund for the operations of the Environmental  
11 Health division of the DPHSS in Fiscal Year 2008. This Fund is not subject to the  
12 transfer authority of the Director of DPHSS authorized in this Act or transfer authority of  
13 *I Maga'laha Guåhan*.

14 **Section 15. Volunteers and donations for Skinner Plaza, Plaza De Espana**  
15 **and Guam Congress Building.** Notwithstanding any provision of law to the contrary,  
16 the Executive Director or Acting Executive Director of *I Liheslaturan Guåhan* is  
17 authorized to receive donations, inclusive but not restricted to donations of goods,  
18 materials and services, for the purpose of maintaining and improving Skinner Plaza, the  
19 Plaza De Espana, and the Guam Congress Building (otherwise known as the Old  
20 Legislative Building).

21 **Section 16. Special Fund Transfer.** Notwithstanding any other provision of  
22 law, *I Maga'laha Guåhan* is authorized to transfer to the General Fund any cash  
23 available from any Special Fund or Revolving Fund to fund the appropriations authorized

1 in this Act; *except*, that such authority shall not extend to Trust Funds; the Historic  
2 Preservation Trust Fund; the Tourist Attraction Fund; Customs, Agriculture and  
3 Quarantine Inspection Services Fund; Healthy Futures Fund; Wildlife Conservation  
4 Fund; Special Funds under the purview of the Guam Environmental Protection Agency;  
5 and funds under the purview and administration of *I Liheslaturan Guåhan*, the Judiciary,  
6 the Guam Memorial Hospital Authority, the Guam Public School System and those  
7 departments and agencies exempted in this Act from any Governor's transfer authority.

8 All Special funds or Revolving funds transferred to cover the appropriations  
9 authorized in this Act shall be reimbursed to the Special or Revolving Fund from which it  
10 was transferred as cash becomes available.

11 *I Maga'lahren Guåhan* shall submit a report to the Speaker of *I Liheslaturan*  
12 *Guåhan* on the fifth (5<sup>th</sup>) day of every month subsequent to the enactment of this Act on  
13 the application of the provisions contained herein. Such report shall include detailed  
14 information on the amount of such transfers and the fund expending such monies.

15 **Section 17. Transfer Authority of I Maga'lahren Guåhan.** *I Maga'lahren*  
16 *Guåhan* is authorized to transfer funds between Fiscal Year 2008 General Fund  
17 Executive Branch appropriations, but shall *not* transfer appropriations made to the  
18 Department of Law, the Mayors Council, the University of Guam, the Guam Community  
19 College, the Guam Public School System and the Guam Public School System  
20 Operations Fund.

21 *I Maga'lahren Guåhan* shall report to *I Liheslaturan Guåhan* at the end of each  
22 month all transfers pursuant to this Section.

1           **Section 18. Secondary and Tertiary Road Projects.** The Director of Public  
2 Works is authorized to delete and add secondary and tertiary road repair projects to the  
3 list detailed in Part IV of Chapter II of Public Law 28-68, should such amendment be  
4 necessary due to changes in cost estimate, availability of funds or critical need, provided  
5 that the repair of potholes on primary and secondary roads must remain a top priority, and  
6 must commence as soon as is practicable. Any fees or charges required as a consequence  
7 of the issuance of revenue bonds as authorized in Part IV of Chapter II of Public Law 28-  
8 68 shall be paid from the proceeds of such bonds. The Director of Public Works may use  
9 proceeds of the bond, as well as other funds transferred to the Road and pothole Repair  
10 Fund established in Part IV of Chapter II of Public Law 28-68, for the bulk purchase of  
11 asphalt or pavement oil, pursuant to the Procurement Law, in the interest of reducing  
12 costs of repair.

13           **Section 19. Contracts.**

14           **(a)** *Except* for positions filled in accordance with the merit system at the  
15 University of Guam, the Guam Community College, the Guam Public School System, the  
16 Judiciary of Guam, the Department of Law, the Guam Police Department, *I Liheslaturan*  
17 *Guåhan*, and licensed health professionals at the Guam Memorial Hospital, the  
18 Department of Public Health and Social Services and the Department of Mental Health  
19 and Substance Abuse, positions in the classified and unclassified service shall *not* be  
20 filled pursuant to a contractual arrangement.

21           **(b)** Pursuant to the procurement law, government of Guam departments and  
22 agencies may enter into agreements with independent contractors provided that *no*

1 agency may contract for services customarily provided by employees defined in the  
2 classified service, unless permitted by the enabling legislation of the agency.

