


MINA'BENTE NUEBE NA LIHESLATURAN GUÅHAN  
2007 (SECOND) Regular Session

Bill No. 74 (EC)

  
Committee on Calendar


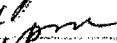
Introduced by:

by request of *I Maga'lahaen Guåhan*,  
the Governor of Guam, in accordance  
with the Organic Act of Guam.

AN ACT TO AMEND PUBLIC LAW 28-149 AND  
PUBLIC LAW 28-150 RELATIVE TO MAKING  
APPROPRIATIONS FOR THE OPERATIONS OF  
THE EXECUTIVE, LEGISLATIVE AND JUDICIAL  
BRANCHES OF THE GOVERNMENT OF GUAM  
FOR THE FISCAL YEAR ENDING SEPTEMBER 30,  
2007; TO AMEND THE REVENUES ESTIMATE FOR  
FISCAL YEAR 2007; TO AUTHORIZE *I*  
*MAGA'LAHEN GUÅHAN* TO TAKE OUT A LINE  
OF CREDIT; AND, FOR OTHER MISCELLANEOUS  
PROVISIONS.

Clerk of the Legislature

ACKNOWLEDGEMENT RECEIVED

Received by:   
Time: 8:44   
Date: 3/22/07

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2  
3 Chapter 1. Short Title.

4 Chapter 2. Amended Revenues Estimate for Fiscal Year 2007.

5 Chapter 3. Modifications to Public Law 28-149, "Educational  
6 Appropriations Act of 2007".

7 Chapter 4. Modifications to Public Law 28-150, "General  
8 Appropriations Act of 2007".

9 Chapter 5. Authorization for a Line of Credit.

10 Chapter 6. Miscellaneous Provisions.

11  
12  
13 CHAPTER 1  
14 SHORT TITLE  
15

16 Section 1. Short Title. This Act, together with any other  
17 appropriations act for Fiscal Year 2007, shall collectively be known as the  
18 "*Amended General Appropriations Act of 2007*". The Administrative and  
19 Miscellaneous provisions of any other appropriations act for Fiscal Year 2007  
20 shall govern this Act, *unless* otherwise specified herein. *Except* as otherwise  
21 provided herein, the appropriations made by this Act shall be available to  
22 pay for obligations incurred on or after October 1, 2006, but *no later than*  
23 September 30, 2007. *If* any appropriation of this Act is found to violate  
24 federal law, all other portions shall remain valid.

CHAPTER 2  
 AMENDED REVENUES ESTIMATE FOR FISCAL YEAR 2007

**Section 2. Amended Revenues Estimated for Fiscal Year 2007.**

Section 2 of Chapter 1, Public Law 28-149 is hereby amended to read:

“Section 2. Estimated Revenues for Fiscal Year 2007. *I Liheslaturan Guåhan*, the Guam Legislature, adopts the following revenue estimate for Fiscal Year 2007. Said estimates are the basis for the appropriations in this Act.

I. GENERAL FUND REVENUES	<u>AMOUNT</u>
<b>A. TAXES</b>	
Income Tax	
Corporate	<del>\$ 72,351,905</del> \$ <u>61,491,271</u>
Individual	<del>\$ 43,485,645</del> \$ <u>60,863,748</u>
Withholding Taxes,	
Interest and Penalties	\$ <u>188,644,496</u> \$ <u>155,143,392</u>
<u>Income Tax Amnesty</u>	\$ <u>13,000,000</u>
Provision for Tax Refund	
and EITC	( <del>\$75,600,000</del> )     ( <u>68,831,389</u> )
<b>TOTAL INCOME TAXES</b>	\$ <u>228,882,046</u> \$ <u>222,983,528</u>
Gross Receipts Tax	<del>\$162,565,341</del> \$ <u>171,541,059</u>
<u>Real Property Tax Amnesty</u>	\$ <u>17,000,000</u>
Other Taxes	<u>\$3,054,447</u> \$ <u>2,511,215</u>
<b>TOTAL TAXES</b>	<del>\$394,501,834</del> \$ <u>415,035,802</u>
<b>B. FEDERAL SOURCES</b>	\$57,961,358     \$ <u>59,329,029</u>
Federal Income Tax Collection (Section 30 Funds);	
Immigration Fees and Indirect Cost	

1			
2	C. USE OF MONEY AND PROPERTY	<del>\$906,895</del>	<u>\$ 2,788,805</u>
3			
4	D. LICENSES, FEES AND PERMITS	<del>\$1,643,484</del>	<u>\$ 1,452,186</u>
5			
6	E. DEPARTMENT CHARGES	<del>\$1,334,351</del>	<u>\$ 1,213,013</u>
7	TOTAL GENERAL FUND REVENUE	<del>\$456,347,922</del>	<u>\$477,502,329</u>
8	II. SPECIAL FUND REVENUES		
9	A. Air Pollution Control Special Fund		\$ 221,182
10	B. Chamorro Land Trust Operations Fund		492,266
11	C. Corrections Revolving Fund		1,539,134
12	D. Customs, Agriculture and Quarantine Inspection		
13	Services Fund		8,167,484
14	E. Enhanced 911 Emergency Reporting System Fund		2,082,787
15	F. Environmental Health Fund		497,710
16	G. Guam Contractors License Board Fund		334,901
17	H. Guam Environmental Trust Fund		191,812
18	I. Guam Highway Fund		15,324,872
19	J. Guam Plant Inspection and Permit Fund		44,507
20	K. Healthy Futures Fund		10,665,466
21	L. Interim Transition Coordinating Committee Fund		
22	(RTB Stock Redemption)		1,813,068
23	M. Judiciary Building Fund		20,000
24	N. Land Survey Revolving Fund		950,000
25	O. Manpower Development Fund		148,485
26	P. Police Services Fund		370,084
27	Q. Professional Engineers, Architects and		
28	Land Surveyors Board Fund		201,825
29	R. Public Recreation Services Fund		154,717
30	S. Safe Streets Fund		236,000
31	T. School Lunch/SAE/Child Nutritional Meal		
32	Reimbursement Fund		6,500,000
33	U. Solid Waste Operations Fund (Tipping Fees)		5,822,582
34	V. Street Light Fund		3,912,927

