

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

**Bill No. 74 (EC)**

As amended in the Committee  
of the Whole and further amended  
on the Floor.

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Introduced by:

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

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**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 GOVERNMENT'S REVENUE  
ESTIMATE FOR FISCAL YEAR 2007; TO AMEND CERTAIN  
FEES, CHARGES AND PENALTIES OF THE GOVERNMENT  
OF GUAM; AND TO ENACTING MISCELLANEOUS  
PROVISIONS.**

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

Chapter **I.** Short Title.

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Chapter **II.** Amended Revenue Estimate for Fiscal Year  
2007.

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Chapter **III.** Modifications to Public Law 28-149,  
"Educational Appropriations Act of 2007".

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Chapter **IV.** Modifications to Public Law 28-150, "General  
Appropriations Act of 2007".

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Chapter **V.** Amendments to Certain Fees, Charges and  
Penalties of the Government of Guam.

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Chapter **VI.** Miscellaneous Provisions.

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**Chapter VII. Supplemental Funding.**

**Chapter VIII. Severability.**

1 | **CHAPTER I**

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2 | **SHORT TITLE**

3 | **Section 1. Short Title.** This Act, together with any other appropriations

4 | ~~act~~ for Fiscal Year 2007, *shall* collectively be known as the “*Amended General*

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5 | *Appropriations Act of 2007*”. The Administrative and Miscellaneous Provisions

6 | of any other appropriations ~~act~~ for Fiscal Year 2007 *shall continue in effect and*

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7 | *shall* govern this Act, *unless* modified herein. *Except*, as otherwise provided herein,

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8 | the appropriations made by this Act *shall* be available to pay for obligations

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9 | incurred on *or* after October 1, 2006, but *no later than* September 30, 2007. *If* any

10 | appropriation ~~in~~ this Act is found to violate federal law, all other portions *shall*

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11 | remain valid.



1	<u>3. Alien Labor Fees</u>	500,000
2	<u>4. Guam Police Department Fees</u>	182,571
3	<u>5. Department of Land Management Fees</u>	1,779,192
4	<u>6. Real Property Amnesty</u>	5,000,000
5	<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$469,346,347</b>
6		
7	<b>II. SPECIAL FUND REVENUES</b>	
8	<u>A. Air Pollution Control Special Fund</u>	221,182
9	<u>B. Chamorro Land Trust Operations Fund</u>	492,266
10	<u>C. Corrections Revolving Fund</u>	1,539,134
11	<u>D. Customs, Agriculture and Quarantine Inspection Fund</u>	8,167,484
12	<u>E. Enhanced 911 Emergency Reporting System Fund</u>	2,082,787
13	<u>F. Environmental Health Fund</u>	497,710
14	<u>G. Guam Board of Accountancy Fund</u>	425,029
15	<u>H. Guam Contractors License Board Fund</u>	334,901
16	<u>I. Guam Environmental Trust Fund</u>	191,812
17	<u>J. Guam Highway Fund</u>	15,324,872
18	<u>K. Guam Plant Inspection and Permit Fund</u>	44,507
19	<u>L. Healthy Futures Fund</u>	10,665,466
20	<u>M. Judiciary Building Fund</u>	20,000
21	<u>N. Land Survey Revolving Fund</u>	950,000
22	<u>O. Manpower Development Fund</u>	548,485
23	<u>P. Police Services Fund</u>	370,084
24	<u>Q. Professional Engineers, Architects and Land Surveyors Board Fund</u>	201,825
25	<u>R. Public Recreation Services Fund</u>	154,717
26	<u>S. Safe Streets Fund</u>	236,000
27	<u>T. School Lunch/SAE/Child Nutritional Meal Reimbursement Fund</u>	6,500,000
28	<u>U. Solid Waste Operations Fund (Tipping Fees)</u>	5,822,582
29	<u>V. Street Light Fund</u>	3,912,927
30	<u>W. Territorial Education Facilities Fund</u>	20,280,840
31	<u>X. Tourist Attraction Fund</u>	23,100,000
32	<u>Y. Water Protection Fund</u>	54,242
33	<u>Z. Water Research and Development Fund</u>	79,518
34	<b>TOTAL SPECIAL FUND REVENUE</b>	<b>\$102,218,370</b>
35		
36	<b>III. FEDERAL MATCHING GRANTS-IN-AID</b>	
37	<b>Federal Grants-In-Aid Requiring Local Match:</b>	
38		
39		
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1	A. Agriculture	\$ 560,565
2	B. Guam Council on the Arts and Humanities Agency	237,600
3	C. Guam Police <u>Department</u>	546,918
4	<u>D.</u> Integrated Services for Individuals	
5	with Disabilities	2,052,208
6	<u>E.</u> Judiciary of Guam	311,926
7	<u>F.</u> Labor	33,100
8	<u>G.</u> Law (AG)	4,205,679
9	<u>H.</u> Military Affairs	839,150
10	<u>I.</u> Public Health and Social Services	22,346,660
11	<u>J.</u> University of Guam	1,508,000
12	<b>TOTAL FEDERAL MATCHING GRANTS-IN-AID</b>	<b>\$32,641,806</b>

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13	<b>REVENUE SUMMARY:</b>	
14		
15	<b>TOTAL GENERAL FUND REVENUE</b>	<b><u>469,346,347</u></b>
16	<b>TOTAL SPECIAL FUND REVENUE</b>	<b><u>102,218,370</u></b>
17	<b>TOTAL FEDERAL MATCHING</b>	
18	<b>GRANTS-IN-AID</b>	<b><u>32,641,806</u></b>
19	<b>GRAND TOTAL</b>	<b><u>\$604,206,523</u></b>

1 | **CHAPTER III**  
2 | **MODIFICATIONS TO PUBLIC LAW 28-149:**

3 | **“EDUCATIONAL APPROPRIATIONS ACT OF 2007”**

4 | **Section 1. Appropriations to the University of Guam.** The first  
5 | paragraph of Section 1 and Subsection 1(a), Part II, Chapter II of Public Law 28-  
6 | 149 are hereby specifically amended to read:

7 | **“Section 1. Appropriations to the University of Guam.** The  
8 | amounts, in the Subsections below, totaling Thirty-two Million Seven  
9 | Hundred Four Thousand Five Hundred Eighty-eight Dollars (\$32,704,588)  
10 | are from the following Funds, and for the following purposes, to the  
11 | University of Guam for Fiscal Year 2007:

12 | (a) General Fund Appropriation for Operations. The sum of  
13 | Twenty-four Million Three Hundred Fifty-seven Thousand Eight  
14 | Hundred Thirteen Dollars (\$24,357,813) is appropriated from the  
15 | General Fund to the University of Guam for its operations in Fiscal  
16 | Year 2007.”

17 | **Section 2. Guam Educational Telecommunication Corporation (KGTF).**  
18 | The first paragraph of Section 1 and Subsection 1(a), Part IV, Chapter II of Public  
19 | Law 28-149 are hereby specifically amended to read:

20 | **“Section 1. Appropriation to the Guam Educational**  
21 | **Telecommunication Corporation (KGTF).** The amounts, in the  
22 | Subsections below, totaling Five Hundred Seventy Thousand Six Hundred  
23 | Forty-eight Dollars (\$570,648) are from the following Funds, and for the  
24 | following purposes, to the Guam Educational Telecommunication  
25 | Corporation (KGTF) for Fiscal Year 2007:

26 | (a) General Fund Appropriation for Operations. The sum of  
27 | Five Hundred Nine Thousand Sixty-one Dollars (\$509,061) is

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1 appropriated from the General Fund to the Guam Educational  
2 Telecommunication Corporation (KGTF) for its operations in Fiscal  
3 Year 2007.”

