

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
THIRTY FIRST GUAM LEGISLATURE
2012 (SECOND) REGULAR SESSION

2012 FEB 9
10:34

BILL NO. 426-31 (COR)

Introduced by:

Ramon J. Respicio
The Committee on Rules, Natural
Resources, and Federal, Foreign
& Micronesian Affairs

by request of *I Maga'lahaen 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, 2013,
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
5 Appropriations Act of 2013". Except as otherwise provided by this Act, the
6 appropriations made by this Act identifying Fiscal Year 2013 shall be available to pay for
7 obligations incurred on or after October 1, 2012 but no later than September 30, 2013. If
8 any appropriation in this Act is found contrary to federal law, all other portions of this
9 Act shall remain valid.

10 Section 2. Estimated Revenues for Fiscal Year 2013. I Liheslaturan
11 Guåhan, the Guam Legislature, adopts the following revenue estimates for Fiscal Year
12 2013 as the basis for the appropriations contained in this Act.

1	I. GENERAL FUND REVENUES	AMOUNT
2	A. TAXES	
3	Income Tax	
4	Corporate	\$115,700,007
5	Individual	\$73,469,937
6	Withholding Taxes, Interest and Penalties	\$204,643,469
7	Provision for Tax Refund Payments	<u>(\$100,000,000)</u>
8	TOTAL INCOME TAXES	\$293,813,413
9	Business Privilege Tax	\$228,751,346
10	GMHA Pharmaceutical Fund	
11	(\$26208 of 11 GCA)	(\$9,150,054)
12	Tiyan Credit	(\$4,670,139)
13	Other Taxes	<u>\$3,847,425</u>
14	TOTAL BUSINESS PRIVILEGE TAX	\$218,778,578
15	TOTAL TAXES	\$512,591,991
16	B. FEDERAL SOURCES	
17	Federal Income Tax Collection	
18	(Section 30 Funds); Immigrant Fees	\$54,951,519
19	Overpayment Reconciliation (3 of 4)	<u>(\$1,500,000)</u>
20	TOTAL FEDERAL SOURCES	\$53,451,519
21	C. USE OF MONEY AND PROPERTY	\$808,896
22	D. LICENSES, FEES AND PERMITS	
23	Licenses, Fees and Permits	\$5,070,909

1	Licenses, Fees and Permits (Better Public	
2	Service Fund) (Ch. 161 of 11 GCA)	<u>(\$507,091)</u>
3	TOTAL LICENSES, FEES, AND PERMITS	\$4,563,818
4	E. DEPARTMENT CHARGES	\$1,861,714
5	F. SECTION 2718 FUND	\$7,500,000
6	TOTAL GENERAL FUND REVENUE	\$580,777,938
7	2% GENERAL FUND RESERVE	
8	(Appropriations Cap of 98% of General Fund	
9	Revenue; §22436, Chapter 22 of Title 5 GCA)	<u>(\$11,615,559)</u>
10	TOTAL GENERAL FUND REVENUE	
11	AVAILABLE FOR APPROPRIATION	\$569,162,379
12	II. SPECIAL FUND REVENUES	
13	A. Air Pollution Control Special Fund	\$184,422
14	B. Better Public Service Fund	1,390,554
15	C. Chamorro Land Trust Operations Fund	1,023,596
16	D. Corrections Revolving Fund	855,661
17	E. Customs, Agriculture and Quarantine	
18	Inspection Services Fund	9,156,099
19	F. DPW Building and Design Fund	500,769
20	G. Enhanced 911 Emergency Reporting System Fund	1,650,630
21	H. Environmental Health Fund	687,441
22	I. Fire, Life and Medical Emergency Fund	73,065
23	J. Guam Contractors License Board Fund	862,450

1	K. Guam Environmental Trust Fund	331,869
2	L. Guam Highway Fund (GHF)	18,442,618
3	(a) GHF (Better Public Service Fund;	
4	Ch. 161 of 11 GCA)	(883,463)
5	(b) GHF (Public Transit Fund	
6	Fund; §26503 of 11 GCA)	(349,210)
7	Total Guam Highway Fund	17,209,945
8	M. GMHA Pharmaceuticals Fund	9,150,054
9	N. Guam Plant Inspection & Permit Fund	85,412
10	O. Public Transit Fund)	349,210
11	P. Healthy Futures Fund	14,601,686
12	Q. Indirect Cost Fund	1,826,894
13	R. Land Survey Revolving Fund	3,227,764
14	S. Manpower Development Fund	2,111,624
15	T. Police Services Fund	538,858
16	U. Professional Engineers, Architects, and	
17	Land Surveyors Board Fund	307,282
18	V. Public School Library Resources Fund	670,328
19	W. Public Recreation Services Fund	186,098
20	X. Safe Streets Fund	241,000
21	Y. School Lunch/Child Nutritional	
22	Meal Reimbursement Fund – Federal	
23	Sources (100% Federal Grant)	10,069,218

1	Z. Solid Waste Operations Fund	19,939,600
2	AA. Street Light Fund	3,590,261
3	AB. Tax Collection Enhancement Fund	686,717
4	AC. Territorial Education Facilities Fund	30,483,566
5	AD. Tourist Attraction Fund	23,168,200
6	AE. Water Protection Fund	66,461
7	AF. Water Research and Development Fund	<u>73,321</u>
8	TOTAL SPECIAL FUND REVENUE	\$155,300,055
9	III. FEDERAL MATCHING GRANTS-IN-AID REVENUES	
10	Federal Grants-In-Aid Requiring Local Match:	
11	A. Agriculture	\$288,500
12	B. Chamorro Affairs	307,500
13	C. Guam Community College	1,057,472
14	D. Guam Police	726,136
15	E. Integrated Services for Individuals	
16	with Disabilities	2,992,651
17	F. Labor	43,800
18	G. Mental Health and Substance Abuse	225,862
19	H. Military Affairs	1,547,700
20	I. Office of Attorney General	11,509,528
21	J. Public Health and Social Services	26,438,879
22	K. University of Guam	<u>2,943,706</u>
23	TOTAL FEDERAL MATCHING GRANTS-	

1	IN-AID REVENUE	\$48,081,734
2	REVENUE SUMMARY:	
3	TOTAL GENERAL FUND REVENUE	\$569,162,379
4	TOTAL SPECIAL FUND REVENUE	\$155,300,055
5	TOTAL FEDERAL MATCHING GRANTS-	
6	IN-AID REVENUE	<u>\$48,081,734</u>
7	GRAND TOTAL	\$772,544,168

8 **Section 3. Debt Service Continuing Appropriations for Fiscal Year 2013.** The
9 following are continuing appropriations for debt service requirements:

10 **A. GENERAL OBLIGATION BONDS, SERIES 1993 A**

11 (For education capital projects; Real Property Taxes pledged;
12 due FY 2018 as final year; P.L. 29-19 and P.L. 29-21,
13 net of UOG Bond Payment Obligation \$2,027,703) **\$2,799,549 1/**

14 **1/ Territorial Education Facilities Fund**

15 **B. 2002 SHORT TERM FINANCING**

16 **(SECTION 30 FUNDS)**

17 (Line of Credit; P.L. 26-84 amended by P.L. 26-122
18 and P.L. 26-130; due FY 2013 as the final year;
19 source of payment Section 30 Funds) **\$1,717,449 2/**

20 **2/ General Fund**

21 **C. GENERAL OBLIGATION BONDS, SERIES 2007 A**

22 (Partial refunding of GOB, 1993 Series A; funding
23 capital projects and certain obligations of the
24 Government of Guam; due FY 2037 as final year;

1 P.L. 29-19 and P.L. 29-21) \$7,874,700 4/

2 4/ Territorial Education Facilities Fund

3 **D. LIMITED OBLIGATION (SECTION 30)**

4 **BONDS, SERIES 2009A**

5 (To finance cost for the new landfill and
6 the closure of Ordot Dump; P.L. 30-1 amended

7 by P.L. 30-7; Due FY 2035 as final year) \$15,672,706 5/

8 5/ General Fund (\$3,692,212) and Solid Waste Operations Fund (\$11,980,494)

9 **E. GENERAL OBLIGATION BONDS 2009 SERIES A**

10 (To finance certain expense affecting General Fund
11 Deficit; P.L. 29-113 amended by P.L. 30-7;

12 Due FY 2040 as final year) \$21,532,221 6/

13 6/ General Fund

14 **F. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2010A**

15 **CERTIFICATES OF PARTICIPATION (JOHN F. KENNEDY HIGH**
16 **SCHOOL PROJECT)**

17 (P.L. 30-178; 5 GCA, Chapter 58A) \$5,131,938 7/

18 7/ General Fund

19 **G. LIMITED OBLIGATION HOTEL**

20 **OCCUPANCY TAX (HOT), REVENUE**

21 **BONDS, SERIES 2011A**

22 (Refunding of LO Infrastructure

23 Improvement Bonds, 1997 Series A;

24 To acquire, construct, or equip a new

1	Guam Museum, projects that benefit the	
2	tourism industry)	\$6,998,363 3/
3	3/ Tourist Attraction Fund	
4	GRAND TOTAL	\$61,726,926