1	W. Territorial Education Facilities Fund	20,280,840
2	X. Tourist Attraction Fund	23,100,000
3	Y. Water Protection Fund	54,242
4	Z. Water Research and Development Fund	<u>79,518</u>
5	<b>TOTAL SPECIAL FUND REVENUE</b>	<b>\$103,206,409</b>

6

7 **III. FEDERAL MATCHING GRANTS-IN-AID**

8 **Federal Grants-In-Aid Requiring Local Match:**

9	A. Agriculture	\$560,565
10	B. Guam Council on the Arts and Humanities Agency	237,600
11	C. Guam Election Commission	700,000
12	D. Guam Police	546,918
13	E. Integrated Services for Individuals	
14	with Disabilities	2,052,208
15	F. Judiciary of Guam	311,926
16	G. Labor	33,100
17	H. Law (AG)	4,205,679
18	I. Military Affairs	839,150
19	J. Public Health and Social Services	22,346,660
20	K. University of Guam	<u>1,508,000</u>

21	<b>TOTAL FEDERAL MATCHING</b>	
22	<b>GRANTS-IN-AID</b>	<b>\$33,341,806</b>

23

24 **REVENUE SUMMARY:**

25	<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$467,169,408</b>
26	<b>TOTAL SPECIAL FUND REVENUE</b>	<b>\$103,206,409</b>
27	<b>TOTAL FEDERAL MATCHING</b>	
28	<b>GRANTS-IN-AID</b>	<b><u>\$ 33,341,806</u></b>
29	<b>GRAND TOTAL</b>	<b>\$592,896,137''</b>

30

31



1           **"Section 1. Appropriations to the Guam Community**  
2 **College.** The amounts, in the Subsections below, totaling ~~Fourteen~~  
3 ~~Million Six Hundred One Thousand Five Hundred Seventy-four~~  
4 ~~Dollars (\$14,601,574)~~ Fourteen Million Four Hundred Eighteen  
5 Thousand Six Hundred Sixty Dollars (\$14,418,660) are from the  
6 following Funds, and for the following purposes, to the Guam  
7 Community College for Fiscal Year 2007:

8           **(a) General Fund Appropriation for Operations.** The  
9 sum of ~~Seven Million Three Hundred Sixteen Thousand Five~~  
10 ~~Hundred Sixty-two Dollars (\$7,316,562)~~ Seven Million One  
11 Hundred Thirty-three Thousand Six Hundred Forty-eight  
12 Dollars (\$7,133,648) is appropriated from the General Fund to the  
13 Guam Community College for its operations in Fiscal Year  
14 2007."

15       **Section 3. Guam Educational Telecommunication Corporation**  
16 **(KGTF).** Section 1 and Section 1(a), Part IV, Chapter II of Public Law 28-149  
17 are hereby amended to read:

18       **"Section 1. Appropriation to the Guam Educational**  
19 **Telecommunication Corporation (KGTF).** The amounts, in the  
20 Subsections below, totaling ~~Five Hundred Seventy-six Thousand Sixty-~~  
21 ~~four Dollars (\$576,064)~~ Five Hundred Sixty-three Thousand Two  
22 Hundred and Two Dollars (\$563,202) are from the following Funds,

1 and for the following purposes, to the Guam Educational  
2 Telecommunication Corporation (KGTF) for Fiscal Year 2007:

3 (a) **General Fund Appropriation for Operations.** The  
4 sum of ~~Five Hundred Fourteen Thousand Four Hundred~~  
5 ~~Seventy-seven Dollars (\$514,477)~~ Five Hundred One Thousand  
6 Six Hundred Fifteen Dollars (\$501,615) is appropriated from the  
7 General Fund to the Guam Educational Telecommunication  
8 Corporation (KGTF) for its operations in Fiscal Year 2007.”

9 **Section 4. Guam Public Library System.** Section 1 and Section 1(a),  
10 Part V, Chapter II of Public Law 28-149 are hereby amended to read:

11 **“Section 1. Appropriation to the Guam Public Library System.**  
12 The amounts, in the Subsections below, totaling ~~One Million Nine~~  
13 ~~Hundred Four Thousand Five Hundred Thirty-seven Dollars~~  
14 ~~(\$1,904,537)~~ One Million Eight Hundred Seventy-four Thousand Nine  
15 Hundred Twenty-eight Dollars (\$1,874,928) are from the following  
16 Funds, and for the following purposes, to the Guam Public Library  
17 System for Fiscal Year 2007:

18 (a) **General Fund Appropriation for Operations.** The  
19 sum of ~~One Million One Hundred Eighty-four Thousand Three~~  
20 ~~Hundred Sixty-five Dollars (\$1,184,365)~~ One Million One  
21 Hundred Fifty-four Thousand Seven Hundred Fifty-six Dollars  
22 (\$1,154,756) is appropriated fir the General Fund to the Guam  
23 Public Library System for its operations in Fiscal Year 2007.”





1 requirements of the Permanent Injunction in Civil Case No. CV 01-  
2 00041, J.C. et al v. Governor of Guam, et al.”