4 **Section 3. Guam Public Library System.** The first paragraph of Section 1  
5 and Subsection 1(a), Part V, Chapter II of Public Law 28-149 are hereby  
6 specifically amended to read:

7 **“Section 1. Appropriation to the Guam Public Library System.**

8 The amounts, in the Subsections below, totaling One Million Eight Hundred  
9 Ninety-two Thousand Seventy Dollars (\$1,892,070) are from the following  
10 Funds, and for the following purposes, to the Guam Public Library System  
11 for Fiscal Year 2007:

12 **(a) General Fund Appropriation for Operations.** The sum of One  
13 Million One Hundred Seventy-one Thousand Eight Hundred  
14 Ninety-eight Dollars (\$1,171,898) is appropriated from the General  
15 Fund to the Guam Public Library System for its operations in Fiscal  
16 Year 2007.”

17 **Section 4. Appropriations to the Guam Public School System for**  
18 **Fiscal Year 2007.** The first paragraph of Section 2 and Subsection 2(a), Part I,  
19 Chapter II of Public Law 28-149 are hereby specifically amended to read:

20 **“Section 2. Appropriations to the Guam Public School System for**  
21 **Fiscal Year 2007.** The amounts, in the Subsections below, totaling One  
22 Hundred Eighty Million Eight Hundred Eighty-seven Thousand One Hundred  
23 Seven Dollars (\$180,887,107) are from the following Funds, and for the  
24 following purposes, to the Guam Public School System for Fiscal Year 2007:

25 **(a) Guam Public School System Operations Fund**  
26 **Appropriation.** Pursuant to §§52101 and 52102 of Chapter 52,  
27 Division 2 of Title 11 Guam Code Annotated, as amended by this Act,

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1 the sum of One Hundred Seventy-two Million Fifty-three Thousand  
2 Four Hundred Forty-five Dollars (\$172,053,445), which is inclusive  
3 of such sums as are necessary for the implementation of salary  
4 adjustments for locally funded teacher positions pursuant to Public  
5 Law 28-36, as amended by Section 26 of Part I of Chapter II of Public  
6 Law 28-68, based on the fourteen percent (14%) teacher salary  
7 adjustments recommended by the Department of Administration, and  
8 which is also inclusive of a sum not exceeding One Million Ninety-  
9 eight Thousand Three Hundred Forty-five Dollars (\$1,098,345) for  
10 software, training, system conversion services, consulting and project  
11 management, hardware servers, hardware storage peripherals and  
12 hardware redundancy systems in the implementation of the Guam  
13 Public School System Student Management System, is appropriated  
14 from the General Fund to the Guam Public School System Operations  
15 Fund for Fiscal Year 2007. This appropriation shall be expended in  
16 accordance with the approved cash disbursement schedules mandated  
17 by this Act.”

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18 **Section 5. Guam Community College.** The first paragraph of Section 1  
19 and Subsection 1(a), Part III, Chapter II of Public Law 28-149 are hereby  
20 specifically amended to read:

21 **“Section 1. Appropriations to the Guam Community College.**  
22 The amounts, in the Subsections below, totaling Fourteen Million Eight  
23 Hundred Four Thousand Five Hundred Fifty-five Dollars (\$14,804,555),  
24 are from the following Funds, and for the following purposes, to the  
25 Guam Community College for Fiscal Year 2007:

1 (a) General Fund Appropriation for Operations. The sum of  
2 Seven Million Two Hundred Thirty-nine Thousand Five Hundred Forty-  
3 three Dollars (\$7,239,543) is appropriated from the General Fund to the  
4 Guam Community College for its operations in Fiscal Year 2007.”

5 Section 6. Guam Community College. Subsection (d) of Section 1.

6 Part III, Chapter II of Public Law 28-149 is hereby *amended* to read:

7 “(d) Appropriation to the Guam Community College  
8 Apprenticeship Program. The sum of Three Hundred Eighty-three  
9 Thousand Nine Hundred Forty Dollars (\$383,940) is appropriated from  
10 the Manpower Development Fund to the Guam Community College for  
11 the Guam Community College Apprenticeship Program for Fiscal Year  
12 2007.”

13 Section 7. Appropriation for Textbooks. Section 8(a), Part I, Chapter II  
14 of Public Law 28-68 is amended to read:

15 “Section 8. Appropriation for Textbooks. The following are  
16 appropriations to the Guam Public School System for the purchase of textbooks, e-  
17 book readers and collateral materials in accordance with the conditions and terms  
18 expressed in the following Subsections:

19 (a) Fiscal Year 2006. For Fiscal Year 2006, the sum of One  
20 Million Five Hundred Thousand Dollars (\$1,500,000) is appropriated from the  
21 General Fund from Fiscal Year 2007 revenues to the Guam Public School System  
22 (GPSS) for the purchase of textbooks, e-book readers and collateral classroom  
23 instructional materials. GPSS may, if necessary, in agreements with textbook  
24 vendors, defer payment until after October 1, 2006, but not later than December  
25 31, 2006, with the full faith and credit of the government of Guam.”

26 Section 8. Y Kuantan Salappe’Prinsepat (Principals’ Fund). Section  
27 2(d), Part I, Chapter II of Public Law 28-149 is amended to read:

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1 “(d) *Y Kuantan Salappe’Prinsepat (Principals’ Fund)*. Any unreleased  
2 and unexpended appropriations made by Section 5 of Part I of Chapter II of  
3 Public Law 28-68 may be expended in Fiscal Year 2007 for the purposes of *Y*  
4 *Kuantan Salappe Prinsepat (Principals’ Fund)*.”

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**CHAPTER IV**

**MODIFICATIONS TO PUBLIC LAW 28-150:  
“GENERAL APPROPRIATIONS ACT OF 2007”**

**Section 1. Department of Public Health and Social Services**

**General Fund Appropriations.** The first paragraph of Section 1 and Section 1(a), Part I, Chapter II of Public Law 28-150 are hereby specifically *amended to read:*

**“Section 1. Department of Public Health and Social Services General Fund Appropriations.** The following appropriations totaling Fifty Million Twenty-three Thousand Eight Hundred Forty-four Dollars (\$50,023,844) are from the General Fund to the Department of Public Health and Social Services (DPHSS) for Fiscal Year 2007 as follows;

**(a) DPHSS Operations and Community Health Centers.** The sum of Eighteen Million Two Hundred Eighty-two Thousand Twenty-two Dollars (\$18,282,022) is appropriated from the General Fund to the Department of Public Health and Social Services for its operations, which includes the operations of the Community Health Centers, in Fiscal Year 2007.”

**Section 2. Department of Integrated Services for Individuals with Disabilities.** Subsection (a), Section 1, Part II, Chapter II of Public Law 28-150 is hereby *amended to read:*

**“(a) The sum of Two Million Six Hundred Fifteen Thousand Eight Hundred Forty-five Dollars (\$2,615,845) is appropriated from the General Fund to the Department of Integrated Services for Individuals with Disabilities for its operations in Fiscal Year 2007, of which Eight Hundred Seventy Thousand Six Hundred Forty-two Dollars (\$870,642) is to meet the requirements of the Permanent Injunction in Civil Case No. CV 01-00041, J.C. et al v. Governor of Guam, et al.”**

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“(a) DPHSS Operations and Community Health Centers. The sum of Eighteen Million Four Hundred Twenty-five Thousand Four Hundred Eighty Dollars (\$18,425,480) Seventeen Million Nine Hundred Sixty-four Thousand Eight Hundred Forty-three Dollars (\$17,964,843) is appropriated from the General Fund to the D... [102]
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**Section 3. Department of Mental Health and Substance Abuse.**

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

“(a) The sum of Four Million Four Hundred Forty-four Thousand Five Hundred Ninety-eight Dollars (\$4,444,598) is appropriated from the General Fund to the Department of Mental Health and Substance Abuse for its operations in Fiscal Year 2007”.