1 **CHAPTER II**

2 **APPROPRIATIONS FOR EXECUTIVE BRANCH OPERATIONS**

3 **Section 1. Executive Branch Appropriations for Fiscal Year 2013.** Five

4 Hundred Twenty-six Million Six Hundred Seven Thousand Six Hundred Thirty-six

5 Dollars (**\$526,607,636**) are appropriated for the operations of the Executive Branch for

6 fiscal year ending September 30, 2013. This sum is composed of Four Hundred Eighteen

7 Million Eight Hundred Seventy-three Thousand Seven Hundred Forty-nine Dollars

8 (**\$418,873,749**) from the General Fund; Seventy-one Million One Hundred Sixty-one

9 Thousand Six Hundred Eighty-one Dollars (**\$71,161,681**) from Special Funds; and

10 Thirty-six Million Five Hundred Seventy-two Thousand Two Hundred Six Dollars

11 (**\$36,572,206**) from Federal Matching Grants-in-Aid. The appropriation shall be

12 expended as follows:

	General	Special	Federal	Total
	Fund	Fund	Fund Match	
I. EXECUTIVE DIRECTION				
A. Office of I Maga'lahaen				
Guåhan and I Segundu				
Na Maga'lahaen				
Guåhan	\$6,233,688	\$322,236	1/	\$6,555,924
B. Commission on				
Decolonization	239,613			239,613
C. Civil Service				
Commission	844,902			844,902

1		General	Special		Federal	Total
2		Fund	Fund		Fund Match	
3	D. Guam Election					
4	Commission	756,027				756,027
5	E. Bureau of Budget					
6	and Management					
7	Research	1,058,320	316,942	1/		1,375,262
8	F. Military Affairs	702,054			1,547,700	2,249,754
9	G. Veterans Affairs	322,229				322,229
10	H. Bureau of					
11	Statistics and Plans	1,155,643				1,155,643
12	TOTAL EXECUTIVE					
13	DIRECTION	\$11,312,476	\$639,178		\$1,547,700	\$13,499,354
14	II. PUBLIC SAFETY					
15	A. Guam Police	27,803,761	538,858	2/	726,136	29,068,755
16	B. Guam Fire	27,989,678	1,723,695	3/		29,713,373
17	C. Corrections	20,776,981	951,661	4/		21,728,642
18	D. Youth Affairs	4,978,550				4,978,550
19	E. Chief Medical					
20	Examiner	426,599				426,599
21	TOTAL PUBLIC					
22	SAFETY	\$81,975,569	\$3,214,214		\$726,136	\$85,915,919

	General	Special		Federal	Total
	Fund	Fund		Fund Match	
1					
2					
3	III. HOMELAND SECURITY				
4	A. Customs and				
5	Quarantine	9,156,099	5/		9,156,099
6	TOTAL HOMELAND				
7	SECURITY	\$0		\$0	\$9,156,099
8	IV. HEALTH				
9	A. Public Health and				
10	Social Services	51,632,070	6/	26,438,879	84,511,768
11	B. Integrated Services for				
12	Individuals with				
13	Disabilities	1,235,770	7/	2,992,651	4,923,184
14	C. Mental Health and				
15	Substance Abuse	14,183,926	7/	225,862	17,270,422
16	TOTAL HEALTH	\$67,051,766		\$29,657,392	\$106,705,374
17	V. EDUCATION				
18	A. Guam Department of				
19	Education	180,692,640	8/		208,641,503
20	B. Guam Commission on				
21	Educator Certification	203,831			203,831
22	C. University of				
23	Guam	25,688,064	9/	2,943,706	29,631,770

1		General	Special	Federal	Total
2		Fund	Fund	Fund Match	
3	D. Guam Community				
4	College	13,301,611		1,057,472	14,359,083
5	TOTAL				
6	EDUCATION	\$219,886,146	\$28,948,863	\$4,001,178	\$252,836,187
7	VI. FINANCE AND ADMINISTRATION				
8	A. Administration	7,786,778	1,157,716	1/	8,944,494
9	TOTAL FINANCE AND				
10	ADMINISTRATION	\$7,786,778	\$1,157,716	\$0	\$8,944,494
11	VII. NATURAL RESOURCES				
12	A. Agriculture	2,618,370	85,412	10/	2,992,282
13	B. Land Management	509,775	4,251,360	11/	4,761,135
14	C. Guam Environmental				
15	Protection Agency		656,073	12/	656,073
16	D. Parks and Recreation	3,264,707	186,098	13/	3,450,805
17	TOTAL NATURAL				
18	RESOURCES	\$6,392,852	\$5,178,943	\$288,500	\$11,860,295
19	VIII. LABOR				
20	A. Labor	1,055,385	423,176	14/	1,522,361
21	B. Board of Registration for				
22	Professional Engineers, Architects				
23	and Land Surveyors (PEALS)		307,282	15/	307,282

	General	Special	Federal	Total		
	Fund	Fund	Fund Match			
3	C. Contractors License					
4	Board	862,450	16/	862,450		
5	TOTAL LABOR	\$1,055,385	\$1,592,908	\$43,800	\$2,692,093	
6	IX. TOURISM AND CULTURE					
7	A. Chamorro Affairs	3,192,052	40,000	17/	307,500	3,539,552
8	TOTAL TOURISM AND					
9	CULTURE	\$3,192,052	\$40,000	\$307,500	\$3,539,552	
10	X. TRANSPORTATION					
11	A. Public Works	10,436,028	9,160,273	18/	19,596,301	
12	TOTAL					
13	TRANSPORTATION	\$10,436,028	\$9,160,273	\$0	\$19,596,301	
14	XI. REVENUE AND TAXATION					
15	A. Revenue &					
16	Taxation	9,784,697	2,077,271	19/	11,861,968	
17	TOTAL REVENUE AND					
18	TAXATION	\$9,784,697	\$2,077,271	\$0	\$11,861,968	
19	GRAND TOTAL	\$418,873,749	\$71,161,681	\$36,572,206	\$526,607,636	

20 **NOTES:**

21 1/ Indirect Cost Fund

22 2/ Police Services Fund

23 3/ Enhanced 911 Emergency Reporting System Fund (\$1,650,630) and Fire, Life, and

24 Medical Emergency Fund (\$73,065)

- 1 4/ Corrections Revolving Fund (\$855,661) and Safe Streets Fund (\$96,000)
- 2 5/ Customs, Agriculture and Quarantine Inspection Services Fund
- 3 6/ Environmental Health Fund (\$687,441); and Healthy Futures Fund (\$5,753,378)
- 4 7/ Healthy Futures Fund
- 5 8/ Public School Library Resources Fund (\$670,328); School Lunch/Child Nutritional Meal
- 6 Reimbursement Fund (\$10,069,218) and Territorial Education Facilities Fund
- 7 (\$17,209,317)
- 8 9/ Territorial Education Facilities Fund
- 9 10/ Guam Plant Inspection and Permit Fund
- 10 11/ Land Survey Revolving Fund (\$3,227,764) and Chamorro Land Trust Operations Fund
- 11 (\$1,023,596)
- 12 12/ Air Pollution Control Special Fund (\$184,422); Guam Environmental Trust Fund
- 13 (\$331,869); Water Research and Development Fund (\$73,321) and Water Protection
- 14 Fund (\$66,461)
- 15 13/ Public Recreation Services Fund
- 16 14/ Manpower Development Fund
- 17 15/ Professional Engineers, Architects and Land Surveyors Fund
- 18 16/ Guam Contractors License Board Fund
- 19 17/ Tourist Attraction Fund
- 20 18/ DPW Building and Design Fund (\$500,769) and Guam Highway Fund (\$8,659,504)
- 21 19/ Tax Collection Enhancement Fund (\$686,717) and Better Public Service Fund
- 22 (\$1,390,554)

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CHAPTER III

MISCELLANEOUS APPROPRIATIONS

Section 1. Appropriations to the University of Guam. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Four Million Three Hundred One Thousand Seven Hundred Eighty-three Dollars (**\$4,301,783**) is appropriated from the General Fund and the sum of Three Hundred Forty Thousand Dollars(**\$340,000**) is appropriated from the Tourist Attraction Fund to the University of Guam for the following purposes:

(a) **Student Scholarships, Financial Assistance Programs and Program Administration.** Such appropriation in this Section is for: Merit Awards, Student Loans, Nurse Training Programs, Professional and Technical Awards, Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs, Early High School Admission Programs, Pedro "Doc" Sanchez Scholarship Programs, John F. Quan Memorial Scholarship Program and the administration of all student financial assistance programs. The President of the University of Guam *shall* allocate this appropriation in order to fund said student scholarships, financial assistance programs and program administration.

(b) **Dr. Antonio C. Yamashita Educator Corps.** Such appropriation in this Section is for the Dr. Antonio C. Yamashita Educator Corps. The President of the University of Guam *shall* disburse, pursuant to the directives and policies of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator Corps and funds for the administration of said program pursuant to Chapter 18 of Title 17 of the Guam Code Annotated and §15107, Chapter 15 of Title 17 of the Guam Code Annotated, as *amended*.

1 The President of the University of Guam *shall* post on the University of Guam’s website
2 all reports mandated by this Act regarding the Dr. Antonio C. Yamashita Educator Corps.

3 (c) **Aquaculture Development and Training Center.** Such appropriation in
4 this Section is for the purpose of funding the continued operations of the Aquaculture
5 Development and Training Center.

6 (d) **WERI’s Guam Hydrologic Survey.** Such appropriation in this Section is
7 for the purpose of funding the Guam Hydrologic Survey (GHS) administered by the
8 Water and Environmental Research Institute of the Western Pacific (WERI). WERI *shall*
9 continue to administer the GHS for those purposes previously established by Guam law.