3 **Section 3. Department of Mental Health and Substance Abuse.**

4 Subsection (a) of Section 1, Part III, Chapter II of Public Law 28-150 is hereby  
5 amended to read:

6 “(a) The sum of ~~Four Million Four Hundred Ninety-one Thousand~~  
7 ~~Eight Hundred Eighty-three Dollars (\$4,491,883)~~ Four Million Three  
8 Hundred Seventy-nine Thousand Five Hundred Eighty-six Dollars  
9 (\$4,379,586) is appropriated from the General Fund to the Department of  
10 Mental Health and Substance Abuse for its operations in Fiscal Year 2007.”

11 **Section 4. Guam Memorial Hospital Authority Pharmaceuticals**  
12 **Fund Appropriation.** Section 2, Part IV, Chapter II of Public Law 28-150 is  
13 hereby amended to read:

14 “Section 2. Guam Memorial Hospital Authority  
15 **Pharmaceuticals Fund Appropriation.** Pursuant to §§26208 and  
16 26208.1 of Chapter 26, Division 2 of Title 11 Guam Code Annotated, as  
17 *amended* by this Act, the sum of ~~Ten Million Sixty-two Thousand Seven~~  
18 ~~Hundred Ninety-five Dollars (\$10,062,795)~~ Nine Million Eight  
19 Hundred Eleven Thousand Two Hundred Twenty-five Dollars  
20 (\$9,811,225) is appropriated from the General Fund to the Guam  
21 Memorial Hospital Authority Pharmaceuticals Fund for Fiscal Year  
22 2007.”

1           **Section 5. Guam Memorial Hospital Authority Operations**  
2 **Appropriation.** Section 3, Part IV, Chapter II of Public Law 28-150 is hereby  
3 amended to read:

4           **“Section 3. Guam Memorial Hospital Authority Operations**  
5 **Appropriation.** The sum of ~~Three Million Six Hundred Thirty-nine~~  
6 ~~Thousand Nine Hundred Seventy-seven Dollars (\$3,639,977)~~ Three  
7 Million Five Hundred Forty-eight Thousand Nine Hundred Seventy-  
8 seven Dollars (\$3,548,977) is appropriated from the General Fund to  
9 the Guam Memorial Hospital Authority for its operations in Fiscal  
10 Year 2007.

11           The unexpended balance of the appropriation made to the Guam  
12 Memorial Hospital Authority in Section 25, Part III, Chapter II of  
13 Public Law 28-68 in the amount of Seven Million Eight Hundred  
14 Thousand Dollars (\$7,800,000) against Fiscal Year 2007 revenues shall  
15 continue to be available for expenditures in Fiscal Year 2007 for the  
16 same purposes in said appropriation.”

17           **Section 6. Guam Environmental Protection Agency.** Subsection (a),  
18 Subsection (b) and Subsection (c), Section 1, Part V, Chapter II of Public Law  
19 28-150 are hereby amended to read:

20           **“(a) Waste Reduction Education Strategy.** The sum of ~~Twenty~~  
21 ~~Thousand Dollars (\$20,000)~~ Nineteen Thousand Five Hundred Dollars  
22 (\$19,500) is appropriated from the General Fund to the Guam  
23 Environmental Protection Agency’s Solid Waste Management Fund for

1 the Agency's Information Services Branch to conduct the Waste  
2 Reduction Education Strategy. Said Strategy shall focus on student  
3 outreach in different grade levels of public and private schools and  
4 shall facilitate demonstration projects and service learning  
5 opportunities within said schools in Fiscal Year 2007.

6 **(b) HASSO Guam Program.** The sum of ~~Ten Thousand Dollars~~  
7 ~~(\$10,000)~~ Nine Thousand Seven Hundred Fifty (\$9,750) is appropriated  
8 from the General Fund to the Guam Environmental Protection  
9 Agency's Solid Waste Management Fund for use in the Solid Waste  
10 Management Division for public outreach to support HASSO Guam  
11 Program in its collection of household hazardous waste in Fiscal Year  
12 2007.

13 **(c) Appropriation to the Guam Environmental Protection**  
14 **Agency to Hire Two (2) Environmental Inspector II's.** The sum of  
15 ~~Eighty-one Thousand Seven Hundred Nineteen Dollars (\$81,719)~~  
16 Seventy-nine Thousand Six Hundred Fifty-six Dollars (\$79,656) is  
17 appropriated from the General Fund to the Guam Environmental  
18 Protection Agency to hire two (2) persons to fill Environmental  
19 Inspector II positions in the Water Programs – Enforcement Division in  
20 Fiscal Year 2007."

21 **Section 7. Guam Police Department.** Section 1(a), Part 1, Chapter III  
22 of Public Law 28-150 is hereby amended to read:

1           **"Section 1. Guam Police Department.** (a) The sum of  
2 ~~Twenty two Million Three Hundred Forty six Thousand Nine~~  
3 ~~Hundred Eighty six Dollars (\$22,346,986)~~ Twenty-one Million Seven  
4 Hundred Eighty-Eight Thousand Three Hundred Eleven Dollars  
5 (\$21,788,311) is appropriated from the General Fund to the Guam  
6 Police Department for its operations in Fiscal Year 2007 and for the  
7 implementation of Public Law 23-115, relative to permitting Guam  
8 Police Department officers to use their personal vehicles for official  
9 purposes."