**Section 4. Guam Memorial Hospital Authority Pharmaceuticals Fund**

**Appropriation.** Section 2, Part IV, Chapter II of Public Law 28-150 is hereby amended to read:

**“Section 2. Guam Memorial Hospital Authority Pharmaceuticals Fund Appropriation.** Pursuant to §§26208 and 26208.1 of Chapter 26, Division 2 of Title 11 Guam Code Annotated, as amended by this Act, the sum of Nine Million Eight Hundred Eleven Thousand Two Hundred Twenty-five Dollars (\$9,811,225) is appropriated from the General Fund to the Guam Memorial Hospital Authority Pharmaceuticals Fund for Fiscal Year 2007.”

**Section 5. Guam Memorial Hospital Authority Operations**

**Appropriation.** Section 3, Part IV, Chapter II of Public Law 28-150 is hereby amended to read:

**“Section 3. Guam Memorial Hospital Authority Operations Appropriation.** The sum of Three Million Six Hundred One Thousand Six Hundred Sixty Dollars (\$3,601,660) is appropriated from the General Fund to the Guam Memorial Hospital Authority for its operations in Fiscal Year 2007.

The unexpended balance of the appropriation made to the Guam Memorial Hospital Authority in Section 25, Part III, Chapter II of Public

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1 Law 28-68 in the amount of ~~Four Million Two Hundred Thousand Dollars~~  
2 (\$4,200,000) against Fiscal Year 2007 revenues *shall* continue to be  
3 available for expenditures in Fiscal Year 2007 for the same purposes in said  
4 appropriation.

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Thousand Dollars (\$7,800,000)

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5 ~~*I Maga'lahi shall*~~ restore the \$3.6 Million Dollars reduction in the  
6 appropriations contained in this Section with Compact Impact funds  
7 received from the Department of Interior in FY 2008.”

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8 **Section 6. Guam Environmental Protection Agency.** Subsections (a),  
9 ~~(b) and (c) of~~ Section 1, Part V, Chapter II of Public Law 28-150 are hereby  
10 *amended* to read:

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11 **“(a) Waste Reduction Education Strategy.** The sum of ~~Nineteen~~  
12 Thousand Five Hundred Dollars (**\$19,500**) is appropriated from the General  
13 Fund to the Guam Environmental Protection Agency’s Solid Waste  
14 Management Fund for the Agency’s Information Services Branch to conduct  
15 the Waste Reduction Education Strategy. Said Strategy *shall* focus on  
16 student outreach in different grade levels of public and private schools and  
17 *shall* facilitate demonstration projects and service learning opportunities  
18 within said schools in Fiscal Year 2007.

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(\$20,000)

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19 **(b) HASSO Guam Program.** The sum of ~~Nine Thousand Seven~~  
20 Hundred Fifty Dollars (**\$9,750**) is appropriated from the General Fund to the  
21 Guam Environmental Protection Agency’s Solid Waste Management Fund  
22 for use in the Solid Waste Management Division for public outreach to  
23 support HASSO Guam Program in its collection of household hazardous  
24 waste in Fiscal Year 2007.

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(\$10,000)

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25 **(c) Appropriation to the Guam Environmental Protection Agency**  
26 **to ~~hire two~~ (2) Environmental Inspector II’s.** The sum of ~~Seventy-nine~~  
27 Thousand Six Hundred Fifty-six Dollars (**\$79,656**) is appropriated from the

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Hundred Nineteen Dollars (\$81,719)

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1 General Fund to the Guam Environmental Protection Agency to hire two (2)  
2 persons to fill Environmental Inspector II positions in the Water Programs –  
3 Enforcement Division in Fiscal Year 2007.”

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

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

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

14 ~~“(a) The sum of Twenty Million Eight Hundred Seventy-seven Thousand~~  
15 ~~Six Hundred Sixty-seven Dollars (\$20,877,667) is appropriated from the~~  
16 ~~General Fund to the Guam Fire Department for its operations in Fiscal~~  
17 ~~Year 2007.”~~

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

20 **“Section 2. Firefighters – EMT-A Duty.** The sum of Six Hundred  
21 Seventy-seven Thousand Eight Hundred Ninety-one Dollars (\$677,891) is  
22 appropriated from the General Fund to the Guam Fire Department for the  
23 purposes of §6223 of Article 2 of Chapter 6 of Title 4 Guam Code  
24 Annotated.”

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

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Hundred Forty-six Thousand Nine  
Hundred Eighty-six Dollars  
(\$22,346,986) Twenty-one Million Seven  
Hundred Eighty-Eight Thousand Three  
Hundred Eleven Dollars (\$21,788,311)

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Million Ninety-nine Thousand Seven  
Hundred Seventy-seven Dollars  
(\$21,099,777) Twenty Million Five  
Hundred Seventy-two Thousand Two  
Hundred Eighty-three Dollars  
(\$20,572,283) is appropriated from the  
General Fund to the Guam Fire  
Department for its operations in Fiscal  
Year 2007.” ¶

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Thousand Two Hundred Seventy-three  
Dollars (\$695,273)

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1 “(a) The sum of Thirteen Million Seven Hundred Seventy-Seven  
2 Thousand Eight Hundred Forty-eight Dollars (\$13,777,848) is  
3 appropriated from the General Fund to the Department of Corrections for  
4 its operations in Fiscal Year 2007.”

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

7 “Section 1. Department of Youth Affairs. The sum of Three  
8 Million Three Hundred Twenty-one Thousand Two Hundred Eighteen  
9 Dollars (\$3,321,218) is appropriated from the General Fund to the  
10 Department of Youth Affairs (DYA) for its operations in Fiscal Year  
11 2007.”

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

14 “Section 1. Office of the Chief Medical Examiner. The sum of  
15 Four Hundred Eight Thousand Five Hundred Fifty-nine Dollars (\$408,559)  
16 is appropriated from the General Fund to the Office of the Chief Medical  
17 Examiner for its operations in Fiscal Year 2007. This appropriation is  
18 inclusive of the amount contained in Section 23 of this Chapter relative to  
19 the amendment to Section 2 of Public Law 28-150 to the Office of Chief  
20 Medical Examiner.”

21 Section 13. Appropriation for Executive Branch. Section 1, Part I,  
22 Chapter IV of Public Law 28-150 is hereby *amended* to read:

23 “Section 1. Appropriation for Executive Branch. The sum of  
24 Sixty-five Million Sixty Thousand Four Hundred Fifty-three Dollars  
25 (\$65,060,453) is appropriated to I Maga’lahen Guåhan, of which Forty-  
26 four Million Seven Hundred Fourteen Thousand Nine Hundred Seventy-

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1 eight Dollars (\$44,714,978) is from the General Fund (inclusive of the  
2 balances of the dormant or inactive fund accounts contained in Section  
3 2(a)(7) of Section 23 of this Chapter), as designated below, Eighteen  
4 Million Six Hundred Seventy-five Thousand Sixty Dollars (\$18,675,060)  
5 is from Special Funds, as designated below, and One Million Six  
6 Hundred Seventy Thousand Four Hundred Fifteen Dollars (\$1,670,415)  
7 is from Federal Matching Grants-in-Aid, as designated below, for  
8 Executive Branch operations, including personnel costs, in Fiscal Year  
9 2007 for the following entities:

10 (a) Department of Administration (Guam Highway Fund -  
11 \$2,500,000); (General Fund- \$8,063,692).