10 (e) **WERI’s Comprehensive Water Resource Monitoring Program.** Such
11 appropriation in this Section is to fund the Water and Environmental Research Institute of
12 the Western Pacific (WERI). Such funds *shall* be used for the purpose of matching the
13 Federal funding for the Comprehensive Water Resource Monitoring Program. WERI
14 *shall* continue to administer the Comprehensive Water Resource Monitoring Program for
15 those purposes previously established by Guam law.

16 (f) **Northern and Southern Soil and Water Conservation District
17 Program.** Such appropriation in this Section is for operations and activities of the
18 Northern and Southern Soil and Water Conservation District (SWCD) Program and *shall*
19 be equally divided between the Northern and Southern Soil Conservation Districts.
20 Expenditures from this appropriation *shall* be made upon the approval of the District
21 Directors, with the consent of the SWCD Board and *shall not* require further approval by
22 the University of Guam *or* any other government entity.

1 (g) **KPRG (Public Radio).** Such appropriation in this Section is for KPRG
2 (Public Radio) operations. The President of the University of Guam *shall* disburse the
3 funds to KPRG. *No later than* thirty (30) days after the close of each fiscal quarter of
4 Fiscal Year 2013, the General Manager of KPRG *shall* submit to the President of the
5 University of Guam, and post on KPRG's website, all reports mandated by this Act.

6 (h) **Guampedia Foundation.** Such appropriation in this Section is for the
7 operations of the Guampedia Foundation.

8 (i) **Rhinoceros Beetle Program.** Such appropriation in this Section is for the
9 operations of the Rhinoceros Beetle Program.

10 **Section 2. Appropriation to UOG for the Guam Cancer Trust Fund.** For
11 Fiscal Year 2013, the sum of One Million Eight Hundred Twenty-two Thousand Forty-
12 eight Dollars (**\$1,822,048**) is appropriated from the Healthy Futures Fund to the
13 University of Guam for the administration of the Guam Cancer Trust Fund, pursuant to
14 §26603(d)(2) of Article 6, Chapter 26 of Title 11 of the Guam Code Annotated. This
15 appropriation shall be used to fund cancer screening, treatment, and support services for
16 qualified applicants.

17 **Section 3. University of Guam Capital Improvements Fund Continuing**
18 **Appropriation.** The sum of Five Hundred Thousand Dollars (**\$500,000**) is appropriated
19 from the Guam Highway Fund to the University of Guam Capital Improvements Fund for
20 the purpose of paying for the debt services pursuant to §16132, Chapter 16 of Title 17,
21 Guam Code Annotated.

22 **Section 4. Appropriation to the Guam Community College.**
23 Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Seven

1 Hundred Five Thousand Fifty-eight Dollars (**\$705,058**) is appropriated from the General
2 Fund, the sum of Twenty-four Thousand One Hundred Fifty-four Dollars(**\$24,154**) is
3 appropriated from the Tourist Attraction Fund, and the sum of One Million Six Hundred
4 Eighty-eight Thousand Four Hundred Forty-eight Dollars (**\$1,688,448**) is appropriated
5 from the Manpower Development Fund to the Guam Community College for the
6 following training programs

7 (a) **Licensed Practical Nursing and Vocational Guidance Programs.** Such
8 appropriation in this Section is to support the operations of the Licensed Practical
9 Nursing Program and Vocational Guidance Program.

10 (b) **Lodging Management Program/Pro Start.** Such appropriation in this
11 Section is for the Lodging Management Program/ProStart Program.

12 (c) **Apprenticeship Program.** Such appropriation in this Section is for the
13 Guam Community College Apprenticeship Program. In addition to the authorization
14 continued in §7120, Chapter 7 of Title 22 of the Guam Code Annotated, the appropriation
15 herein shall be available and authorized to be used by the Guam Community College to
16 fund the operations of other programs at the College, as approved by the Board and
17 Administration of the College.

18 **Section 5. Appropriation to the Guam Department of Education for**
19 **Education Programs.** . Notwithstanding any other provision of law, for Fiscal Year
20 2013, the sum of Three Hundred Eighty-one Thousand One Hundred Twenty Dollars
21 (**\$381,120**) is appropriated from the General Fund and the sum of Eight Hundred Ninety-
22 one Thousand Seven Hundred Fifty-four Dollars (**\$891,754**) is appropriated from the

1 Healthy Futures Fund to the Guam Department of Education for the following education
2 programs:

3 (a) **Chamoru Studies.** Such appropriation in this Section to the *Chamoru*
4 Studies Division administered by the Guam Department of Education (GDOE) is to be
5 expended for personnel salaries and benefits, contractual services, supplies and materials,
6 and equipment for the support and the implementation of the Content Standards and
7 Performance Indicators of the course syllabi for the emphasis of fluency and for the
8 promotion of the proficiency skills in the areas of listening, speaking, reading, and
9 writing in the *Chamoru* language.

10 (b) **Interscholastic Sports Fund.** Such appropriation in this Section to the
11 Interscholastic Sports Fund administered by the Guam Department of Education is to be
12 expended pursuant to § 7108 of Title 17 of the Guam Code Annotated. Appropriations
13 made herein *shall* be available to fund the Outrigger Canoe, Rugby, and other sports
14 programs, to include the payment of head coaches, assistant coaches, league fees, busing
15 services, and other expenses normally associated with a sport interscholastic program.

16 (c) **Health and Physical Education Activities.** Such Appropriation in this
17 Section to GDOE is for the Guam Department of Education for Health and Physical
18 Education programs, intramural sports, and similar activities,

19 **Section 6. Guam Department of Education Textbooks and Collateral**
20 **Materials.** The following are appropriations to the Guam Department of Education
21 (GDOE) for the purchase of textbooks, e-book readers and collateral materials, to include
22 software, sheet music and music books, in accordance with the following terms and
23 conditions:

1 (a) For Fiscal Year 2013, the sum of One Million Five Hundred Thousand
2 Dollars (\$1,500,000) is appropriated from the General Fund from Fiscal Year 2014
3 revenues to the GDOE for the purchase of textbooks, e-book readers and related
4 classroom instructional materials, to include software, sheet music and music books. The
5 Superintendent of GDOE may, *if necessary*, through agreements with textbook vendors,
6 defer payment for said materials until after October 1, 2013, but *no later than* December
7 31, 2013, with the full faith and credit of the Government of Guam.

8 (b) The Superintendent of GDOE *shall* order materials funded by this Section
9 *no later than* March 1, 2013 for Fiscal Year 2014. The Bureau of Budget and
10 Management Research *shall* release such allotments as are necessary to ensure that said
11 materials are ordered by March 1, 2013. The Superintendent of GDOE *shall* receive said
12 materials and distribute them to schools *no later than* thirty (30) days before the start of
13 the school calendar established pursuant to §4111 of Title 17 of the Guam Code
14 Annotated. All funds appropriated for said materials *shall not* be used for any other
15 purpose.

16 (c) On the first (1st) day of each quarter of Fiscal Year 2013, the
17 Superintendent of GDOE *shall* provide to *I Maga'lahaen Guåhan* and the Speaker of *I*
18 *Liheslaturan Guåhan*, and post on the GDOE website, a detailed report regarding all
19 receipts and expenditures for textbooks, e-book readers and collateral classroom
20 instructional materials, to include software, sheet music and music books. Said report
21 *shall* be accompanied by the certified list of textbooks approved by the Guam Education
22 Board (GEB) and all purchase orders issued. The report *shall* summarize:

1 (1) purchases by allotment account number, unit cost and the total cost
2 of books charged against an appropriation account, the vendor, quantity, title,
3 copyright date and International Standard Book Number (ISBN) of books
4 ordered, the allocation of such books by school and grade, whether books are for
5 teachers or students, and whether books are textbooks or e-books; and

6 (2) other information that may be useful *or* that is requested by *I*
7 *Liheslaturan Guåhan* regarding the funds appropriated and authorized herein.
8 Non-compliance with these reporting requirements by the Superintendent of
9 GDOE *shall* result in the sanctions and penalties imposed by this Act.

10 **Section 7. Summer School Fund.** From the Summer School Fund
11 established pursuant to §6119 of Article 1, Chapter 6, Division 1 of Title 17 of the Guam
12 Code Annotated, such sums as are necessary to fund the operations of the Fiscal Year
13 2013 Summer School Programs are appropriated to the Guam Department of Education.
14 The Superintendent of Education *shall* submit a detailed report to *I Maga'lahaen Guåhan*
15 and the Speaker of *I Liheslaturan Guåhan* regarding the receipt and expenditure of said
16 funds *no later than* thirty (30) days after the close of summer school and post the same on
17 the Guam Department of Education website. Such report *shall* include the following:

- 18 (1) Total revenues received, including identification of each revenue source;
19 (2) Total expenditures and encumbrance by object classification and by
20 school; and
21 (3) The fund balance.

22 **Section 8. Tiyan Lease Maintenance and Insurance Agreement.** For
23 Fiscal Year 2013, the sum of One Million Five Hundred Sixty-eighty Thousand Dollars

1 (\$1,568,000) is appropriated from the General Fund to the Guam Department of
2 Education for the payment of the Tiyan Lease Maintenance and Insurance agreement.