3 (c) This Section does not prohibit the use of independent contracts to obtain  
4 commonly recognized professional services, such as licensed health professionals,  
5 licensed architects, licensed engineers, legal services, actuarial services and auditing  
6 services (to include the Government of Guam Annual Financial Audit) by those agencies  
7 that do not customarily obtain such services through an employee.

8 (d) The Attorney General may contract with attorneys as independent  
9 contractors who can provide assistance in areas in which it is impracticable for the  
10 Department of Law to proceed with its existing civil service attorneys, such as anti-trust,  
11 maritime and admiralty law, patent and copyright law, prosecution of white collar crime,  
12 utilities regulation, the issuance of bonds, special tax issues, and complete civil litigation.  
13 The Attorney General shall file a copy of every such contract with the Chief Procurement  
14 Officer and Division of Accounts at the Department of Administration together with a  
15 written certification stating why it was impracticable to handle the matter with the  
16 Department's civil service attorneys and justifying the hiring of an independent  
17 contractor.

18 **Section 20. Contracting of Deputy Tax Collectors.** A new Section 15104 is  
19 hereby added to Chapter 15 of Title 11 of the Guam Code Annotated as follows :

20 **“Section 15104.** Contracting of Deputy Tax Collectors. The Director of  
21 Revenue and Taxation is authorized to contract with private companies, associations and  
22 corporations as Deputy Tax Collectors acting on behalf of the Director of Revenue and

1 Taxation to assist in the collection of delinquent tax assessments based on the following  
2 conditions:

3       **(a)** Following selections by competitive means in accordance with Guam  
4 Procurement Law, the Director shall enter into agreement with one or more private Guam  
5 companies, associations or corporations providing services with respect to the  
6 identification of persons or businesses who may owe taxes or other amounts, the  
7 collection of taxes, interest, additions to tax and penalties. This agreement may provide,  
8 at the discretion of the Director, the rate of payment and the manner in which to  
9 compensate for services shall be paid. The compensation may be added to the amount  
10 required to be identified or collected by the private entity, contractor or provider of these  
11 services from the tax debtor. The Director shall provide the necessary information for the  
12 contractor to fulfill its obligation under that agreement.

13       **(b)** For real property subject to sale by operation of law for the purpose of  
14 collecting delinquent real property tax and with the approval of the Director, the  
15 contractor may, as part of the collection process, refer to the tax debt for litigation by its  
16 legal representatives.

17       **(c)** When the Director engages private Guam companies, associations or  
18 corporations under the above statute, the Director shall be required to report to the  
19 Legislature on a quarterly basis the following:

- 20               1. Status of the collection efforts, and
- 21               2. The amount of tax payers' liability recovered."

22       **Section 21. Amendment to Subsection 2103.9, Chapter 2, Title 4 of the Guam**



1 **Code Annotated.** Subsection 2103.9 of Chapter 2 of Title 4 of the Guam Code  
2 Annotated is amended to read:

3 **“§2103.9. Time Limits on Acting Capacity for Positions Requiring**  
4 **Legislative Approval.**

5 (a) *I Maga’lahen Guåhan* [The Governor] or appointing authority may, by  
6 separate appointment, appoint a person in an acting capacity to fill a salaried position  
7 which requires the advice and consent of *I Liheslaturan Guåhan* [Guam Legislature]. In  
8 any twelve (12) month period, no person may serve in such an acting capacity for a total  
9 of more than [~~ninety (90) days plus three (3) legislative days~~] One Year; provided, that no  
10 acting director who is not otherwise a classified employee of the government of Guam  
11 may serve in the capacity of acting director without the transmittal of such person’s name  
12 to *I Liheslaturan Guåhan* for the purpose of confirmation within fifteen (15) days of their  
13 appointment as acting director. This Section does not apply to appointments to classified  
14 positions, but does apply to classified employees appointed in an acting capacity to  
15 positions requiring the advice and consent of *I Liheslaturan Guåhan*.

16 (b) In the event of that person’s rejection, a candidate's nomination may be  
17 resubmitted by the appointing authority to fill the same position, but the candidate may  
18 not function in an acting capacity for that position following such rejection, and may  
19 assume the position only when confirmed by *I Liheslaturan Guåhan*.

20 (c) No funds appropriated by law may be expended to pay a salary or any  
21 personnel benefits of any kind, or to pay someone on payroll or contract who serves in an  
22 acting capacity in a position to which that person was appointed by *I Maga’lahen*  
23 *Guåhan* and subsequently denied confirmation by *I Liheslaturan Guåhan*, for a period of

1 three (3) years following rejection of that person's appointment by *I Liheslaturan*  
2 *Guåhan*.