12 (b) Department of Revenue and Taxation (General Fund-  
13 \$8,208,865).

14 (c) Bureau of Budget and Management Research (General  
15 Fund-\$1,335,460).

16 (d) Civil Service Commission (General Fund-\$462,748).

17 (e) Bureau of Statistics and Plans (General Fund-\$1,086,903).

18 (f) Department of Military Affairs (Federal Matching Grants-  
19 In-Aid - \$839,150); (General Fund-\$450,491).

20 (g) Department of Public Works (Guam Highway Fund -  
21 \$6,798,009) Solid Waste Operations Fund - \$5,822,582); (General Fund-  
22 \$7,859,899).

23 (h) Department of Labor (Manpower Development Fund -  
24 \$164,545) (Federal Matching Grants-In-Aid - \$33,100); (General Fund-  
25 \$1,684,762).

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1 (i) Department of Agriculture (Guam Plant Inspection and  
2 Permit Fund - \$44,507); (Federal Matching Grants-In-Aid - \$560,565);  
3 (General Fund-\$2,167,746).

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4 (j) Department of Land Management (Land Survey Revolving  
5 Fund - \$950,000); (FY 2005 Land Survey Revolving Fund Unreserved  
6 Fund Balance - \$682,580); (General Fund-\$2,172,153).

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7 (k) Department of Parks and Recreation (Public Recreation  
8 Services Fund - \$154,717); (General Fund-\$3,501,968).

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9 (l) Guam Council on the Arts and Humanities Agency  
10 (Tourist Attraction Fund - \$50,000); (Federal Matching Grants-In-Aid -  
11 \$237,600); (General Fund-\$258,259).

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12 (m) Department of Chamorro Affairs (Tourist Attraction Fund  
13 - \$54,099); (General Fund-\$666,152).

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14 (n) Guam Election Commission (General Fund-\$335,962).

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15 (o) Commission on Decolonization (General Fund-\$145,321).

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16 (p) Guam Ancestral Lands Commission (General Fund-  
17 \$191,822).

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18 (q) Chamorro Land Trust Commission (Chamorro Land Trust  
19 Operations Fund - \$492,266).

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20 (r) Office of I Maga'lahen Guåhan (General Fund-  
21 \$3,816,387).

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22 (s) Office of I Segundu Na Maga'lahen Guåhan (General  
23 Fund-\$1,100,535).

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24 (t) Guam State Clearinghouse (General Fund-\$314,859).

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25 (u) Office of Veteran's Affairs (General Fund-\$261,273).

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26 (v) Medical Referral Office (General Fund-\$629,721).

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(w) Guam Board of Accountancy (Guam Board of Accountancy Fund-\$425,029).

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

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

**Section 14. TEF Fund Debt Service Fund Savings Appropriation**

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

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

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

**"Section 16. I Liheslaturan Guåhan Operations. The sum of Six Million Five Hundred Ninety Thousand Seven Hundred Seventy-three Dollars (\$6,590,773) is appropriated from the General Fund to I Liheslaturan Guåhan for its operations, including personnel services."**

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

**"Section 17. Appropriation to the Office of Finance and Budget.**  
The sum of Four Hundred Fifty-five Thousand Seventy-one Dollars (\$455,071) is appropriated from the General Fund to *I Liheslaturan Guåhan*, specifically for the operations of the Office of Finance and Budget (OFB), including personnel services."

**Section 18. Mayors Council of Guam.** Section 19(a) of Part II, Chapter IV of Public Law 28-150 is hereby *amended* to read:

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1 “Section 19. (a) Mayors Council of Guam Operations. The sum  
2 of Seven Million Four Hundred Seventy-six Thousand Five Hundred  
3 Seventy-one Dollars (\$7,476,571) is appropriated from the General Fund to  
4 the Mayors Council of Guam for personnel services, operations and utilities  
5 for Fiscal Year 2007.

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6 Section 19. Mayors Council of Guam. Section 20 of Part II, Chapter IV  
7 of Public Law 28-150 is hereby *amended* to read:

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Section 19 of Part II, Chapter IV of  
Public Law 28-150 is hereby *amended* to  
read:¶

Section 20.

8 “Section 20. The sum of Seven Hundred Twenty-seven Thousand  
9 Three Hundred Eighty-five Dollars (\$727,385) is appropriated from the  
10 Tourist Attraction Fund to the Mayors Council of Guam for the following:

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11 (a) **Island-wide Beautification Projects.** Four Hundred Ninety-one  
12 Thousand Four Hundred Eighty-two Dollars (\$491,482) for Island-  
13 wide Village Beautification Projects. For purposes of this Section,  
14 beautification projects *shall* include:

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Beautification Projects.-(a)

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the

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15 (1) the maintenance and cleaning of the public restrooms at the  
16 following parks: the Talofofu Beach Park; Inarajan Pool; *Malessu* Pier  
17 Park; Fort Soledad Park; Nimitz Beach Park; *Tanguisson* Beach Park;  
18 Padre Palomo Beach Park; and *Tagachang* Beach Park as provided for  
19 by a Memorandum of Understanding between each appropriate village  
20 Mayor and the Department of Parks and Recreation; (2) the  
21 maintenance and upkeep of each village’s main roads; and (3) the  
22 planting and maintenance of each village’s official flower and other  
23 flowering plants, shrubs and trees alongside each village main roads,  
24 public restrooms and recreational facilities. Each village mayor may  
25 contract for the services necessary to carry out the intent of this  
26 Section subject to the Guam Procurement Law, Title 5 G.C.A.  
27 Chapter 5.

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1 (b) Mayors Council of Guam Operations. One Hundred Eighty-  
2 eight Thousand Nine Hundred and Three Dollars (\$188,903) to the Mayors  
3 Council of Guam for personnel, operations and utilities for Fiscal Year 2007.

4 (c) Village Streets Maintenance and Beautification. Thirty-seven  
5 Thousand Five Hundred Dollars (\$37,500) to the Mayors Council of Guam  
6 for Fiscal Year 2007 for the maintenance and beautification of village  
7 secondary and tertiary roads and other operational requirements. Such funds  
8 shall not be subject to any transfer authority of *I Maga'lahaen Guåhan*.

9 (d) Nine Thousand Five Hundred Dollars (\$9,500) is appropriated to  
10 the Mayors Council of Guam for Fiscal Year 2007, to be expended, in  
11 accordance with plans approved by the Village Municipal Planning Council  
12 and filed with the Director of Administration, on public safety and social  
13 education programs that enforce alcohol regulations, reduce underage  
14 drinking, support traffic safety, reduce drug-related violence and abuse and  
15 to support government of Guam substance abuse prevention programs.

16 (e) The Mayors Council shall submit a report to *I Liheslaturan*  
17 *Guåhan* on all expenditures subject to this appropriation.

18 Section 20. Office of the Public Auditor. Section 21 of Part II, Chapter  
19 IV of Public Law 28-150 is hereby amended to read:

20 “Section 21. Appropriation to Office of the Public Auditor. (a)  
21 The sum of One Million Ninety-one Thousand One Hundred Twenty-  
22 three Dollars (\$1,091,123) is appropriated from the General Fund to the  
23 Office of the Public Auditor for its operations, including personnel costs,  
24 for Fiscal Year 2007.