3 **Section 9. Appropriation to the Guam Department of Education for GPA**

4 **Promissory Note.** The sum of One Million Six Hundred Thousand Dollars (\$1,600,000)
5 is appropriated from the Territorial Education Facilities Fund to the Guam Department of
6 Education (GDOE) to pay Guam Power Authority (GPA) for the Guam Department of
7 Education Promissory Note (the agreement between the GDOE and the Guam Power
8 Authority signed on July 20, 2004, and referred to as the “installation payment agreement
9 for past due electrical service”) for Fiscal Year 2013.

10 **Section 10. Appropriation to the Department of Mental Health and**

11 **Substance Abuse.** Notwithstanding any other provision of law, for Fiscal Year 2013, the
12 sum of Eight Hundred Eighty-nine Thousand Forty Dollars (\$889,040) is appropriated
13 from the General Fund to the Department of Mental Health and Substance Abuse for the
14 following programs:

15 (a) **Detoxification, Rehabilitation and Prevention Services.** Such
16 Appropriation in this Section is for outsourcing of drug and alcohol detoxification,
17 rehabilitation, and prevention services, *provided* that the expenditure of such funds shall
18 comply with §1421b (p) of Title 48 of the United States Code.

19 (b) **Oasis Empowerment Center for Women Alcohol Substance and**
20 **Homeless Program.** Such appropriation in this Section is for the Oasis Empowerment
21 Center for Women Alcohol Substance and Homeless Program.

22 **Section 11. Department of Mental Health and Substance Abuse for the**

23 **Amended Permanent Injunction and Plan of Action.** Pursuant to Court Order No. CV

1 01-0041 CBM, the sum of One Million Two Hundred Fifty Thousand Dollars
2 **(\$1,250,000)** is hereby appropriated from the General Fund to the Department of Mental
3 Health and Substance Abuse for the payment of court ordered deposits that are due in
4 Fiscal Year 2013 in accordance with the modified funding schedule, for the
5 implementation of the Amended Permanent Injunction and Plan of Action.

6 **Section 12. Guam Cancer Registry.** Pursuant to §22603(d)(4), Article 6,
7 Chapter 26 of Title 11 of the Guam Code Annotated, for Fiscal Year 2013, the sum of
8 One Hundred Twenty-one Thousand Four Hundred Seventy Dollars **(\$121,470)** is
9 appropriated from the Healthy Futures Fund to the Department of Public Health and
10 Social Services (DPHSS) to maintain the Guam Cancer Registry pursuant to §3201.1,
11 Article 2, Chapter 3 of Title 10 of the Guam Code Annotated.

12 **Section 13. Appropriations to the Guam Environmental Protection**
13 **Agency.** Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of
14 Three Hundred Thousand **(\$300,000)** is appropriated as follows:

15 (a) **Beach Monitoring.** The sum of One Hundred Thousand Dollars
16 **(\$100,000)** is appropriated from the Tourist Attraction Fund to the Guam Environmental
17 Protection Agency for the *sole* purpose of beach monitoring. This appropriation is *not*
18 subject to transfer or use for any other purpose.

19 (b) **Landfill Costs.** The sum of Two Hundred Thousand Dollars **(\$200,000)**
20 is appropriated from the Solid Waste Operations Fund to the Guam Environmental
21 Protection Agency for costs in the closure, monitoring and opening of the island's
22 landfills.

1 **Section 14. Appropriations to the Department of Parks and Recreation.**

2 Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Seven
3 Hundred Forty-nine Thousand Three Hundred Seventy-seven Dollars (**\$749,377**) is
4 appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation
5 (DPR) for the following programs:

6 **(a) Maintenance and Repair of Public Restrooms.** Such appropriation in
7 this Section is for the maintenance and repair of restroom facilities in public parks island-
8 wide. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of
9 DPR *shall* submit a quarterly report of the expenditures from this appropriation to the
10 Public Auditor and the Speaker of *I Liheslaturan Guåhan*, and post the same on DPR's
11 website.

12 **(b) Maintenance of Pool Facilities.** Such appropriation in this Section is for
13 the maintenance of pool facilities for Fiscal Year 2013. These funds *shall* be used for the
14 northern pool and the *Hagatña* pool. *No later than* thirty (30) days after the end of every
15 fiscal quarter, the Director of DPR *shall* submit a quarterly report of the expenditures
16 from this appropriation to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*,
17 and post the same on DPR's website.

18 **Section 15. Retirees' Supplemental Annuity Benefits and Other Costs.**

19 **(a)** The sum of Eleven Million Six Hundred Ninety-six Thousand Three
20 Hundred Three Dollars (**\$11,696,303**) is appropriated from the General Fund to the
21 Supplemental Annuity Benefits Special Fund for Fiscal Year 2013, for direct payments to
22 government of Guam retirees who retired *prior* to October 1, 1995, or their survivors, for
23 the continuing payment of Four Thousand Two Hundred Thirty-eight Dollars (\$4,238)

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

5 (b) No retiree who is eligible for Retiree Supplemental Annuity Benefits
6 provided for in Subsection (a) hereof *shall* receive said Benefits *if* his annual retirement
7 annuity, *excluding* survivor benefits and excluding the Supplemental benefits authorized
8 herein, is *greater than* Forty Thousand Dollars (\$40,000). No retiree who is eligible for
9 Retiree Supplemental Annuity Benefits *shall* receive *more than* the sum of Forty
10 Thousand Dollars (\$40,000) in combined retirement annuities and Supplemental Annuity
11 Benefits in any one Fiscal Year.

12 (c) The Director of Administration *shall* disburse to the retirees *or* their
13 survivors, the supplemental annuity benefits provided for in Subsection (a) of this
14 Section. The Government of Guam Retirement Fund *shall* provide the Director of
15 Administration with the information he needs to effect disbursement.

16 (d) Funds held in the Supplemental Annuity Benefits Special Fund *shall not*
17 be commingled with the General Fund *or* any other fund, *shall* be held in a separate bank
18 account that *shall* continue to be administered by the Director of Administration and *shall*
19 *not* be subject to *I Maga'lahaen Guåhan's* transfer authority.

20 (e) For Fiscal Year 2013, the Guam Power Authority, the A.B. Won Pat
21 International Airport Authority, the Guam Economic Development Authority, the Guam
22 Housing Corporation, the Government of Guam Retirement Fund, the Jose D. Leon
23 Guerrero Commercial Port, the Guam Waterworks Authority and the Guam Visitors

1 Bureau shall remit to DOA an amount equal to the number of retirees eligible pursuant to
2 Subsection (a) hereof who have retired from that entity multiplied by Four Thousand
3 Two Hundred Thirty-Eight Dollars (\$4,238). Prior to DOA's remittance to the Guam
4 Retirement Fund, said remittances shall be paid from the entities listed above, to DOA on
5 or before October 10, 2012. Said remittances shall not be subject to I Maga'láhen
6 Guáhan's transfer authority.

7 (f) The sum of Twenty-four Million Four Hundred Twenty-two Thousand Six
8 Hundred Sixty-eight Dollars (**\$24,422,668**) is appropriated from the General Fund to the
9 Government of Guam Retirement Fund for Fiscal Year 2013, to pay the following two
10 (2) items for current retirees:

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

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

16 (g) For Fiscal Year 2013, the Guam Power Authority, the A.B. Won Pat
17 International Airport Authority, the Guam Economic Development Authority, the Guam
18 Housing Corporation, the Government of Guam Retirement Fund, the Jose D. Leon
19 Guerrero Commercial Port, the Guam Waterworks Authority and the Guam Visitors
20 Bureau shall remit to the GGRF payments for medical, dental, and life insurance
21 payments for retirees who have retired from those respective agencies. Prior to DOA's
22 remittance to the Guam Retirement Fund, said remittances shall be paid from the entities
23 listed above, to DOA on or before October 10, 2012. The agencies' remittances for

1 medical, dental and life insurance mandated herein are ex gratia payments, and are for
2 Fiscal Year 2013 only.

3 (h) The sum of One Million Nineteen Thousand Nine Hundred Seventy
4 Dollars (**\$1,019,970**) is appropriated from the General Fund to the Government of Guam
5 Retirement Fund for Fiscal Year 2013, to pay the cost of Medicare premiums for
6 Government of Guam retirees and their survivors who are eligible to receive Social
7 Security income benefits and who are required by the government of Guam Group Health
8 Insurance Program to pay said premiums to participate therein.

9 (i) The sum of Two Hundred Forty-two Thousand Eight Hundred Forty-five
10 Dollars (**\$242,845**) is appropriated from the General Fund to the Government of Guam
11 Retirement Fund for Fiscal Year 2013, for *I Maga'lahi* and *I Segundu na Maga'lahi/I*
12 *Segundu na Maga'haga* Pensions.

13 (j) The sum of Four Hundred Eighty-seven Thousand One Hundred Fifty
14 Dollars (**\$487,150**) is appropriated from the General Fund to the Government of Guam
15 Retirement Fund for Fiscal Year 2013, for retirement annuities for former judges and
16 justices of the Superior Court and Supreme Court of Guam.

17 (k) The Government of Guam Retirement Fund Board of Trustees *shall* enact
18 and, *if necessary*, amend administrative regulations that establish procedures to ensure the
19 proper submission, receipt and accounting of all sums remitted pursuant to Subsections
20 (e) and (g) hereof.