10           **Section 8. Guam Fire Department.** Subsection (a), Section 1, Part II,  
11 Chapter III of Public Law 28-150 is hereby amended to read:

12           **"(a)** The sum of ~~Twenty one Million Ninety nine Thousand~~  
13 ~~Seven Hundred Seventy seven Dollars (\$21,099,777)~~ Twenty Million  
14 Five Hundred Seventy-two Thousand Two Hundred Eighty-three  
15 Dollars (\$20,572,283) is appropriated from the General Fund to the  
16 Guam Fire Department for its operations in Fiscal Year 2007."

17           **Section 9. Firefighters EMT-A Duty.** Section 2, Part II, Chapter III of  
18 Public Law 28-150 is hereby amended to read:

19           **"Section 2. Firefighters - EMT-A Duty.** The sum of ~~Six~~  
20 ~~Hundred Ninety five Thousand Two Hundred Seventy three Dollars~~  
21 ~~(\$695,273)~~ Six Hundred Seventy-seven Thousand Eight Hundred  
22 Ninety-one Dollars (\$677,891) is appropriated from the General Fund

1 to the Guam Fire Department for the purposes of §6223 of Article 2 of  
2 Chapter 6 of Title 4 Guam Code Annotated.”

3 **Section 10. Department of Corrections Operations.** Subsection (a),  
4 Section 1, Part III, Chapter III of Public Law 28-150 is hereby amended to  
5 read:

6 “(a) The sum of ~~Thirteen Million Nine Hundred Twenty-four~~  
7 ~~Thousand Four Hundred Twenty-six Dollars (\$13,924,426)~~ Thirteen  
8 Million Five Hundred Seventy-six Thousand Three Hundred Fifteen  
9 Dollars (\$13,576,315) is appropriated from the General Fund to the  
10 Department of Corrections for its operations in Fiscal Year 2007.”

11 **Section 11. Department of Youth Affairs.** Section 1, Part IV, Chapter  
12 III of Public Law 28-150 is hereby amended to read:

13 “**Section 1. Department of Youth Affairs.** The sum of  
14 ~~Three Million Three Hundred Fifty-six Thousand Five Hundred Fifty-~~  
15 ~~one Dollars (\$3,356,551)~~ Three Million Two Hundred Seventy-two  
16 Thousand Six Hundred Thirty-seven Dollars (\$3,272,637) is  
17 appropriated from the General Fund to the Department of Youth  
18 Affairs (DYA) for its operations in Fiscal Year 2007.”

19 **Section 12. Office of the Chief Medical Examiner.** Section 1, Part V,  
20 Chapter III of Public Law 28-150 is hereby amended to read:

21 “**Section 1. Office of the Chief Medical Examiner.** The  
22 sum of ~~Four Hundred Eight Thousand Five Hundred Fifty-nine~~  
23 ~~Dollars (\$408,559)~~ Three Hundred Ninety-eight Thousand Three

1 Hundred Forty-five Dollars (\$398,345) is appropriated from the  
2 General Fund to the Office of the Chief Medical Examiner for its  
3 operations in Fiscal Year 2007.”

4 **Section 13. Office of the Attorney General, Department of Law.**

5 Section 1(a), Part VII, Chapter III of Public Law 28-150 is hereby amended to  
6 read:

7 “(a) The sum of ~~Six Million Eight Hundred Twenty-eight~~  
8 ~~Thousand Four Hundred Five Dollars (\$6,828,405)~~ Six Million Six  
9 Hundred Forty-eight Thousand Three Hundred Sixty Dollars  
10 (\$6,648,360) is appropriated from the General Fund to the Office of the  
11 Attorney General, Department of Law, for its operations in Fiscal Year  
12 2007, which includes local matching fund requirements.”

13 **Section 14. Appropriation for Executive Branch.** Section 1, Part I,

14 Chapter IV of Public Law 28-150 is hereby amended to read:

15 “**Section 1. Appropriation for Executive Branch.** The sum of  
16 ~~Twenty six Million Two Hundred Forty-one Thousand One Hundred~~  
17 ~~Twenty-nine Dollars (\$26,241,129)~~ Sixty-six Million One Hundred  
18 Thirty-six Thousand Eight Hundred Forty-six Dollars (\$66,136,846) is  
19 appropriated to *I Maga’lahen Guåhan*, of which ~~Five Million Seven~~  
20 ~~Hundred Forty Thousand Six Hundred Eighty-three Dollars~~  
21 ~~(\$5,740,683)~~ Forty-five Million Six Hundred Thirty-six Thousand Four  
22 Hundred (\$45,636,400) is from the General Fund, Eighteen Million  
23 One Hundred Thirty Thousand Thirty-one Dollars (\$18,130,031) is

1 from Special Funds, as designated below, and Two Million Three  
2 Hundred Seventy Thousand Four Hundred Fifteen Dollars  
3 (\$2,370,415) is from Federal Matching Grants-in-Aid, as designated  
4 below, for Executive Branch operations, including personnel costs, in  
5 Fiscal Year 2007 for the following entities:

- 6 (a) Department of Administration (Guam Highway Fund - \$2,500,000);  
7 (General Fund- \$7,945,742).
- 8 (b) Department of Revenue and Taxation (General Fund-\$8,088,791).
- 9 (c) Bureau of Budget and Management Research (General Fund-  
10 \$1,315,926).
- 11 (d) Civil Service Commission (General Fund-\$455,979).
- 12 (e) Bureau of Statistics and Plans (General Fund-\$1,071,004).
- 13 (f) Department of Military Affairs (Federal Matching Grants-In-Aid -  
14 \$839,150); (General Fund-\$443,902).
- 15 (g) Department of Public Works (Guam Highway Fund - \$6,798,009)  
16 Solid Waste Operations Fund - \$5,822,582); (General Fund-  
17 \$7,744,930).
- 18 (h) Department of Labor (Manpower Development Fund - \$44,545)  
19 (Federal Matching Grants-In-Aid - \$33,100); (General Fund-  
20 \$1,660,119).
- 21 (i) Department of Agriculture (Guam Plant Inspection and Permit  
22 Fund - \$44,507) (Federal Matching Grants-In-Aid - \$560,565);  
23 (General Fund-\$2,136,038).