3 (d) No person shall serve for a period in excess of one year in an acting  
4 capacity on any board or commission, which shall include a period in time during which  
5 the position was held over. No person may be appointed to serve in an acting capacity on  
6 any board or requiring legislative advice and consent, unless that person has been  
7 nominated by the appointing authority to serve in that position in a permanent capacity  
8 and the nomination has been received by *I Lihislatura*. Failure to comply with this  
9 Subsection shall render the actions of a defective appointee null and void.

10 (e) An appointed board or commission member may continue to serve in that  
11 person's position after that person's term has expired in an acting holdover capacity until  
12 that person, or another person, is appointed by *I Maga'lahaen Guåhan* [Governor] and  
13 confirmed by *I Liheslaturan Guåhan* [the Legislature]; provided, that the time limits  
14 imposed by law on acting appointments shall apply.

15 (f) The [~~ninety (90) calendar day plus the three (3) legislative day~~] One Year  
16 limitation period for serving in an acting capacity shall not be tolled because another  
17 person is serving in a temporary acting capacity during the nominee's absence, nor shall it  
18 be tolled by the appointment of some other person to temporarily fill the position in an  
19 acting capacity."

20 **Section 22. Waiver of Economic Impact Statements for Proposed**  
21 **Departmental Fee Increases.** Notwithstanding any other provisions of law, subsections  
22 (d), (e), (f), (h) and (j) of Subsection 9301 of Chapter 9, Title 5, of the Guam Code  
23 Annotated are hereby waived for the Department of Revenue and Taxation, Guam Fire

1 Department, Department of Parks and Recreation, Department of Land Management,  
2 Contractors License Board, Department of Mental Health and Substance Abuse, and the  
3 Guam Police Department in these departments' implementation of fee increases for  
4 established fees and for the establishment of new fees in Fiscal Year 2008.

5 **Section 23. Transfer Authorization for the Department of Public Health**  
6 **and Social Services.** The Director of Public Health and Social Services may transfer  
7 funds between appropriations made in this Act for the Department of Public Health and  
8 Social Services. The Director of Public Health and Social Services shall submit  
9 notification of such intent to transfer funds *no later than* fifteen (15) working days *prior*  
10 to the effective date of such transfer to the Speaker of *I Liheslaturan Guåhan*.

11 **Section 24. Environmental Health Fund.** The Department of Public Health  
12 and Social Services ("DPHSS") is authorized to expend up to the level of revenues  
13 deposited in the Environmental Health Fund for the operations of the Environmental  
14 Health Division of the DPHSS in Fiscal Year 2008. In addition, the Controlled  
15 Substance Diversion Fund is to be maintained as a Special Fund for the Division of  
16 Environmental Health to support its efforts to implement activities and/or services related  
17 to the monitoring of dispensing of controlled substances. The unexpended balance of the  
18 Environmental Health Fund and the Controlled Substance Diversion Fund for Fiscal Year  
19 2007 shall *not* revert back but shall be carried over into Fiscal Year 2008. Funds  
20 appropriated hereunder shall *not* be subject to the transfer authority of *I Maga'lahaen*  
21 *Guåhan*.

22 **Section 25. Rainy Day Fund Amendment.** During the course of the fiscal  
23 year, should the actual General Fund revenues exceed the revenue estimate on which

1 appropriations have been based either on a monthly or quarterly comparison, an amount  
2 equal to revenues in excess of the monthly or quarterly projection shall be deposited into  
3 the Rainy Day Fund.

4 (a) Section 22903 of Article 9 Chapter 22, Division 2 of Title 5, Guam Code  
5 Annotated is hereby *repealed* and *reenacted* as follows:

6 “**Section 22903. Purpose and Expenditures.** Amounts in the Rainy Day Fund  
7 are to be used solely for the following purposes: (i) expenditure items related to a *force*  
8 *majeur* events whether or not an appropriation exists in the then current fiscal year, but  
9 only if such expenditures are less than \$10,000,000 and with any proposed expenditures  
10 above \$10,000,000 to be approved through statute, or (ii) paying down the outstanding  
11 cumulative General Fund budget deficit should one exist at the end of any respective  
12 fiscal year. For purposes of this Section, “*force majeure* events shall include typhoons,  
13 earthquakes, fires, storms, floods, droughts or other unexpected natural disasters, acts of  
14 war, acts of public enemies, orders of any kind of the government of the United States of  
15 America or any of its departments, agencies or officials, or any civil or military authority,  
16 insurrections, explosions, and partial or entire failure or unavailability of utilities.  
17 Priority shall be given for the purposes of health, education and safety.”