25 (b) The sum of One Hundred Thirty-two Thousand Six Hundred  
26 Three Dollars (\$132,603) is appropriated from the General Fund to the

Deleted: The Guam Visitors Bureau shall not release any funds from this appropriation to the Mayors Council until project plans are reviewed and approved by the Council and the GVB Board.¶

(b) The sum of Thirty-Five Thousand (\$35,000) from the appropriation of Subsection (a) hereof shall be available to the Guam Visitors Bureau for administrative support and coordination regarding its obligations under this section.¶

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Office of the Public Auditor to fund its Procurement Appeals Division for Fiscal Year 2007.”

**Section 21. Public Defender Services Corporation.** Section 22 of Part II, Chapter IV of Public Law 28-150 is hereby *amended* to read:

**“Section 22. Public Defender Services Corporation.** The sum of Two Million Eight Hundred Forty-five Thousand One Hundred Forty-nine Dollars (\$2,845,149) is appropriated from the General Fund to the Public Defender Services Corporation for its operations in Fiscal Year 2007. This appropriation is inclusive of the amount contained in Section 23 of this Chapter relative to the amendment to Section 2 of P.L. 28-150 to the Public Defender Services Corporation.”

**Section 22. I Segundu Na Maga’lahen Guåhan and the Guam State Clearinghouse.** Section 28 of Part II, Chapter IV of Public Law 28-150 is hereby *amended* to read:

**“Section 28. Appropriations made to the Office of I Segundu Na Maga’lahen Guåhan and the Guam State Clearinghouse.** From the sums appropriated from the General Fund pursuant to Section 1 of Chapter IV, Part I of this Act, *I Maga’lahen Guåhan shall* expend the sum of One Million ~~Four~~ Hundred ~~Fifteen~~ Thousand ~~Three~~ Hundred Ninety-~~four~~ Dollars (\$1,415,394) as follows:

- (a) The sum of One Million ~~One Hundred~~ Thousand ~~Five~~ Hundred Thirty-~~five~~ Dollars (\$1,100,535) shall be used for the operations of the Office of *I Segundu Na Maga’lahen Guåhan*, of which one quarter, or the sum of Two Hundred ~~Seventy-five~~ Thousand ~~One~~ Hundred ~~Thirty-four~~ Dollars (\$275,134) shall be released for the period beginning October 1, 2006 to December 31, 2006;

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—(a) The sum of One Hundred ... [232]

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(b) The sum of ~~Three Hundred~~ ~~Fourteen~~ ~~Thousand~~ ~~Eight~~ ~~Hundred~~ ~~Fifty-nine~~ Dollars (~~\$314,859~~) shall be used for the operations of the Guam State Clearinghouse, of which one quarter, or the sum of ~~Seventy-eight~~ ~~Thousand~~ ~~Seven~~ ~~Hundred~~ ~~Fifteen~~ Dollars (~~\$78,715~~) shall be released for the period beginning October 1, 2006 to December 31, 2006.”

**Section 23. Executive Branch Appropriations from other Sources.** P.L.

28-150, Chapter IV, Part I, Section 2 is hereby *amended* to read as follows:

“**Section 2.** (a) Notwithstanding any provision of law, the total sum of One Million Four Hundred Fifty Thousand Nine Hundred ~~Ninety-five~~ Dollars (~~\$1,450,995~~) from the balances in the following accounts:

- (1) ~~GTA Privatization Account with a balance of \$3,356;~~
- (2) ~~GTA/TeleGuam Holdings, LLC with a balance of \$9,870;~~
- (3) ~~GTA/Tiyan Indemnity Account with a balance of \$1,080,182;~~
- (4) ~~GTA/Purchase Price Adjust with a balance of \$6,523;~~
- (5) ~~GTA Transition with a balance of \$351,064;~~

are hereby appropriated to the following entities:

- (1) Medical Examiner - \$10,214 ~~for operations and personnel costs;~~
- (2) Department of Revenue and Taxation - \$207,405 ~~for operations and personnel costs;~~
- (3) Public Defender Services Corporation - \$71,885 ~~for operations and personnel costs;~~
- (4) Government of Guam Retirement Fund - ~~\$460,000~~ for payment of ~~the~~ increase of the employer’s portion of the ~~Retirement Fund~~ contribution for executive line agencies from 22.65% to 22.94% for FY 2007.
- (5) ~~The~~ Guam Public School System - ~~\$450,421~~ for replacement and/or repair of air conditioning for the following schools:

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- (A) Tamuning Elementary School;
- (B) Southern High School;
- (C) All other schools as appropriate.

(6) Guam Memorial Hospital Authority Pharmaceuticals Fund ~~\$185,659~~ pursuant to Section 2, Part IV, Chapter II of Public Law 28-150.

~~(7) The sum of Sixty-five Thousand Four Hundred Eleven Dollars (\$65,411.00) to fund the Center of Excellence in Management in Health for the Pacific at the University of Guam as known as "HLATTE" for FY 2007.~~

~~(7) Notwithstanding any provision of law, the sum of One Million Six Hundred Sixty-six Thousand Five Hundred Thirty-seven Dollars (\$1,666,537) from the balances held in dormant or inactive funds and accounts, as described by the Office of the Public Auditor in OPA Report No. 06-03, is hereby transferred to the General Fund and is hereby appropriated from the General Fund to I Maga'lahaen Guåhan for Executive Branch FY 2007 operations, including personnel costs. Upon such transfer, the said dormant funds and accounts shall be closed and all further receipts from such funds shall be deposited in the General Fund. The Director of Administration shall report to I Maga'lahaen Guåhan and I Liheslaturan Guåhan on the final closure of said funds and the amounts transferred to the General Fund."~~

~~Section 24. Appropriation for Conservation Officers. Section I, Part IX, Chapter III of Public Law 28-150 is hereby amended to read:~~

~~"Section 1. Appropriation for Conservation Officers. There is hereby appropriated from the General Fund to the Department of Agriculture the sum of Five Hundred Ninety-one Thousand Eight Hundred Seventy-nine Dollars (\$591,879) for the compensation and benefits of Conservation Officers in the~~

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1 Division of Aquatic & Wildlife Resources in Fiscal Year 2007 to be allocated as  
2 follows:

3	<u>Personnel and Benefits</u>	<u>\$557,337</u>
4	<u>Overtime</u>	<u>\$ 16,226</u>
5	<u>Uniforms/Supplies/Equipment</u>	<u>\$ 18,316</u>
6	<u>Total</u>	<u>\$591,879</u>

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7 **Section 25. Appropriation for Territorial Park Patrol Officers.** Section  
8 1, Part VIII, Chapter III of Public Law 28-150 is hereby *amended* to read:

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9 **“Section 1. Appropriation for Territorial Park Patrol Officers. The sum**  
10 **of Two Hundred Thirteen Thousand Two Hundred Fifty-three Dollars **(\$213,253)****  
11 **is appropriated from the General Fund to the Department of Parks and Recreation**  
12 **for the compensation and benefits of Territorial Park Patrol Officers in the Parks**  
13 **Protection Division in Fiscal Year 2007.”**

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14 **Section 26. Office of the Attorney General, Department of Law.** Section  
15 1(a), Part VII, Chapter III of Public Law 28-150 is hereby *amended* to read:

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16 **“(a) The sum of Six Million Seven Hundred Fifty-six Thousand Five**  
17 **Hundred Twenty-five Dollars **(\$6,756,525)** is appropriated from the General**  
18 **Fund to the Office of the Attorney General, Department of Law, for its**  
19 **operations in Fiscal Year 2007, which includes local matching fund**  
20 **requirements.”**

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21 **Section 27. Appropriation to the Judiciary.** Section 12(a), Part II,  
22 Chapter IV of Public Law 28-150 is hereby *amended* to read:

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23 **“Section 12. Appropriation to the Judiciary. (a) The sum of**  
24 **Nineteen Million Nine Hundred Sixty Thousand Four Hundred Eighty-five**  
25 **Dollars **(\$19,960,485)** is appropriated from the General Fund to the**  
26 **Judiciary for its operations in Fiscal Year 2007.”**

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1 **Section 28. Appropriation to the Department of Revenue and Taxation.**  
2 All funds deposited and held in the Better Public Services Fund are hereby  
3 appropriated to the Department of Revenue and Taxation to execute the purposes  
4 of said Fund mandated by Title 11 GCA Chapter 161.