- 1       **(j)** Department of Land Management (Land Survey Revolving Fund -  
2       \$950,000) (FY 2005 Land Survey Revolving Fund Unreserved Fund  
3       Balance - \$682,580); (General Fund-\$2,140,380).
- 4       **(k)** Department of Parks and Recreation (Public Recreation Services  
5       Fund - \$154,717); (General Fund-\$3,450,743).
- 6       **(l)** Guam Council on the Arts and Humanities Agency (Tourist  
7       Attraction Fund - \$50,000) (Federal Matching Grants-In-Aid -  
8       \$237,600); (General Fund-\$254,482).
- 9       **(m)** Department of *Chamorro* Affairs (Tourist Attraction Fund - \$54,099);  
10       (General Fund-\$656,408).
- 11       **(n)** Guam Election Commission (Federal Matching Grants-In-Aid -  
12       \$700,000); (General Fund-\$331,048).
- 13       **(o)** Commission on Decolonization (General Fund-\$143,195).
- 14       **(p)** Guam Ancestral Lands Commission (General Fund-\$189,016).
- 15       **(q)** *Chamorro* Land Trust Commission (*Chamorro* Land Trust Operations  
16       Fund - \$492,266).
- 17       **(r)** Office of *I Maga'lahaen Guåhan* (General Fund-\$3,760,563).
- 18       **(s)** Office of *I Segundo Na Maga'lahaen Guåhan* (General Fund-  
19       \$1,084,437).
- 20       **(t)** Guam State Clearinghouse (General Fund-\$310,254).
- 21       **(u)** Office of Veteran's Affairs (General Fund-\$257,452).
- 22       **(v)** Medical Referral Office (General Fund-\$620,510).
- 23       **(w)** Guam Board of Accountancy. (General Fund-\$434,570)

1 (x) Guam Contractors License Board (Guam Contractors License Board  
2 Fund - \$334,901).

3 (y) Board of Professional Engineers, Architects and Land Surveyors  
4 (Professional Engineers, Architects and Land Surveyors Board Fund  
5 - \$201,825)."

6 **Section 15. TEFF Fund Debt Service Fund Savings Appropriation**

7 **Repeal.** Subsection (d) of Section 2 of Part 1 of Chapter IV, Public Law 28-  
8 150 is hereby repealed in its entirety.

9 ~~"(d) Notwithstanding any other provision of law, the debt~~  
10 ~~service savings of approximately Eight Million Dollars (\$8,000,000)~~  
11 ~~realized from the 1993 General Obligation Bond Refinancing is hereby~~  
12 ~~appropriated from the Territorial Education Facilities Fund to I~~  
13 ~~Maga'lahaen Guåhan for the Fiscal Year 2007 operations of the Executive~~  
14 ~~Branch."~~

15 **Section 16. Continuing Appropriation Repealed.** Section (3) of Part 1  
16 of Chapter IV, Public Law 28-150 is hereby repealed in its entirety.

17 ~~"Section 3. Continuing Appropriation. I Maga'lahaen Guåhan is~~  
18 ~~authorized to expend up to Twenty five Million Dollars (\$25,000,000)~~  
19 ~~of the balance of prior years' appropriations for Executive Branch~~  
20 ~~departments and agencies for operations in Fiscal Year 2007, except for~~  
21 ~~those appropriations otherwise continued pursuant to this Act. The~~  
22 ~~authority to expend the said Twenty five Million Dollars (\$25,000,000)~~  
23 ~~is deemed continued for Fiscal Year 2007 only. I Maga'lahaen Guåhan~~

1 shall identify such unexpended and unencumbered appropriations  
2 that continue into Fiscal Year 2007 and report such continued  
3 appropriations and the expenditures therefrom to the Speaker of *I*  
4 *Liheslaturan Guåhan*."

5 **Section 17. Appropriation to the Judiciary.** Section 12(a), Part II,  
6 Chapter IV of Public Law 28-150 is hereby amended to read:

7 "Section 12. Appropriation to the Judiciary. (a) The sum of  
8 ~~Twenty Million One Hundred Seventy-two Thousand Eight Hundred~~  
9 ~~Thirty-eight Dollars (\$20,172,838)~~ Nineteen Million Six Hundred Sixty-  
10 eight Thousand Five Hundred Seventeen Dollars (\$19,668,517) is  
11 appropriated from the General Fund to the Judiciary for its operations  
12 in Fiscal Year 2007."

13 **Section 18. Appropriation to *I Liheslaturan Guåhan*.** Section 16, Part  
14 II, Chapter IV of Public Law 28-150 is hereby amended to read:

15 "Section 16. *I Liheslaturan Guåhan* Operations. The sum  
16 of ~~Six Million Eight Hundred Thirty-three Thousand Five Hundred~~  
17 ~~Forty-six Dollars (\$6,833,546)~~ Six Million Six Hundred Sixty-two  
18 Thousand Seven Hundred and Seven Dollars (\$6,662,707) is  
19 appropriated from the General Fund to *I Liheslaturan Guåhan* for its  
20 operations, including personnel services."