18 **Section 26. Repeal of §22904 of Article 9, Chapter 22, Division 2 of Title 5**  
19 **Guam Code Annotated.** §22904 of Article 9, Chapter 22, Division 2 of Title 5 Guam  
20 Code Annotated is hereby *repealed*.

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**CHAPTER V**

**ADMINISTRATIVE PROVISIONS**

**Section 1. Reporting Requirements.**

No later than thirty (30) days after the close of each of the first three (3) quarters of Fiscal Year 2008, and ninety (90) days after the close of the last quarter of Fiscal Year 2008, each department/agency head in the Executive Branch of the government of Guam, all autonomous, semi-autonomous agencies and Public Corporations inclusive of the Public Auditor of Guam, the Attorney General of Guam, the Administrator of the Courts, the Public Defender of Guam, the President of the Mayors Council of Guam, the Superintendent of the Guam Public School System, the President of the University of Guam, the President of the Guam Community College, the Administrator of the Guam Memorial Hospital Authority, the General Manager of the Guam Visitors Bureau, the Administrator of the Guam Economic Development and Commerce Authority, and the Director of the Guam Election Commission, shall submit in written and electronic format (including, but *not limited to*, diskettes, CD, and/or email) to the Speaker of *I Liheslaturan Guåhan* a report containing full disclosure of ALL funds under its purview and administration for the preceding quarter. Such disclosure shall be in the format of Financial Statements and/or revenue and expenditure reports for each of the funds he or she administers (appropriated, non-appropriated and other sources) or in the format as may be required by *I Liheslaturan Guåhan* and shall post the same on the department/agencies website. This and all other reporting requirements as mandated in this Act are subject to the following:

(a) Fifteen (15) days after the report’s due date, *I Maga’lahi*, through the Bureau of Budget and Management Research, shall notify the responsible

1 Department/Agency Head of the Executive Branch, of non-compliance and the imminent  
2 deappropriation of funds.

3 (b) Fifteen (15) days after the report's due date, the Chairpersons of all  
4 applicable Boards and Commissions shall notify the responsible reporting Official, listed  
5 in this Section, of non-compliance with reporting requirements and the imminent  
6 deappropriation of funds.

7 **Section 2. Deappropriation of Funds.** Failure to comply with reporting  
8 requirements as mandated in this Act, after the forty-fifth (45<sup>th</sup>) day from the original  
9 report due date, shall result in the automatic deappropriation of funds of five percent  
10 (5%) of the appropriations made to the non-compliant entity for EACH requirement not  
11 met. This Section shall *not* apply when the island is declared to be in the Condition of  
12 Readiness One or when *I Maga'lahi* has declared a state of emergency. The Public  
13 Auditor shall certify the deappropriation and report it to *I Maga'lahen Guåhan* and the  
14 Speaker of *I Liheslaturan Guåhan*. The Bureau of Budget and Management Research  
15 shall adjust the appropriation/allotment to effectuate any deappropriation and submit a  
16 report of such deappropriation(s) along with copies of the appropriation/allotment  
17 modification to the Speaker of *I Liheslaturan Guåhan*.

18 **Section 3. Authorization for Payment of Prior Years' Obligations.**  
19 Appropriations made in this Act may be expended for the payment of prior years'  
20 obligations. *I Maga'lahen Guåhan* shall deliver notice to the Speaker of *I Liheslaturan*  
21 *Guåhan* of each proposed expenditure. *I Liheslaturan Guåhan* shall have twenty (20)  
22 days to act on such notice. Such expenditure will be effective if no action is taken by *I*  
23 *Liheslaturan Guåhan*. For these purposes only, 2 GCA §2103, requiring a public hearing

1 for bills, and 5 GCA §8107, requiring notice of regular meetings, including legislative  
2 sessions, shall *not* apply.

3           **Section 4. Authorization for Matching Requirements for Federal Grants-**  
4 **In-Aid.** Notwithstanding any other provision of law, departments are authorized to  
5 expend funds appropriated in this Act for matching requirements of Federal grants.

6           **Section 5. Carryover of Local and Federal Matching Program Funds for**  
7 **grants.** The Local and Federal Matching Funds for programs whose expiration dates  
8 extend *beyond* September 30, 2008, are hereby authorized to be carried over and  
9 expended through the period of the grant award.

10           **Section 6. Federal Reimbursements into the General Fund.** Except as  
11 provided by the provisions of §5104(38) of Title 12 of the Guam Code Annotated, *if*  
12 Guam expends any funds, which are reimbursed by the Federal Government, the  
13 reimbursed funds shall be deposited in the General Fund promptly upon receipt.