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5 **Section 29. COLA Appropriation. Section 5(b), Part II, Chapter IV**  
6 of Public Law 28-150 is amended to read:

7 “(b) The sum of Six Million Eight Hundred Thousand Dollars  
8 (\$6,800,000) is appropriated from the General Fund to the Department of  
9 Administration for Government of Guam retirees’ Cost of Living Allowance to be  
10 paid in Fiscal Year 2007.”

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CHAPTER V  
AMENDMENTS TO CERTAIN FEES,  
CHARGES AND PENALTIES OF THE  
GOVERNMENT OF GUAM

PART I  
FEES AND PENALTIES ASSESSED BY THE DEPARTMENT OF  
REVENUE AND TAXATION.

**Section 1.** A new §1112 is *added* to Chapter 1 of 11 GCA as follows:

**“§1112. Income Tax. Service Fees.** The Income Tax and Processing Branch of the Department of Revenue and Taxation is authorized to charge service fees as follows:

<u>No.</u>	<u>Description</u>	<u>Fee</u>
(1)	<u>For each Page</u>	<u>\$1</u>
(2)	<u>W-1 Duplication Fee</u>	<u>\$5</u>
(3)	<u>Certification Notice to Taxpayer</u>	<u>\$3</u>
(4)	<u>Form F-500 Duplication Fee</u>	<u>\$3</u>
(5)	<u>SWICA Duplication Fee</u>	<u>\$5”</u>

**Section 2.** 11 GCA §2118 is *amended* to read as follows:

**“§2118.** The Director *shall* collect for each annual inspection of a scale, weight or measure before the sealing of the same and deliver to the owner, a certificate of its accuracy, a fee as established in the schedule of fees promulgated under the provisions of this Chapter. The Director *shall* collect the appropriate fee for any other service rendered by the Department under the provisions of this Chapter and *shall* deposit such funds in the

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1 General Fund of fees collected pursuant to this Section. The fees shall be as  
2 follows:

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<u>Scales</u>	<u>Fee</u>
<u>01 to 30 lbs</u>	<u>\$4.00</u>
<u>31 to 100 lbs</u>	<u>\$6.00</u>
<u>101 to 501 lbs</u>	<u>\$8.00</u>
<u>501 to 2,000 lbs</u>	<u>\$13.00</u>
<u>2001 to 5,000 lbs</u>	<u>\$25.00</u>
<u>5001 to 10,000 lbs</u>	<u>\$35.00</u>
<u>Over 10,000 lbs</u>	<u>\$40.00</u>

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11 Dry or Liquid Measures

12 Less than 1 gallon \$4.00

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13 1 to 5 gallons \$10.00

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14 Lineal Measures

15 Inspectors

16 Salary per hour \$10.00

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17 Taxi Calibration

18 Taximeter \$20.00"

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19 Section 3. 11 GCA §2205 is hereby *amended* to read as follows:

20 “§2205. License Fees. Before the issuance of any license as a public  
21 weighmaster, or any renewal thereof, the applicant shall pay to the Director  
22 a fee of Fifty Dollars (\$50.00). Licenses shall expire two (2) years after  
23 issuance. Such fees shall be deposited in the General Fund.”

24 Section 4. 11 GCA §3207 is *amended* to read as follows:

25 “§3207. Licenses: Classes and Fees. The Board is authorized to  
26 issue the following classes and kinds of licenses at the following fees:

27 Class 1. Manufacturer’s license \$100.00 per year

1	<u>Class 2. Agent's license</u>	<u>\$250.00 per year</u>
2	<u>Class 3. Wholesale dealer's license</u>	<u>\$1,000.00 per year</u>
3	<u>Class 4. Retail dealer's on-sale license:</u>	
4	<u>Beer</u>	<u>\$300.00 per year</u>
5	<u>General</u>	<u>\$1,000.00 per year</u>
6	<u>Wine</u>	<u>\$300.00 per year</u>
7	<u>Waiter/Waitress</u>	<u>\$15.00 per year</u>
8	<u>Manager/Assistant Manager</u>	<u>\$25.00 per year</u>

9 Class 5. Retail dealer's off-sale license:

10	<u>Beer</u>	<u>\$200.00 per year</u>
11	<u>General</u>	<u>\$1,000.00 per year</u>

12 Class 6. Special Alcoholic license \$25.00 per year

13 Class 7. Temporary beer license \$20.00 per day

14 *not to exceed \$100.00 per event*

15 Class 8. Public warehousemen's license \$50.00 per year

16 Class 9. Club license \$500.00 per year

17 Class 10. Temporary general license \$50.00 per day

18 *not to exceed \$100.00 per event*

19 Class 11. Microbrewery-pub restaurant license \$1,000.00 per year

20 Class 12. Mobile License:

- 21 (a) Limousine Service – per vehicle \$750.00 per year
- 22 (b) Charter Vehicle (Vans) – per vehicle
- 23 Up to ten (10) passengers \$500.00 per year
- 24 (c) Charter Vehicle (Vans) - per vehicle
- 25 More than ten (10) passengers \$750.00 per year
- 26 (d) Buses - per vehicle \$1,000.00 per year”

27 Section 5. 11 GCA §3613 is hereby *amended* to read as follows:

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1 “§3613. Same: Hearing. The Board upon receipt of the report  
2 required in §3612 shall, as soon as practicable, hold a hearing on such  
3 report. The Board shall impose a penalty on a licensee found guilty of  
4 violating any of the provisions of this Chapter amounting to Seven Hundred  
5 Fifty Dollars (\$750.00) for the first offense; One Thousand Five Hundred  
6 Dollars (\$1,500.00) for the second offense; Two Thousand Five Hundred  
7 Dollars (\$2,500.00) for the third offense; and Three Thousand Five Hundred  
8 Dollars (\$3,500.00) for the fourth offense. After the fourth offense, the  
9 Board may impose a penalty of Four Thousand Five Hundred Dollars  
10 (\$4,500.00) and a forty-eight (48) hour suspension for every subsequent  
11 offense. Contingent on the severity of any violation, the Board may use its  
12 discretion and suspend or revoke the license of any licensee found guilty of  
13 violating any of the provisions of this Chapter.”

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14 Section 6. 3 GAR §7103 is repealed and reenacted to read as follows:

15 “§7103. Occupational Licenses. The association shall ensure that  
16 every owner, trainer, groom, exercise boy, association employee, association  
17 official, and shall ensure that concessionaires require their employees, to  
18 have in their possession a current valid license issued by the Commission  
19 designating the position for which said license has been issued. The cost for  
20 each occupational license shall be Fifteen Dollars (\$15.00) annually and  
21 shall be deposited in the General Fund.”