21 **Section 19. Appropriation to the Office of Finance and Budget.**  
22 Section 17, Part II, Chapter IV of Public Law 28-150 is hereby amended to  
23 read:

1           **"Section 17. Appropriation to the Office of Finance and**  
2 **Budget.** The sum of ~~Five Hundred Five Thousand Six Hundred~~  
3 ~~Thirty four Dollars (\$505,634)~~ Four Hundred Ninety-two Thousand  
4 Nine Hundred and Ninety-three Dollars (\$492,993) is appropriated  
5 from the General Fund to *I Liheslaturan Guåhan*, specifically for the  
6 operations of the Office of Finance and Budget (OFB) including  
7 personnel services."

8           **Section 20. Mayor's Council of Guam.** Section 19 of Part II, Chapter  
9 IV of Public Law 28-150 is hereby amended to read:

10           **"Section 19. Mayors Council of Guam Operations. (a)** The sum  
11 of ~~Seven Million Five Hundred Fifty six Thousand One Hundred~~  
12 ~~Twelve Dollars (\$7,556,112)~~ Seven Million Three Hundred Sixty-seven  
13 Thousand Two Hundred and Nine Dollars (\$7,367,209) is appropriated  
14 from the General Fund to the Mayors' Council of Guam for personnel  
15 services, operations and utilities for Fiscal Year 2007.

16           **(b) Village Streets Maintenance and Beautification.** The sum  
17 of ~~One Million Five Hundred Thousand Dollars (\$1,500,000)~~ One  
18 Million Four Hundred Sixty-two Thousand Five Hundred Dollars  
19 (\$1,462,500) is appropriated from the General Fund to the Mayors  
20 Council of Guam for Fiscal Year 2007 for the maintenance and  
21 beautification of village secondary and tertiary roads and other  
22 operational requirements. Such funds shall *not* be subject to any  
23 transfer authority of *I Maga'lahaen*

1           *Guåhan*. The Fund shall be divided among the Village Mayors as  
2 follows:

3           (1) Each Mayor shall receive the sum of Twenty Thousand  
4 Dollars (\$20,000); and

5           (2) The remaining balance of the fund shall be distributed to  
6 each Mayor on a *pro rata* basis based on the total local  
7 road mileage in each village as a percentage of the total  
8 local road mileage in the 1998 Local Road Inventory of  
9 the Department of Public Works.

10           (c) The sum of ~~Three Hundred Eighty Thousand Dollars~~  
11 ~~(\$380,000)~~ Three Hundred Seventy Thousand Five Hundred Dollars  
12 (\$370,500) is appropriated from the General Fund to the Mayors  
13 Council of Guam, for Fiscal Year 2007, to be expended, in accordance  
14 with plans approved by the Village Municipal Planning Council and  
15 filed with the Director of Administration, on public safety and social  
16 education programs that enforce alcohol regulations, reduce underage  
17 drinking, support traffic safety, reduce drug-related violence and  
18 abuse and to support government of Guam substance abuse  
19 prevention programs.

20           (d) With the written approval of the Municipal Planning  
21 Councils, Village Mayors are authorized to apply additional funds  
22 derived from private contributions, donations, and fundraising to  
23 supplement their village projects or programs, including any programs

1 funded from local, federal, or special funds. Each Mayor shall submit  
2 a report to the Speaker of *I Liheslaturan Guåhan*, the President of the  
3 Mayors Council and the Public Auditor on the fifth (5<sup>th</sup>) day of the first  
4 (1<sup>st</sup>) month of every fiscal quarter (October 5<sup>th</sup>, January 5<sup>th</sup>, April 5<sup>th</sup>,  
5 July 5<sup>th</sup>) regarding the receipts, expenditures, and applications of these  
6 funds. Such report shall be posted on the website of the Mayors  
7 Council of Guam.

8 (e) The appropriation in Subsection (a) hereof shall provide for  
9 the rental of office space for the Mayors of Inarajan and Piti."

10 **Section 21. Office of the Public Auditor.** Section 21 of Part II,  
11 Chapter 12 of Public Law 28-150 is hereby amended to read:

12 **"Section 21. Appropriation to Office of the Public Auditor. (a)**  
13 The sum of ~~One Million One Hundred Two Thousand Seven Hundred~~  
14 ~~Thirty-one Dollars (\$1,102,731)~~ One Million Seventy-five Thousand  
15 One Hundred Sixty-two Dollars (\$1,075,162) is appropriated from the  
16 General Fund to the Office of the Public Auditor for its operations,  
17 including personnel costs, for Fiscal Year 2007.

18 (b) The sum of ~~One Hundred Thirty-four Thousand Fourteen~~  
19 ~~Dollars (\$134,014)~~ One Hundred Thirty Thousand Six Hundred Sixty-  
20 three Dollars (\$130,663) is appropriated from the General Fund to the  
21 Office of the Public Auditor to fund its Procurement Appeals Division  
22 for Fiscal Year 2007."

1           **Section 22. Public Defender Services Corporation.** Section 22 of Part  
2 II, Chapter IV of Public Law 28-150 is hereby amended to read:

3           **“Section 22. Public Defender Services Corporation.** The sum of  
4 ~~Two Million Eight Hundred Seventy five Thousand Four Hundred~~  
5 ~~Eighteen Dollars (\$2,875,418)~~ Two Million Eight Hundred Three  
6 Thousand Five Hundred Thirty-three Dollars (\$2,803,533) is  
7 appropriated from the General Fund to the Public Defender Services  
8 Corporation for its operations in Fiscal Year 2007.”