14           **Section 7. Authorization to expend Indirect Cost Fees collected for Fiscal**  
15 **Year 2007.** The Bureau of Budget and Management Research develops the annual  
16 central cost allocation plan and indirect cost rate proposal for the collection of the  
17 government of Guam's share of indirect costs associated with administration of Federal  
18 grants and contracts.

19           Notwithstanding any other provision of law, the Bureau of Budget and  
20 Management Research ("BBMR") is allocated Three Percent (3%) of total indirect cost  
21 fees collected in Fiscal Year 2007. BBMR is authorized to expend fees for costs related  
22 to negotiating and administering the government of Guam's indirect cost rate.

1           **Section 8. Reporting Requirements for Non-Profit Organizations**  
2 **Receiving Appropriations from the Government of Guam.** All non-profit  
3 organizations funded by this Act shall maintain financial records that accurately account  
4 for appropriated funds and shall provide a budgetary breakdown by object category to the  
5 department or agency overseeing the appropriation. The non-profit organization shall also  
6 provide to the overseeing department or agency the following:

- 7           (a) A quarterly report describing the activities undertaken during the reporting  
8 period and the results achieved *no later than* twenty (20) days after the  
9 end of each quarter;
- 10          (b) Notification of all procurement of equipment and services of Five  
11 Thousand Dollars (\$5,000) or more prior to awarding contract;
- 12          (c) Access to the overseeing department or agency's duly authorized  
13 representative, and Government of Guam auditors to appropriate records  
14 for the purpose of audit and examination of books, documents, papers and  
15 records of funds expended under the appropriation;
- 16          (d) Submission of a detailed inventory listing, as appropriate, of each year's  
17 purchases, as certified by its certifying officer; and
- 18          (e) A Final Report to the overseeing department or agency for submission to *I*  
19 *Liheslaturan Guåhan* containing a full disclosure of all expenditures of  
20 funds appropriated under this Act *no later than* forty-five (45) days after  
21 the close of the last quarter of the fiscal year. The overseeing department  
22 or agency shall post the same on its website.



1           **Section 9. Appropriations from the Guam Contractor License Board**  
2 **Fund and Professional Engineers, Architects and Land Surveyors Board Fund to**  
3 **revert to the General Fund for Fiscal Year 2008.** At the end of Fiscal Year 2008, any  
4 unexpended or unencumbered appropriation balances from the Guam Contractors  
5 License Board ("GCLB") Fund and the Professional Engineers, Architects and Land  
6 Surveyors ("PEALS") Board Fund shall revert to the General Fund.

7           **Section 10. Reversion to the General Fund, Tourist Attraction Fund and**  
8 **Healthy Futures Fund.** Notwithstanding any other provision of law, *unless* otherwise  
9 specified in this Act or subsequent legislation:

10           **(a) General Fund Reversion.** All unexpended or unencumbered appropriations  
11 made from the General Fund pursuant to this Act, *unless* otherwise provided for in Fiscal  
12 Year 2008, shall *revert* to the General Fund on the last day of that fiscal year;

13           **(b) Tourist Attraction Fund Reversion.** All unexpended or unencumbered  
14 appropriations made from the Tourist Attraction Fund pursuant to this Act, unless  
15 otherwise provided for in Fiscal Year 2008, shall revert to the Tourist Attraction Fund on  
16 the last day of that fiscal year;

17           **(c) Healthy Futures Fund Reversion.** All unexpended or unencumbered  
18 appropriations made from the Healthy Futures Fund pursuant to this Act, unless  
19 otherwise provided for in Fiscal Year 2008, shall revert to the Healthy Futures Fund on  
20 the last day of that fiscal year.

21           **Section 11. Repeal and Reenactment of §1303 of Title 5 Guam Code**  
22 **Annotated.** §1303 of Title 5 Guam Code Annotated is *repealed* and *reenacted* to read:

1           “§1303. **Management of Allotments.** In the release of monthly allotments or  
2 quarterly allotments by the Bureau of Budget & Management Research from  
3 appropriation acts, the Director thereof shall base such allotments on anticipated cash  
4 receipts so that the obligations incurred pursuant to such release of periodic allotments  
5 shall have sufficient cash for their payment. This provision shall apply to all  
6 appropriations enacted into law.”

7           **Section 12. Severability.** *If* any provision of this Act or its application to any  
8 person or circumstances is held invalid, the invalidity shall *not* effect other provisions or  
9 applications of this Act which can be given effect without the invalid provision or  
10 application, and to this end the provisions of this Act are severable.