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22 Section 7. 13 GCA §9403(5) is amended to read as follows:

23 “§9403(5). The uniform fee for filing, indexing and furnishing filing  
24 data (subdivision 1 of §9407) for an original financing statement, an  
25 amendment or a continuation statement shall be Ten Dollars (\$10.00).”

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26 Section 8. 13 GCA §9404(3) is repealed and reenacted to read as follows:

1           “(3) The uniform fee for filing, indexing and furnishing filing data  
2 (subdivision 1 of §9407) for a termination statement, shall be Ten Dollars  
3 (\$10.00).”

4 **Section 9.** 13 GCA §9405(3) is *amended* to read as follows:

5           “(3) The uniform fee for filing, indexing and furnishing filing data  
6 (subdivision 1 of §9407) for a statement of release shall be Ten Dollars  
7 (\$10.00).”

8 **Section 10.** 13 GCA §9406(4) is *amended* to read as follows:

9           “(4) The uniform fee for filing, indexing and furnishing filing data  
10 (subdivision 1 of §9407) for a separate statement of assignment shall be Ten  
11 Dollars (\$10.00).”

12 **Section 11.** 13 GCA §9407(2) is *amended* to read as follows:

13           “(2) Upon request of any person, the filing officer shall issue his  
14 certificate showing whether there is on file on the date and time stated  
15 therein, any presently effective financing statement naming a particular  
16 debtor and any statement of assignment thereof and if there is, giving the  
17 date and time of filing of each such statement and the names and addresses  
18 of each secured party therein. The certificate shall not include any statement  
19 as to the possibility of insolvency proceedings which might have the effect  
20 of preventing the lapse of effectiveness of a filed financing statement  
21 pursuant to Section 9403 whether actual insolvency proceedings are known  
22 or unknown to the filing officer. The uniform fee for such a certificate shall  
23 be Ten Dollars (\$10.00). Upon request the filing officer shall furnish a copy  
24 of any filed financing statement or related filings for a uniform fee of One  
25 Dollar (\$1.00) for the first page and Fifty Cents (\$0.50) for each page  
26 thereafter.”

27 **Section 12.** 11 GCA §6108 is *amended* to read as follows:

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1 “§6108. Same: Fees. The Director is authorized to issue the  
2 following classes of licenses at the following fees, which shall be paid by  
3 the applicant at the time of application:

4 Annual Retail License: \$100.00;

5 Annual Vending Machine Retail License: \$40.00;

6 Annual Wholesaler License: \$1,000.00.”

7 **Section 13.** 11 GCA §6105 is amended to read as follows:

8 “§6105. Same: Renewal. A licensee may renew his license at the  
9 expiration thereof by the payment of the annual license fee set forth in this  
10 Chapter and by filing a renewal application. A licensee who fails to renew  
11 his license on or before the thirtieth (30<sup>th</sup>) day of June of each year shall be  
12 assessed a late fee of Fifty Dollars (\$50.00) and a penalty of One Dollar  
13 (\$1.00) per each calendar day he is delinquent, which penalty shall become  
14 part of the renewal fee, and his license shall be automatically suspended,  
15 unless all payments for annual fee, late fee and the daily penalty are paid in  
16 full on or before the thirty-first (31<sup>st</sup>) day of July of that year, in which case  
17 the license may be reinstated by the Director immediately. Unless the license  
18 is so reinstated, it is automatically revoked and the Director shall not issue a  
19 license except upon a new application. Any licensee who fails to renew his  
20 or her license on or before the thirty-first (31<sup>st</sup>) day of July shall be required  
21 to discontinue sales of tobacco products.

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22 Additionally, any licensee who fails to renew his or her license on or  
23 before the thirty-first (31<sup>st</sup>) day of July shall be subject to an injunction  
24 issued by the Superior Court of Guam and to prosecution under Title 11  
25 G.C.A. §70119. Such failure to renew while continuing the operation of the  
26 business shall constitute refusal and failure to obtain a license under the  
27 provisions of Division 3 of this Title.”



1 **Section 14.** A new subsection (d) is *added* to 11 GCA §6115 as follows:

2 “(d) All tobacco products sold over the counter *shall* be displayed and  
3 located where they *shall* be inaccessible to minors. Any vendor who violates  
4 this provision *shall* pay a penalty of Two Hundred Fifty Dollars (\$250.00).”

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5 **Section 15.** 11 GCA §22202 is hereby *amended* to read as follows:

6 “§22202. Imposition. A license fee is imposed on each of the  
7 following amusement devices which are operating to produce revenue in  
8 Guam on the effective date of this Chapter (apportioned in accordance with  
9 §22207 of this Chapter), or thereafter manufactured or constructed in,  
10 imported into Guam, maintained or permitted in Guam, and operated to  
11 produce revenue in Guam, and annually thereafter on July 1, at the rate  
12 stated:

13 (a) on each pinball machine, including pachinko or similar  
14 machines, One Hundred Dollars (\$100.00);

15 (b) on each multiple coin pinball machine, Five Hundred  
16 Dollars (\$500.00);

17 (c) on each coin-activated phonograph or other coin-activated  
18 music producing machine, Forty Dollars (\$40.00) plus Fifteen Dollars  
19 (\$15.00) for each coin slot in excess of one (1);

20 (d) on each coin-activated kiddie ride, designed for the use of  
21 children, Fifty Dollars (\$50.00);

22 (e) on each video horse or greyhound race machine, One  
23 Thousand Two Hundred Fifty Dollars (\$1,250.00);

24 (f) on each video type symbolic amusement machine or any  
25 other amusement device that is not listed in this Section, Five  
26 Hundred Dollars (\$500.00);

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1 (g) on any amusement device that allows for more than one (1)  
2 person to participate, either by use of an additional coin slot, table,  
3 box, video screen, chair with screen monitor or other means allowing  
4 multiple concurrent participation, an additional license fee of Twenty-  
5 five Dollars (\$25.00) shall be imposed for each coin slot in excess of  
6 one (1); and

7 (h) on each coin-activated video amusement device designed  
8 for the use of children, Fifty Dollars (\$50.00).

9 No slot machine or amusement device set to make progressive or  
10 automatic payouts shall be licensed under this Section. No gambling device  
11 as defined in 9 GCA §64.20(b) shall be licensed under this Section.”

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12 **Section 16.** 11 GCA §22211 is hereby *added* to read as follows:

13 “§22211. Penalty. Any revenue producing or revenue generating  
14 amusement device that is not registered and licensed according to this  
15 Chapter, shall be subject to seizure and confiscation. The owner of such  
16 device shall be fined Five Thousand Dollars (\$5,000.00) for each  
17 confiscated amusement device and such amusement device shall be duly  
18 registered and licensed prior to release. The owner shall bear all costs of the  
19 storage, handling, destruction and disposal of such device.”