9           **Section 23. I Segundu Na Maga'lahaen Guåhan and the Guam State**  
10 **Clearinghouse.** Section 28 of Part II, Chapter IV of Public Law 28-150 is  
11 hereby amended to read:

12           **“Section 28. Appropriations made to the Office of I Segundu**  
13 **Na Maga'lahaen Guåhan and the Guam State Clearing House.** From  
14 the sums appropriated from the General Fund pursuant to Section 1 of  
15 Chapter IV, Part I of this Act, *I Maga'lahaen Guåhan* shall expend the  
16 sum of ~~One Million Four Hundred Sixty Thousand Nine Hundred~~  
17 ~~Seventy eight Dollars (\$1,460,978)~~ One Million Three Hundred Ninety-  
18 four Thousand Six Hundred Ninety-one Dollars (\$1,394,691) as  
19 follows:

- 20           (a) The Sum of ~~One Million One Hundred Thirty five Thousand~~  
21 ~~Nine Hundred Seventy eight Dollars (\$1,135,978)~~ One  
22 Million Eighty-four Thousand Four Hundred Thirty-seven  
23 Dollars (\$1,084,437) shall be used for the operations of the

1 Office of *I Segundu Na Maga'lahaen Guåhan*, of which one  
2 quarter, or the sum of Two Hundred Eighty-three Thousand  
3 Nine Hundred Ninety-five Dollars (\$283,995) shall be  
4 released for the period beginning October 1, 2006 to  
5 December 31, 2006;

6 (b) The Sum of ~~Three Hundred Twenty-five Thousand Dollars~~  
7 ~~(\$325,000)~~ Three Hundred Ten Thousand Two Hundred  
8 Fifty-four Dollars (\$310,254) shall be used for the operations  
9 of the Guam State Clearinghouse, of which one quarter, or  
10 the sum of Eighty-one Thousand Two Hundred-fifty Dollars  
11 (\$81,250) shall be released for the period beginning October  
12 1, 2006 to December 31, 2006.



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CHAPTER 5

AUTHORIZATION FOR A LINE OF CREDIT

**Section 1. Authority to Borrow.** *I Maga'lahaen Guåhan*, on behalf of the government of Guam, is authorized to borrow or arrange for a line or lines of credit *not to exceed* the aggregate amount of Thirty Million Dollars (\$30,000,000), and to execute such financial agreements with any bank or commercial lending institution licensed on Guam, government of Guam autonomous agencies or any other instrumentality of the government of Guam. The terms of a loan or line of credit shall include the following:

(a) *I Maga'lahaen Guåhan* shall use Thirty Million Dollars (\$30,000,000) of such loan or line or lines of credit for the purpose of meeting the annual operational appropriations for education, health and safety of the government of Guam; and, for the payment of prior years obligations;

(b) prepaid charges shall not be levied by the bank or entity for opening a line of credit;

(c) interest derived from the financial agreement shall be exempt from taxation by the government of Guam;

(d) all terms of the financial agreement shall be negotiated by *I Maga'lahaen Guåhan* in the best interest of the People of Guam;

(e) the interest rate shall be negotiated between *I Maga'lahaen*

1 *Guåhan* and the lender, such interest rate shall not exceed eight percent  
2 (8%) per annum and shall be computed on a three hundred sixty-five  
3 (365) days calendar year upon the actual amount extended to the  
4 government, and to be paid annually;

5 (f) the loan or line or lines of credit will be secured by a pledge of  
6 Section 30 Funds [Title 48 U.S. Code §11421(h)];

7 (g) any money borrowed shall be repaid within ten (10) years  
8 with the option to extend for another five (5) years, and in no case shall  
9 any amount borrowed be financed, resulting in a repayment more than  
10 ten (10) years after the loan is made *unless* the option to extend is  
11 exercised; and

12 (h) funds necessary for the repayment of the principal, interest  
13 and other costs associated with the financing, are to be paid in such  
14 amounts necessary from the unencumbered proceeds of Section 30  
15 Funds for the repayment of the loan or line or lines of credit.

16 **Section 2. Early Payoff of Loan or Line or Lines of Credit.** Twenty-  
17 five percent (25%) of any amount in excess of One Hundred Million Dollars  
18 (\$100,000,000) payable to the Government of Guam by the government of the  
19 United States pursuant to Section 30 of the Organic Act, Title 48 U.S. Code  
20 §11421(h), shall be used for the accelerated payment of the loan or line or  
21 lines of credit.

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CHAPTER 6

MISCELLANEOUS PROVISIONS

**Section 1. Autonomous Agencies COLA Annuity Share.** (a) The Guam Power Authority, the A. B. Won Pat International Airport Authority, the Guam Economic Development and Commerce Authority, the Guam Housing Corporation, the Government of Guam Retirement Fund, the Jose D. Leon Guerrero Commercial Port, the Guam Waterworks Authority and the Guam Visitors Bureau shall pay a "Cost of Living Allowance" (COLA) of One Thousand One Hundred Dollars (\$1,100) per annuitant and to the survivors of retirees from such autonomous agency receiving COLA as of September 30, 2006. (b) The Autonomous Agencies shall each remit a reimbursement to the General Fund for any COLA amounts paid out to annuitants and survivors in fiscal year 2007 that have retired from the agency.

**Section 2. Proceeds.** Notwithstanding Title 5 GCA §22425, all real property tax proceeds levied pursuant to Title 11 GCA §24103, for the years prior to and including the year 2005 and collected by on behalf of the government of Guam, shall be deposited in the Treasury of Guam to the credit of the general fund.

