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I MINA'BENTE NUEBI NA LIHESLATURAN GUAHAN  
2007 (FIRST) Regular Session

Bill No. 170(LS)

Introduced by:

F. F. Blas, Jr. *FFB*

2007 SEP 11 AM 9:33  
*FFB*

AN ACT TO *ADD* ARTICLE 9 TO CHAPTER 60 OF  
TITLE 21 OF THE GUAM CODE ANNOTATED TO  
ESTABLISH THE *DLM BUILDING CONSTRUCTION*  
*FUND*, TO DEPOSIT ANY AND ALL FUNDS FROM  
FEMA HAZARD MITIGATION GRANT PROGRAM  
AWARDED UNDER PROJECT NUMBER HMGP DR  
1446, PROJECT #15, RELATIVE TO THE  
CONSTRUCTION OF A NEW DEPARTMENT OF  
LAND MANAGEMNT BUILDING IN HAGÁTÑA.

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** Article 9 is hereby added to Chapter 60 of Title 21 of the Guam  
Code Annotated to read as follows:

**“Article 9.**

**DLM Building Construction Fund.**

- §60900. Legislative Statement.
- §60901. Creation.
- §60902. Separate Fund and Bank Account.
- §60903. Purpose and Expenditures.
- §60904. Deposits.
- §60905. Administration.
- §60906. Investment.
- §60907. Severability.

**§60900. Legislative Statement.** *I Liheslaturan Guåhan* finds that  
the Department of Land Management has applied with the Federal Emergency  
Management Agency under the Hazard Mitigation Grant Program. The  
Department of Land Management desires to use the funds received from the

1 FEMA under the Hazard Mitigation Grant Program awarded under Project  
2 Number HMGP DR 1446, Project #15 to construct a building complex to house  
3 the operations of the Department of Land Management. The Department  
4 proposes to construct government of Guam building facility on Block 24, in the  
5 municipality of Hagåtña.

6 More importantly, *I Liheslaturan Guåhan* finds that the authorization of  
7 funds to be received from FEMA is strictly for the funding of the proposed  
8 construction of the government of Guam building facility on Block 24, and that  
9 *I Liheslaturan Guåhan* and *I Maga'lahaen Guåhan* cannot transfer or redirect the  
10 funding to any accounts other than for the expenditures of the proposed  
11 building construction on Block 24, *Hagåtña*.

12 **§60901. Creation.** There is hereby created, separate and apart from  
13 other funds of the government of Guam, a reserve fund known as the "***DLM***  
14 ***Building Construction Fund***".

15 **§60902. Separate Fund and Bank Account.** The DLM Building  
16 Construction Fund shall not be commingled with the General Fund or any other  
17 fund of the government of Guam. The DLM Building Construction Fund shall  
18 be maintained in a separate bank account.

19 **§60903. Purpose and Expenditures.** The DLM Building  
20 Construction Fund shall be expended for the construction of the new  
21 Department of Land Management building, including but not limited to the  
22 following: A/E for the proposed building facility; environmental concerns;  
23 archeological and historic site survey and or assessment of the project site; site  
24 preparation and civil work for the building foundation; construction cost for the  
25 structure of the proposed building facility to be built on government property  
26 described as Block 24, Hagåtña.

27 **§60904. Deposits.** All monies received from FEMA for the  
28 construction of the Department of Land Management building shall be  
29 deposited into the DLM Building Construction Fund.

30 **§60905. Administration.** The Director of Land Management  
31 Administration shall account for and administer the DLM Building  
32 Construction Fund. The Director shall keep all books, records, files and  
33 accounts of the DLM Building Construction Fund. The Director shall prepare  
34 monthly reports relative to the DLM Building Construction Fund reflecting the  
35 transactions and the financial condition of the DLM Building Construction  
36 Fund, which monthly reports shall be transmitted to the Legislature and the  
37 Governor.

38 **§60906. Investment.** The Director of Land Management  
39 together with the Director of Administration *shall* invest money held in the  
40 DLM Building Construction Fund in any type of investment approved for the

1 Retirement Fund. All proceeds and income from investments of the DLM  
2 Building Construction Fund *shall* be deposited in the DLM Building  
3 Construction Fund.

4 **§60907. Severability.** *If* any provision of this Law or its  
5 application to any person or circumstance is found to be invalid or contrary to  
6 law, such invalidity shall *not* affect other provisions or applications of this Law  
7 which can be given effect without the invalid provisions application, and to this  
8 end the provisions of this Law are severable.”