21 **Section 16. Survivor Supplemental Annuity Additions.** §8135(d) (6) of
22 Title 4 of the Guam Code Annotated is *amended* to read:

1 “(6) the prospective payment of supplemental benefits for the period of
2 [~~October 1, 2011, through September 30, 2012~~] October 1, 2012, through
3 September 30, 2013 for Fiscal Year 2013 for survivors of those employees who
4 retired *prior* to October 1, 1995, to be paid in the following manner:

5 (i) Four Thousand Two Hundred Thirty-eight Dollars (\$4,238.00) in
6 Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two
7 Hundred Dollars (\$1,200.00), One Thousand five Hundred Dollars (\$1,500.00),
8 Seven Hundred Dollars (\$700.00), and Eight Hundred Thirty-eight Dollars
9 (\$838.00) in annual benefits formerly contained in various General Appropriation
10 Acts.

11 (ii) *No* person eligible for Retiree Supplemental Annuity Benefits
12 provided for in this Section *shall* receive such benefits *if* his regular annual
13 retirement annuity *exclusive* of the supplemental amounts authorized hereby
14 exceeds Forty Thousand Dollars (\$40,000.00). No persons eligible for Retiree
15 Supplemental Annuity Benefits *shall* receive more than the sum of Forty
16 Thousand Dollars (\$40,000.00) in combined retirement annuities and
17 supplemental retirement annuities.”

18 **Section 17. Disability Supplemental Annuity Additions.** §8129(g) of Title 4
19 of the Guam Code Annotated is *amended* to read:

20 “(g) Any disability retirement annuitant who commenced receiving a disability
21 retirement annuity *prior* to October 1, 1995, and who is entitled to disability
22 retirement benefits under this Chapter *shall* receive, during the period
23 commencing on [~~October 1, 2011, and ending on September 30, 2012~~] October 1,

1 2012, and ending on September 30, 2013 for Fiscal Year 2013, prospective non-
2 cumulative supplemental annuity benefits as follows:

3 (1) Four Thousand Two Hundred Thirty-eight Dollars (\$4,238.00) in
4 Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two
5 Hundred Dollars (\$1,200.00), One Thousand Five Hundred Dollars (\$1,500.00),
6 Seven Hundred Dollars (\$700.00), and Eight Hundred Thirty-eight Dollars
7 (\$838.00) in *annual* benefits formerly contained in various General Appropriation
8 Acts.

9 (2) No persons eligible for Retiree Supplemental Annuity Benefits
10 provided for in Paragraph (g) of this Section *shall* receive such benefit *if* their
11 regular annual retirement annuity, *excluding* survivor benefits, *prior* to the
12 supplemental amounts herein exceeds Forty Thousand Dollars (\$40,000.00). No
13 persons eligible for Retiree Supplemental Annuity Benefits shall receive more
14 than the sum of Forty Thousand Dollars (\$40,000.00) in combined retirement
15 annuities and supplemental retirement annuities.”

16 **Section 18. Retirees Supplemental Annuity Additions.** §8122(d) (6) of Title
17 4 of the Guam Code Annotated is hereby *amended* to read as follows:

18 “(6) Any retirement annuitant who commenced receiving a retirement annuity
19 *prior* to October 1, 1995, and who is entitled to retirement benefits under this
20 Chapter, shall receive, during the period commencing on [~~October 1, 2011, and~~
21 ~~ending on September 30, 2012~~] October 1, 2012, and ending on September 30,
22 2013 for Fiscal Year 2013, prospective, non-cumulative supplemental annuity
23 benefits as follows:

1 (i) Four Thousand Two Hundred Thirty-eight Dollars (\$4,238.00) in
2 Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two
3 Hundred Dollars (\$1,200.00), One Thousand Five Hundred Dollars (\$1,500.00),
4 Seven Hundred Dollars (\$700.00), and Eight Hundred Thirty-eight Dollars
5 (\$838.00) in annual benefits formerly contained in various General Appropriation
6 Acts.

7 (ii) No retiree who is eligible for Retiree Supplemental Annuity
8 Benefits provided for in this Section *shall* receive such benefit *if* his regular
9 annual retirement annuity, excluding the supplemental amounts authorized herein
10 and survivor benefits, exceeds Forty Thousand Dollars (\$40,000.00). A retiree
11 who is eligible for Retiree Supplemental Annuity Benefits shall receive no more
12 than Forty Thousand Dollars (\$40,000.00) in combined retirement annuities and
13 supplemental retirement annuities.”

14 **Section 19. Residential Treatment Fund.** The sum of One Million Two
15 Hundred Thousand Dollars (**\$1,200,000**) is appropriated from the General Fund to the
16 Department of Administration (DOA) to pay the expenses of persons under the
17 jurisdiction of the Superior Court of Guam who require residential care because of
18 physical, mental *or* emotional disabilities *or* severe emotional disturbances for Fiscal
19 Year 2013. All such persons and their escorts referred off Guam for treatment and care
20 *shall* submit to the Director of DOA appropriate documentation to justify and receive
21 reimbursement of their travel expenses. The Director of DOA *shall* submit reports to *I*
22 *Maga'lahaen Guåhan* and the Speaker of *I Liheslaturan Guåhan* describing all

1 expenditures made pursuant to this appropriation *no later than* thirty (30) days after the
2 end of each quarter of Fiscal Year 2013 and post the same on the DOA website.

3 **Section 20. Government Claims Fund.** The sum of One Hundred Thousand
4 Dollars (**\$100,000**) is appropriated from the General Fund to the Department of
5 Administration (DOA) for the Government Claims Fund for payment of approved
6 government claims in Fiscal Year 2013. The Director of DOA shall, *no later than* thirty
7 (30) days after the close of each quarter of Fiscal Year 2013, submit to the Speaker of *I*
8 *Liheslaturan Guåhan*, in a Microsoft Excel file and written report describing
9 expenditures made pursuant to the appropriations herein, and post the same on the
10 Department's website.

11 **Section 21. Government of Guam's Single Audit Reports.**

12 **(a)** For Fiscal Year 2013, the sum of Three Hundred Seventy-seven Thousand
13 Dollars (**\$377,000**) is appropriated from the General Fund to the Department of
14 Administration for the Government of Guam's General Purpose Financial Statement and
15 the Single Audit Reports for Fiscal Year 2012 . The Public Auditor *shall* administer said
16 funds and *shall* oversee the annual audit.

17 **(b)** For Fiscal Year 2013, the sum of Eighteen Thousand Dollars (**\$18,000**) is
18 appropriated from the Tourist Attraction Fund to the Department of Administration for
19 the Government of Guam's Tourist Attraction Fund Financial Statement and Single Audit
20 Reports for Fiscal Year 2012. The Public Auditor *shall* administer said funds and *shall*
21 oversee the annual audit.

22 **(c)** For Fiscal Year 2013, the sum of Eighteen Thousand Dollars (**\$18,000**) is
23 appropriated from the Guam Highway Fund to the Department of Administration for the

1 Government of Guam's Highway Fund Financial Statement and Single Audit Reports for
2 Fiscal Year 2012. The Public Auditor *shall* administer said funds and *shall* oversee the
3 annual audit.

4 **Section 22. Department of Administration Training and Continuing**
5 **Education.** For Fiscal Year 2013, the sum of Thirty Thousand Dollars (**\$30,000**) is
6 appropriated from the Indirect Cost Fund to the Department of Administration (DOA) for
7 training and continuing education of persons employed as government accountants, and
8 in related positions. Of the amount appropriated in this Section, the amount of Ten
9 Thousand Dollars (\$10,000) shall be used for Department of Administration Training and
10 Development Section for its training, equipment, and training facilities.

11 **Section 23. Cost of Living Allowance (COLA).**

12 (a) *I Maga'lahaen Guåhan* shall provide a "Cost of Living Allowance"
13 (COLA) of One Thousand One Hundred Dollars (\$1,100) to each Government of Guam
14 Retirement Fund retiree, or his/her survivor, who has retired as of September 30, 2012 for
15 Fiscal Year 2013 to be prorated monthly. The sum of Six Million Seven Hundred
16 Seventy Thousand Five Hundred Dollars (**\$6,770,500**) is appropriated from the General
17 Fund to the Department of Administration for Fiscal Year 2013, to pay said COLA.

18 (b) The Guam Power Authority, the A. B. Won Pat International Airport
19 Authority, the Guam Economic Development Authority, the Guam Housing Corporation,
20 the Government of Guam Retirement Fund, the Jose D. Leon Guerrero Commercial Port,
21 the Guam Waterworks Authority and the Guam Visitors Bureau shall pay a COLA in a
22 single payment of One Thousand One Hundred Dollars (\$1,100) to every Government of
23 Guam Retirement Fund retiree who retired from each respective aforementioned agency

1 as of September 30, 2012, or his survivor, no later than November 1, 2012, unless the
2 annuitant chooses in writing to receive bi-monthly payments from October 1, 2012
3 through September 30, 2013.

4 (c) Each agency mentioned in Subsection (b) shall remit to the General Fund
5 the amount required for the implementation of Subsection (b) above no later than October
6 15, 2013 by each respective entity. No payments shall be made for this purpose until such
7 time as these funds have been remitted.

8 **Section 24. Support of Child in Custody.** For Fiscal Year 2013, the sum of
9 Six Hundred Forty-nine Thousand Nine Hundred Sixty-two Dollars (**\$649,962**) is
10 appropriated from the General Fund to the Department of Administration for the *sole*
11 purpose of paying orders of the court pursuant to §5116 of Title 19 of the Guam Code
12 Annotated.