**Section 3. Reversion of Unencumbered or Unexpended Continuing Appropriations.** Notwithstanding any other provision of law, all unexpended or unencumbered continuing General Fund appropriations as

1 of March 31, 2007, contained in the following sections of P.L. 28-150 shall  
2 revert to the General Fund:

- 3 1) Section 4, Part I- Department of Public Health and Social  
4 Services, Chapter II;
- 5 2) Section 19, Chapter V, Miscellaneous Provisions;
- 6 3) Section 21, Chapter V, Miscellaneous Provisions;
- 7 4) Section 22, Chapter V, Miscellaneous Provisions;
- 8 5) Section 23, Chapter V, Miscellaneous Provisions;
- 9 6) Section 26, Chapter V, Miscellaneous Provisions;
- 10 7) Section 40, Chapter V, Miscellaneous Provisions; and
- 11 8) Section 41, Chapter V, Miscellaneous Provisions.

12 **Section 4. Government of Guam Retirement Fund Rate of**  
13 **Contribution.** Section 3, Chapter V of Public Law 28-150 is hereby amended  
14 to read:

15 **“Section 3 Government of Guam Retirement Fund Rate of**  
16 **Contribution.** In accordance with §8137(e) of Article 1, Chapter 8 of  
17 Title 4 of the Guam Code Annotated, in each fiscal year beginning with  
18 Fiscal Year 2007 and continuing through Fiscal Year 2011, the  
19 government’s rate of contribution to the Government of Guam  
20 Retirement Fund shall annually increase by no less than 0.84% in order  
21 to reach the contribution rate of 26% ~~or the actuarial recommended~~  
22 ~~contribution rate.”~~

1           **Section 5. Moratorium on Extended Hours.** A moratorium is hereby  
2 in effect for extended hours of operation for government instrumentalities  
3 affected by 4 GCA §4120(a). Such moratorium shall sunset on January 1,  
4 2009.

5           **Section 6. Creation of the Structural Stabilization Fund.** Article 9,  
6 Chapter 22, Title 5 GCA is hereby repealed and reenacted as follows:

7           “§22901. **Purpose.** The Structural Stabilization Fund is a cash  
8 fund that the government of Guam maintains for the contingencies  
9 and which is available for appropriation by law for the purpose of  
10 addressing budgetary and eliminating or reducing any General Fund  
11 deficit existing at the end of a fiscal year resulting from a decline in  
12 revenues received or due to the General Fund.

13           A stabilization fund with a sufficient level of cash is necessary to  
14 ensure the continued orderly operation of government and provision  
15 of services to residents and continued of the tax structure if budget  
16 shortfalls develop during a fiscal year. The stabilization fund would  
17 demonstrate maintenance of fiscal stability which is a particularly  
18 important factor considered by credit rating agencies in their  
19 evaluation of the credit worthiness of local debt, with instability  
20 potentially leading to a credit downgrade and increased borrowing  
21 costs.

22           §22902. **Creation.** There is hereby established, in the Treasury of  
23 Guam, a Structural Stabilization Fund, hereinafter referred to as the

1 SSF, for the purpose of reducing the need for future tax increases,  
2 maintaining the highest possible bond rating, reducing the need for  
3 short term borrowing, providing available resources to meet  
4 government obligations whenever deficits or failures in revenue occur,  
5 and providing the means of addressing budgetary shortfalls.

6 §22903. **Deposits and Appropriations.** All revenues in excess of  
7 expenditures authorized through appropriations from the General  
8 Fund shall be deposited in the SSF. However, no deposits to the SSF  
9 shall be made if such deposit exceeds twenty-five (25) percent of the  
10 average gross operating requirements funded by the General Fund.  
11 No appropriation of the SSF shall be made if such appropriation  
12 reduces the SSF below the twenty-five (25) percent average of the gross  
13 operating requirements funded by the General Fund.

14 §22904. **Investment.** Money in the SSF shall be invested, as  
15 provided by law, to cover budgetary shortfalls. Earnings realized in  
16 each fiscal year on the investment of monies in the SSF shall be  
17 deposited in the SSF.

18 §22905. **Reporting.** The Director of Administration shall  
19 account for and administer the SSF. The Director shall keep all books,  
20 records, files and accounts of the SSF. The Director shall prepare  
21 monthly reports relative to the SSF reflecting transactions and the  
22 financial condition of the SSF, which monthly reports shall be  
23 transmitted to Legislature and the Governor."

1           **Section 7. Increase in Gross Receipts Tax Rates.**     (a)

2     Notwithstanding any other provision of law, the four percent (4%)  
3     gross receipts tax rate contained in 11 GCA §26202  
4     (a),(c),(d),(e),(f),(g),(h), (i), and (j) shall be *amended* to five percent (5%),  
5     effective April 1, 2007. (b) Proceeds from the one percent (1%) increase  
6     of gross receipts tax effectuated by this Section, shall be deposited into  
7     the General Fund, notwithstanding Title 11 GCA §26208; nor shall the  
8     proceeds from the one percent (1%) increase be affected by any other  
9     law or covenant pledging or garnishing amounts from the gross  
10    receipts tax. (c) This Section shall cease to be effective after September  
11    30, 2008, at which time the rate shall revert to four percent (4%).

12           **Section 8. Use Tax Amendment.** §28104 of Chapter 28 of Title 11,  
13    Guam Code Annotated, is repealed and reenacted to read:

14           “§28104. **Rate of Tax.** The rate of the tax hereby imposed shall  
15    be four percent (4%). Effective April 1, 2007, the rate of the tax hereby  
16    imposed shall be five percent (5%) until September 30, 2008, at which  
17    time the rate shall revert to four percent (4%).”

18           **Section 9. Severability.** *If* any provision of this Act or its  
19    application to any person or circumstances is held invalid, the invalidity  
20    shall *not* affect other provisions or applications of this Act which can be  
21    given effect without the invalid provision or application, and to this end the  
22    provisions of this Act are severable.