13 **Section 25. Section 1 of Public Law 28-38 as amended is hereby further**
14 ***amended to read as follows:***

15 “**Section 1.** Special Retirement Provisions for the Guam Department of Education
16 (GDOE) and Guam Memorial Hospital Authority (GMHA). On the first day of
17 the first month following the enactment hereof and on every first day of every
18 month thereafter, the Department of Administration (DOA) *shall* compute and
19 recognize interest owed for both the GDOE and GMHA retirement liabilities to
20 the Government of Guam Retirement Fund (GGRF) equal to outstanding liability
21 multiplied by the one twelfth (1/12) of the most recent historical five (5) year
22 average annual rate of return of the defined benefit investment portfolio, inclusive
23 of performance which yielded negative returns. Liability payments made by the

1 GDOE or GMHA *shall* be credited to the respective liability balance prior to the
2 next month's interest calculations. The GGRF *shall not* be entitled to any
3 additional interest for liabilities identified in this Section beyond what the DOA
4 calculates on the first day of each month. The GGRF *shall* accept and approve for
5 retirement any eligible employee of the GDOE or the GMHA upon condition that
6 the respective agency's employer and employee contributions to the GGRF for
7 the applicable fiscal year are current and paid in full as provided in Section 13,
8 Chapter VI of Public Law 27-106. If the GDOE or GMHA fails to make current
9 payments for the applicable fiscal year, the GGRF *shall* cease processing
10 applications from employees of that agency until payment is made in full.

11 The GGRF and the DOA *shall* reconcile the annualized interest paid during the
12 current fiscal year upon release of the GGRF rate of return performance report for
13 Quarter ending September 30 for the same twelve (12) month period. The GGRF
14 *shall* invoice the DOA for any underpayment of interest computed by subtracting
15 actual interest payments from interest calculated using the current fiscal year
16 monthly principal balances outlined in Section 1 and the twelve (12) month
17 average rate of return for the same period.

18 On the first day of the first month following the enactment hereof and on every
19 first day of every month thereafter, with a grace period of *no more than* ten (10)
20 days, the Treasurer of Guam *shall* pay "interest only" payments for the GDOE
21 deficiency to the GGRF and the Treasurer of Guam *shall* pay "interest only"
22 payments for the GMHA deficiency to the GGRF on the first day of the first
23 month following the enactment hereof and on every first day of every month

1 thereafter. The GGRF *shall* accept and approve for retirement any eligible
2 employee of the GDOE or the GMHA upon the condition that the respective
3 agency's employer and employee contributions to the GGRF for the applicable
4 fiscal year are current and paid in full as provided in Section 13, Chapter VI of
5 Public Law 27-106, including interest and penalties pursuant to § 8137 (c) of Title
6 4 of the Guam Code Annotated and interest at the actuarial rate determined in the
7 latest completed actuarial valuation prepared for the Board of Trustees by the
8 actuary appointed by the Board, which is seven and one-half (7.5%). If the
9 Treasurer of Guam fails to make current payments as required by this Section or if
10 GDOE or GMH fails to make current payments for the applicable fiscal year, the
11 GGRF *shall* cease processing applications from employees of that agency until
12 payment is made in full.”

13 a) For Fiscal Year 2013, the sum of Three Hundred Thirty-two Thousand
14 Seven Hundred Fifty-three Dollars (**\$332,753**) is appropriated from the General Fund to
15 DOA for “interest only” payments for the GDOE and GMHA deficiency to the GGRF
16 pursuant to this Section. Any balance remaining from this appropriation shall revert to
17 the General Fund.

18 **Section 26. Department of Labor for Workers Compensation Fund.** The
19 sum of Seven Hundred Ninety-eight Thousand Five Hundred Ninety-three Dollars
20 (**\$798,593**) is appropriated from the General Fund to the Department of Labor for the
21 Workers Compensation Fund for Fiscal Year 2013, for the Workers Compensation
22 payments pursuant to §9144 of Title 22 of the Guam Code Annotated, including
23 obligations incurred in past years and in the future. Said appropriations may be used to

1 pay for medical, surgical, and other treatment; nurses; hospital services; medical travel
2 and per diem costs; medicine; crutches; and equipment required by a claimant for such
3 period as his injury and the recovery there from may require. Said appropriations *shall*
4 *not* be expended for disability compensation payments for Full-Time Equivalent (FTEs)
5 funded by this Act. The Director of Labor may use *no more than* Forty Thousand Dollars
6 (\$40,000) from said appropriations to pay for legal services for Workers Compensation
7 hearings.

8 **Section 27. Public Streetlights.** The sum of Three Million Five Hundred
9 Ninety Thousand Two Hundred Sixty-one Dollars (**\$3,590,261**) is appropriated from the
10 Street Light Fund and the sum of Three Million Seven Hundred Nine Thousand Seven
11 Hundred Thirty-nine Dollars (**\$3,709,739**) is appropriated from the Guam Highway Fund
12 to the Department of Public Works for Fiscal Year 2013, to pay to the Guam Power
13 Authority for the operation of public streetlights.

14 **Section 28. Prior Years Cost of Care and Custody for Prisoners Confined**
15 **in Federal Facilities.** The sum of Six Hundred Ninety-six Thousand Dollars (**\$696,000**)
16 is appropriated from the General Fund to the Department of Corrections for Fiscal Year
17 2013, for the payment of current year obligations for prisoners confined in federal
18 facilities of the Federal Bureau of Prisons.

19 **Section 29. Appropriation to Unified Judiciary** Notwithstanding any other
20 provision of law, for Fiscal Year 2013, the sum of One Million Three Hundred Ninety-six
21 Thousand Seven Hundred Ten Dollars (**\$1,396,710**) is appropriated from the General
22 Fund and the sum of One Hundred Forty-five Thousand Dollars (**\$145,000**) is

1 appropriated from the Safe Streets Fund to the Unified Judiciary for the following
2 programs:

3 **(a) Court-Appointed Attorney Fees.** Such appropriation in this Section is
4 for the purpose of paying court-appointed attorney fees arising from the defense of
5 indigent peoples for Fiscal Year 2013. Said funds *shall* be deposited into the Judicial
6 Client Services Fund account, as created by Chapter 9.6, Division 1 of Title 7 of the
7 Guam Code Annotated and *shall not* be subject to any transfer authority. Any
8 unexpended funds appropriated herein *shall* be reverted to the General Fund at the end of
9 Fiscal Year 2013.

10 **(b) Adult and Juvenile Drug Courts.** Such appropriation in this Section is
11 for the operations of the Adult and Juvenile Drug Courts.

12 **(c) Family Visitation Center.** Such appropriation in this Section is to pay
13 for contractual services for the operation of the Family Visitation Center, *provided*, that
14 the Judiciary must comply with §18125(c) and (d) of Title 16 of the Guam Code
15 Annotated, and §9211(b) of Title 7 of the Guam Code Annotated.

16 **Section 30. Appropriations to the Mayors' Council of Guam.**
17 Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of One
18 Million Thirty-eight Thousand Two Hundred Forty-five Dollars (**\$1,038,245**) is
19 appropriated from the General Fund and the sum of One Million Five Hundred Six
20 Thousand Nine Hundred Forty-seven Dollars (**\$1,506,947**) is appropriated from the
21 Tourist Attraction Fund to the Mayors' Council of Guam for the following programs.

22 **(a) Streets Maintenance and Beautification.** Such appropriation in this
23 Section is for the maintenance and beautification of village secondary and tertiary roads,

1 and for the operations of Mayors' offices, but *not* for personnel costs. Said funds *shall*
2 *not* be subject to any transfer authority of *I Maga'lahaen Guåhan* and *shall* be divided
3 among the Village Mayors as follows:

4 (1) Each Mayor *shall* receive the sum of Twenty Thousand Dollars
5 **(\$20,000)**; and

6 (2) The remaining balance of the fund *shall* be distributed to each
7 Mayor *pro rata* based on the total road mileage in his village as a percentage of
8 Guam's total road mileage in the 2006 Guam Roads Pavement Inventory of the
9 Department of Public Works.

10 **(b) Island-wide Village Beautification Projects.** Such appropriation in this
11 Section is for Island-wide Village Beautification Projects to include:

12 (1) The maintenance and repair of the village's recreational facilities
13 under the jurisdiction of the Mayor;

14 (2) The maintenance and repair of each village's main roads; and

15 (3) The planting and maintenance of each village's official flower and
16 other flowering plants, shrubs and trees adjacent to the village's main
17 roads, public restrooms and recreational facilities. A Mayor may contract
18 with a private entity to provide the services authorized by this Section
19 subject to the Guam Procurement Law, Chapter 5 of Title 5 of the Guam
20 Code Annotated.

21 **(c) Grounds Maintenance for Schools.** Such appropriation in this Section is
22 for the grounds maintenance of Guam Department of Education schools. Subject to
23 approval and scheduling of the public school principals, the Mayors are responsible for

1 regular ground maintenance of Guam Department of Education school grounds in their
2 respective districts where ground maintenance is *not* already subject to an existing
3 contract for a minimum of twice a month during a regular school calendar year. Subject
4 to approval of scheduling with the public school principals, the Mayor may contract with
5 a private entity to provide the services authorized by this Section.

6 (d) **Public Safety and Social Education Programs.** Such appropriation in
7 this Section is for the public safety and social education programs.

8 (e) **Veterinarian and Animal Control Services.** Such appropriation in this
9 Section is for veterinarian and animal control services.

10 **Section 31. Appropriations to the Guam Memorial Hospital Authority.**

11 Notwithstanding any other provision of law, the sum of Fourteen Million Twenty-one
12 Thousand One Hundred Eighty-eight Dollars (**\$14,021,188**) is appropriated for Fiscal
13 Year 2013 as follows:

14 (a) Two Million Four Hundred Thirteen Thousand Four Hundred Ninety-five
15 Dollars (**\$2,413,495**) is appropriated from the General Fund to the Guam Memorial
16 Hospital Authority to supplement its operations.

17 (b) Pursuant to §§ 26208 and 26208.1 of Chapter 26, Division 2 of Title 11 of
18 the Guam Code Annotated, Nine Million One Hundred Fifty Thousand Fifty-four Dollars
19 (**\$9,150,054**) is appropriated from the Guam Memorial Hospital Authority
20 Pharmaceuticals Fund to the Guam Memorial Hospital Authority.

21 c) Pursuant to §26603(d)(3) of Chapter 26 of Title 11 of the Guam Code
22 Annotated, One Million Four Hundred Fifty seven Thousand Six Hundred Thirty Nine

1 Dollars (**\$1,457,639**) is appropriated from the Healthy Futures Fund to the Guam
2 Memorial Hospital Authority for its operations.

3 **d)** Pursuant to §22603(d), Article 6, Chapter 26 of Title 11 of the Guam Code
4 Annotated, One Million Dollars (**\$1,000,000**) is appropriated from the Healthy Futures
5 Fund to the Guam Memorial Hospital Authority for the line of credit pursuant to
6 §80104(t), Chapter 80 Division 4 of Title 10 of the Guam Code Annotated.

7 **Section 32. Appropriations to the Guam Regional Transit Authority.**

8 Notwithstanding any other provision of law, the sum of Three Million Nine Hundred Five
9 Thousand Eight Hundred Ninety-nine Dollars (**\$3,905,899**) is appropriated for Fiscal
10 Year 2013 as follows:

11 **a)** Three Hundred Forty-nine Thousand Two Hundred Ten Dollars
12 (**\$349,210**) is appropriated from the Public Transit Fund to the Guam Regional Transit
13 Authority Fund for the operations of the Guam Regional Transit Authority pursuant to
14 §26503(b), Chapter 26 of Title 11 of the Guam Code Annotated.

15 **b)** Three Million Five Hundred Fifty-six Thousand Six Hundred Eighty-nine
16 Dollars (**\$3,556,689**) is appropriated from the Guam Highway Fund to the Guam
17 Regional Transit Authority Fund for the operations of the Guam Regional Transit
18 Authority.

19 **Section 33. Guam Solid Waste Authority Appropriation.** For Fiscal Year

20 2013, the sum of Seven Million Seven Hundred Fifty-nine Thousand One Hundred Six
21 Dollars (**\$7,759,106**) is appropriated from the Solid Waste Operations Fund to the Guam
22 Solid Waste Authority pursuant to Public Law 31-20.

23

1 annuity while employed on this temporary basis. Officers may *only* be hired under this
2 section only to fill positions left vacant because of military activation of corrections
3 officers filling those positions and *shall* be terminated when the incumbent returns from
4 military service. Retired officers may be hired *only* in the ranks of Corrections Officers
5 Supervisor I, at Step 1 only, and *shall not* receive sick and annual leave. Officers hired
6 under this section *shall* meet requirements for the position in question *except* for written
7 examinations and the Director of Corrections *shall* certify that every retiree hired is fit for
8 duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, a retiree hired
9 pursuant to this Section may continue to receive his annuity.

10 **Section 4. Temporary Employment of Retired Guam Police Officers.** The
11 Guam Police Department may hire retired Guam Police Officers *if* a critical need arises
12 because of military activation of police officers. The retiree hired *shall* fill such a vacant
13 position and shall be terminated when the incumbent returns from military service.
14 Retired officers may be hired only at the ranks of Sergeant I and below, only at Step 1,
15 and shall not receive sick and annual leave. Officers hired under this Section shall first
16 meet the requirements, except for written examinations, for the position in question and
17 the Chief of Police shall certify that every retiree hired is fit for duty. Notwithstanding
18 §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant to
19 this Section hereto may continue to receive retirement benefits.

20 **Section 5. Temporary Employment of Retired Guam Fire Fighters.** The
21 Guam Fire Department (GFD) may hire retired GFD firefighters *if* a critical need arises
22 because of military activation of GFD firefighters. The retirees hired *shall* fill such a
23 vacant position and shall be terminated when the incumbent returns from military service.

1 Retired fire personnel may be hired only at the ranks of Fire Specialist and below, only at
2 Step 1, and shall not receive sick and annual leave. Retired firefighters hired under this
3 Section shall first meet the requirements, except for written examinations, for the position
4 in question and the Fire Chief shall certify that every retiree hired is fit for duty.
5 Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired
6 temporarily pursuant to this Section hereto may continue to receive retirement benefits.

7 **Section 6. Temporary Employment of Retired Customs and Quarantine**
8 **Officers.** The Customs and Quarantine Agency may hire retired Customs and
9 Quarantine Officers when a critical need arises as a result of military activation of
10 Customs officers *or* when vacancies cannot be filled within six (6) months because of the
11 lack of qualified applicants. The retired officer *shall* fill such a vacant position and *shall*
12 be terminated when the incumbent returns from military service *or* when a fully-qualified
13 applicant is available. Retired officers may be hired *only* in the ranks of Customs Officer
14 III and below, only at Step 1, and *shall* not receive sick and annual leave. Retirees hired
15 pursuant to this Section *shall* meet requirements for the position in question, *except* for
16 written examinations, and the Director of Customs *shall* certify that every retiree hired is
17 fit for duty. The requirements of Article 3, Chapter 32 of Title 17 of the Guam Code
18 Annotated, are waived for employment pursuant hereto *except* for §32304(b) (4).
19 Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired
20 temporarily pursuant hereto may continue to receive their retirement benefits.

21 **Section 7. Temporary Employment of Retired Department of Revenue**
22 **and Taxation Employees.** The Department of Revenue & Taxation may hire retired
23 employees of the Department of Revenue & Taxation when a critical need arises in the

1 areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax
2 Processing. Said retirees *shall* be hired at Step 1 for the position in question and *shall* not
3 receive sick and annual leave. Notwithstanding §8121(a), Chapter 8 of Title 4 of the
4 Guam Code Annotated, retirees hired temporarily pursuant hereto may continue to
5 receive their retirement benefits.

6 **Section 8. Locum Tenens Exemption during the Absence of the Chief**
7 **Medical Examiner.** The Office of the Chief Medical Examiner is exempt from the
8 government of Guam Procurement Law in contracting for the professional services of a
9 qualified medical examiner to be provided when the Chief Medical Examiner is absent
10 from work.

11 **Section 9. Advance Payments for Medical Services.** In order to expedite
12 acceptance of Medically Indigent Program (MIP) clients by facilities in California,
13 Hawaii or Manila for medical treatment approved by the MIP, the Director of Public
14 Health and Social Services may advance payments for said medical treatment, and may
15 establish escrow accounts for immediate and advance payment of medical treatment at
16 those Joint Commission Accredited hospitals determined by the Director to be best able
17 to serve Medically Indigent Program clients.

18 **Section 10. Transfer of Employees.** Notwithstanding any other provision of
19 law, and in recognition of personnel shortages in certain areas, *I Maga'lahaen Guåhan* is
20 authorized to transfer employees within *or* between any department *or* agency of the
21 government of Guam, *except* that:

22 (a) This Section shall *not* apply to any employee of the Legislative *or* Judicial
23 Branches of government;

1 (b) The transfer of an employee shall *not* result in a loss of pay *or* salary;

2 (c) *No* employee shall be transferred if the employee has filed a viable
3 grievance with the Civil Service Commission for discrimination based on political
4 affiliation, gender, *or* sexual harassment, *unless* the employee consents to said transfer;

5 (d) No employee of an autonomous agency may be transferred to a line
6 department *or* agency;

7 (e) *I Maga'lahi* shall transfer the funding authorized for that employee's
8 position from the transferor agency to the transferee agency, including the Guam
9 Memorial Hospital Authority, Department of Public Health and Social Services, and
10 Department of Mental Health and Substance Abuse, unless the transfer is from a line
11 agency to an autonomous agency; and

12 (f) This Section shall *not* be used to transfer employees acting in good faith
13 who report *or* expose bad business practices, illegal activities, *or* inappropriate conduct
14 by public officials.

15 **Section 11. Moratorium on Compensation for Boards and Commissions.**

16 Notwithstanding any other provision of law, rule, or regulation, except for the Civil
17 Service Commission, the Guam Education Policy Board, and the Consolidated
18 Commission on Utilities, a moratorium is hereby placed on the compensation of all
19 members of government boards and commissions for their attendance at hearings or
20 meetings, through the end of Fiscal Year 2013.

21 **Section 12. Contracts.** Positions in the classified and unclassified service

22 shall *not* be filled pursuant to a contractual arrangement, *except* as provided in this
23 Section for Fiscal Year 2013.

1 (a) Subject to Chapter 5 of Title 5 of the Guam Code Annotated, government
2 of Guam departments and agencies may contract with independent contractors, provided
3 that no agency may contract for services customarily provided by employees in the
4 classified service, except as provided by law.

5 (b) Government of Guam departments and agencies that do not customarily
6 obtain professional services, such as licensed health professionals, licensed architects,
7 licensed engineers, legal services, actuarial services and auditing services through an
8 employee in the classified service in that department or agency may contract to obtain
9 such services.

10 (c) The Office of the Attorney General and the Public Defender Service
11 Corporation are authorized to contract with attorneys as independent contractors to
12 provide services in areas in which it is impracticable or impossible for the office to
13 proceed. Such contracts *shall* be in accordance with the procurement laws of Guam. No
14 such independent contractor hired pursuant to this Section may receive from the
15 government of Guam any remuneration in any form other than in payment for the
16 position into which such person is hired. The Office of the Attorney General and the
17 Executive Director of the Public Defender Service Corporation *shall* file a copy of every
18 such contract with the Chief Procurement Officer and the Director of Administration
19 together with a written certification stating why it is impracticable to handle the matter
20 within the office as otherwise constituted.

21 (d) This Section *shall not* apply to the Guam Department of Education; the
22 University of Guam; the Guam Community College; the Unified Judiciary when filling
23 positions of justices and judges pro tem, law clerks, and legal interns; the Department of

1 Revenue and Taxation when filling the position of legal counsel; *I Liheslaturan Guåhan*;
2 the Guam Memorial Hospital Authority; and the Department of Public Health and Social
3 Services and the Department of Mental Health and Substance Abuse when filling
4 positions of licensed health professionals.

5 (e) Any instrumentality of the government of Guam that fills any classified or
6 unclassified positions by contractual arrangement in accordance with this Section *shall*
7 file a copy of every such contract with the Chief Procurement Officer together with a
8 written certification stating why it is impracticable to handle the matter within the
9 instrumentality as otherwise constituted.

10 **Section 13. Repeal of Direct Deposit of Judiciary Appropriations.** §22111
11 of Article 1, Chapter 22, Title 5, Guam Code Annotated, is hereby *repealed* in its
12 entirety.

1 **Section 5. Special Fund Transfer.** *I Maga'lahaen Guåhan* is authorized to
2 transfer to the General Fund any cash available from any appropriated Special Fund *or*
3 Revolving Fund to fund the appropriations authorized by this Act.

4 All cash from Special funds *or* Revolving funds transferred to cover the
5 appropriations authorized by this Act *shall* be promptly reimbursed to the Special *or*
6 Revolving Fund from which it was withdrawn as cash becomes available.

7 **Section 6. Transfer Authority of I Maga'lahaen Guåhan.** *I Maga'lahaen*
8 *Guåhan* is authorized to transfer funds between Fiscal Year 2013 General Fund
9 Executive Branch appropriations, and within departments and agencies Special Fund
10 Executive Branch appropriations for Fiscal Year 2013. This section does not apply to
11 appropriations made to the Judiciary, *I Liheslaturan Guåhan*, and the Office of Finance
12 and Budget.

13 **Section 7. Independent Contractors.** The Office of *I Maga'lahi*, the Office
14 of *I Segundu Na Maga'lahaen Guåhan* and the Guam State Clearinghouse may enter into
15 agreements with independent contractors pursuant to Guam procurement laws.

16 **Section 8. Facilities Insurance Requirements.** Every department and
17 agency of the government of Guam, as part of its appropriations for operations contained
18 in this Act, may expend such sums as necessary for facilities insurance requirements.

19 **Section 9. Reporting Requirements for Non-Profit Organizations.** All
20 non-profit organizations that receive funds pursuant to this Act *shall* maintain financial
21 records that accurately account for said funds and *shall* provide a budgetary breakdown
22 by object category to the department *or* agency that oversees the appropriation. The non-
23 profit organization *shall* also provide to said department:

- 1 (a) A quarterly report describing its activities during the reporting period and
2 the results it achieved *no later than* twenty (20) days after the end of each
3 quarter;
- 4 (b) Notification of all procurement of equipment and services of Five
5 Thousand Dollars (\$5,000) *or* more prior to awarding the contract
6 therefore;
- 7 (c) Access to the overseeing department *or* agency's duly authorized
8 representative, and Government of Guam auditors, to appropriate records
9 for the purpose of audit and examination of books, documents, papers and
10 records of funds expended under the appropriation;
- 11 (d) Submission of a detailed inventory listing of each year's purchases, as
12 certified by its certifying officer; and
- 13 (e) A Final Report to the overseeing department *or* agency for submission to *I*
14 *Liheslaturan Guåhan* containing a full disclosure of all expenditures of
15 funds appropriated by this Act *no later than* November 15, 2013, for
16 Fiscal Year 2013. The overseeing department *or* agency *shall* post the
17 same on its website.
- 18 (f) Non-compliance with these reporting requirements will subject the non-
19 profit organization to a three percent (3%) reduction of its appropriation(s)
20 and the overseeing agency's contract with the organization *shall* so
21 provide.

22 **Section 10.** *Unless* otherwise specified in this Act:

1 **(a) General Fund Reversion.** All unexpended *or* unencumbered
2 appropriations made from the General Fund pursuant to this Act *shall* revert to the
3 General Fund on the last day of Fiscal Year 2013.

4 **(b) Tourist Attraction Fund Reversion.** All unexpended *or* unencumbered
5 appropriations made from the Tourist Attraction Fund pursuant to this Act *shall* revert to
6 the Tourist Attraction Fund on the last day of Fiscal Year 2013.

7 **(c) Healthy Futures Fund Reversion.** All unexpended *or* unencumbered
8 appropriations made from the Healthy Futures Fund pursuant to this Act *shall* revert to
9 the Healthy Futures Fund on the last day of Fiscal Year 2013.

10 **Section 11. Authorization for Payment of Prior Years' Obligations.**
11 Appropriations made in this Act may be expended for the payment of prior years'
12 obligations, provided it does not negatively impact the current operational needs of the
13 department or agency requesting such prior years' payment.

14 **Section 12. Funding Source.** The following departments are authorized to
15 expend up to the level of revenues collected for their respective special revenue funds for
16 Fiscal Year 2013:

- 17 **(a)** Guam Police Department - Police Services Fund
- 18 **(b)** Department of Corrections - Corrections Revolving Fund
- 19 **(c)** Customs and Quarantine Agency - Customs, Agriculture and Quarantine
20 Inspection Services Fund
- 21 **(d)** Guam Environmental Protection Agency - Guam Environmental
22 Protection Agency Funds: Air Pollution Control Special Fund, Guam

- 1 Environmental Trust Fund, the Water Protection Fund and the Water,
2 Research and Development Fund
- 3 (e) Department of Land Management - Land Survey Revolving Fund and
4 Chamorro Land Trust Operations Fund
- 5 (f) Department of Agriculture - Guam Plant Inspection and Permit Fund
- 6 (g) Board of Registration for Professional Engineers, Architects and Land
7 Surveyors - Professional Engineers, Architects and Land Surveyors
8 (PEALS) Board Fund
- 9 (h) Guam Fire Department - Guam Fire Department Funds: Enhanced 911
10 Emergency Reporting System Fund and the Fire, Life and Medical
11 Emergency Fund
- 12 (i) Guam Regional Transit Authority - Guam Regional Transit Authority
13 Fund
- 14 (j) Department of Public Works - DPW Building and Design Fee Account
- 15 (k) Guam Contractors License Board - Guam Contractors License Board Fund
16 Collections
- 17 (l) Department of Revenue and Taxation - Tax Collection Enhancement
18 Fund
- 19 (m) Department of Public Health and Social Services - Guam Environmental
20 Health Fund
- 21 (n) Department of Parks and Recreation - Public Recreation Services Fund
- 22 (o) Guam Department of Education - Public Library Resources Fund

1 (p) Department of Labor and the Guam Community College - Manpower
2 Development Fund

3 **Section 13. Guam Department of Education Plan Review.** Section 26 of
4 Chapter 2, Part I of Public Law 28-68, as *repealed* and *reenacted* by Section 20 of
5 Chapter VI of Public law 29-02, is further *repealed* and *reenacted* to read as follows:

6 “**Section 26. GDOE Compensation Plan Review.** Section 2 of Public
7 Law 28-036 is hereby *amended* to read as follows:

8 **Section 2. GDOE Compensation Plan Review.** The Director of
9 Administration, in consultation with the Guam Department of Education
10 (GDOE), immediately upon the enactment hereof, and every three (3)
11 years thereafter, *shall* review and upgrade as needed the Compensation
12 Plans of certificated teachers, guidance counselors, and school librarians
13 of GDOE, to be competitive with the U.S. national average. Only full-
14 time certificated teachers, full-time guidance counselors, and full-time
15 school librarians of GDOE shall be entitled to additional compensation
16 pursuant to this Section or the Director of Administration’s review of the
17 GDOE Compensation Plan. The Director of Administration *shall* enact
18 the upgraded Compensation Plans of full-time certificated teachers,
19 guidance counselors, and school librarians of GDOE after the
20 commencement of its review.”

21 **Section 14. Severability.** *If* any provision of this Act or its application to any
22 person or circumstances is held invalid, the invalidity shall *not* affect other provisions or

- 1 applications of this Act which can be given effect without the invalid provision or
- 2 application, and to this end the provisions of this Act are severable.