20 **Section 17.** 11 GCA, Article 4, §22401 is *amended* to read as follows:

21 “§22401. Imposition. An excise tax is hereby imposed on each of the  
22 following recreation facilities in Guam on the effective date of this Chapter  
23 (apportioned in accordance with §22404), or thereafter manufactured or  
24 constructed in Guam, imported into Guam, maintained or permitted in  
25 Guam, and used in connection with any commercial business enterprise  
26 engaged in for profit wherein such facility is offered for patronage, and  
27 annually thereafter on July 1, at the rate stated:

- 1           (a) on each regulation bowling alley or regulation ten (10)-  
2 pin alley, Fifty Dollars (\$50.00) for each individual alley;
- 3           (b) on each regulation golf course, Five Hundred Dollars  
4 (\$500.00) for each nine (9) holes or fraction thereof;
- 5           (c) on each golf driving range, or miniature golf course,  
6 Two Hundred Dollars (\$200.00);
- 7           (d) on each pool or billiard table, Twenty-five Dollars  
8 (\$25.00);
- 9           (e) on each shooting range/gallery, Two Hundred Fifty  
10 Dollars (\$250.00);
- 11           (f) on each game room, Two Hundred Dollars (\$200.00);
- 12           (g) on each go-cart facility, Two Hundred Dollars (\$200.00);
- 13           (h) on each off-track racing park, Two Hundred Fifty Dollars  
14 (\$250.00);
- 15           (i) on each paint ball gun range/gallery, One Hundred  
16 Dollars (\$100.00);
- 17           (j) on each shuffle board location, One Hundred Dollars  
18 (\$100.00);
- 19           (k) on each billiard pool hall, One Hundred Dollars  
20 (\$100.00);
- 21           (l) on each coin-operated pool table, Fifty Dollars (\$50.00);
- 22           (m) on each mahjong table, One Hundred Dollars  
23 (\$100.00);
- 24           (n) on each baseball batting cage, Fifty Dollars (\$50.00);
- 25           (o) on each water park, Two Hundred Dollars (\$200.00);
- 26           (p) on each sling shot bungy jump, Two Hundred Dollars  
27 (\$200.00); and

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1           (q) any recreational facility that is not substantially similar to  
2           any activity or facility categorized within Subsections (a) through (p)  
3           supra, must first obtain a business license prior to the conduct of  
4           business. The license fee for such activity shall be Two Hundred  
5           Dollars (\$200.00).”

6           **Section 18.** A new Subsection (h) is added to 11 GCA §26102, to read as  
7           follows:

8           “(h) Revenue Ruling. The Tax Commissioner shall assess a fee of  
9           Five Hundred Dollars (\$500.00) for each request for a revenue ruling on the  
10           tax laws of Guam except when a different fee is identified and assessed by  
11           the Internal Revenue Code.”

12           **Section 19.** Subsection (e) of 11 GCA §40105 is repealed and reenacted to  
13           read as follows:

14           “(e) Examination Fee. A non-refundable examination fee of One  
15           Hundred Dollars (\$100.00) shall be paid by each person applying to take the  
16           Income Tax Preparer examination. The Director may increase such fees  
17           commensurate with costs incidental to such exam.”

18           **Section 20.** 11 GCA §40117 is amended to read as follows:

19           “§40117. Amount of Annual Fees. The fees prescribed by this  
20           Chapter shall be set by the Director in the amount estimated to provide for  
21           the administration of this Chapter within the limits of the following  
22           schedule:

23           (a) The tax preparer registration fee shall be established by the  
24           Director at a sum not less than One Hundred Dollars (\$100.00).

25           (b) If a tax preparer maintains more than one (1) tax preparer  
26           location, an additional fee shall be established by the Director at a

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1 sum not to exceed One Hundred Dollars (\$100.00) for the principal  
2 location and Fifty Dollars (\$50.00) for each additional location.

3 (c) If a tax preparer has employees, representatives, partners,  
4 agents, officers or members who would be subject to registration  
5 under this Chapter but for the exemptions provided in §40103, an  
6 additional fee shall be established by the Director at a sum not to  
7 exceed the following:

8 (1) Two Hundred Dollars (\$200.00) if the tax preparer has less  
9 than fifty (50) such persons.

10 (2) One Thousand Dollars (\$1,000.00) if the tax preparer has  
11 fifty (50) or more but less than one hundred (100) persons.

12 (3) Two Thousand Dollars (\$2,000.00) if the tax preparer has  
13 one hundred (100) or more but less than five hundred (500)  
14 such persons.

15 (4) Three Thousand Dollars (\$3,000.00) if the tax preparer has  
16 five hundred (500) or more such persons.”

17 **Section 21.** A new §70133 is hereby *added* to 11 GCA to read as follows:

18 **“§70133. Reproduction; Certified Copies and Authentication:**

19 **Fees.** The fees for the reproduction of copies, certified copies and  
20 authentication for the following documents shall be as follows:

21 (a) Copy of each business license \$ 3.00

22 (b) Certificate of Existence \$10.00

23 (c) Certificate of Good Standing \$25.00

24 (d) Certificate of Exemption \$20.00

25 (e) Fee for an authentication or

26 certification of any documents that

27 are filed with the General Licensing

1 Branch \$10.00

2 (f) Copy of each page of any other  
3 document that is filed with the General  
4 Licensing Branch in which the fee for  
5 each copy is not provided by law \$1.00

6 (g) Replacement of Corporate Certificate \$25.00

7 (h) Copy of any other compliance, regulatory,  
8 enforcement, testing or study guide pamphlet. \$5.00”

9 **Section 22. 11 GCA §72102 is amended to read as follows:**

10 “§72102. Banking. (a) Every person engaging in or carrying on  
11 business in Guam of banking or receiving the money of others on deposit  
12 shall be required annually to obtain a commercial license; provided,  
13 however, that in addition to the requirements of this Subchapter, a license  
14 shall not be issued to a foreign banking corporation unless its application has  
15 first been approved by the Banking Board pursuant to 22 GCA §106725 and  
16 the license is in the form prescribed by that Section. The annual fee for such  
17 license is One Thousand Dollars (\$1,000.00). Institutions which are  
18 members of the Federal Reserve System of the United States shall be  
19 licensed upon meeting the general requirements of this Title. Any other  
20 persons engaged in the business of banking or receiving the money of others  
21 on deposit, by whatever name said deposit is designated, may accept  
22 agreements for future deposit but shall not accept the deposit until the  
23 accounts of depositors have been insured in accordance with the rules and  
24 regulations of an appropriate agency of the United States Government;  
25 provided, however, that nothing herein contained shall prohibit persons from  
26 engaging in the business of lending money with or without security when  
27 such money is the property of said persons.

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1 (b) Every Customer-Bank Communication Terminal (CBCT),  
2 automated teller machine (ATM), or cash dispensing machine that is not  
3 contiguous to a main or branch facility established and operated by a bank,  
4 credit union or a non-bank entity is subject to an annual licensing fee of Five  
5 Hundred Dollars (\$500.00).

6 (c) The Banking and Insurance Commissioner is hereby authorized to  
7 assess each bank licensed in Guam a fee of \$0.022 for every One Thousand  
8 Dollars (\$1,000) of the total assets of such bank. The total assets of each  
9 licensed bank shall be determined from the audited financial statement or  
10 from the call report or financial statement for the period ending December  
11 31<sup>st</sup> of each year it is filed with the Banking and Insurance Commissioner.  
12 For each national, or state, or foreign bank that operates a branch bank that  
13 is licensed in Guam, the assessment shall be computed on the reported total  
14 assets of the branch bank in Guam.”

15 **Section 23.** §72103 of 11 GCA is hereby amended to read as follows:

16 “§72103. Other Lending Institutions. Every person engaging in or  
17 carrying on the business in Guam of lending money with or without security  
18 (except banks and others who receive the money of others on deposit) shall  
19 be required annually to obtain a commercial license. The annual fee for  
20 such license is Five Hundred Dollars (\$500.00).”

21 **Section 24.** 11 GCA §72107 is amended to read as follows:

22 “§72107. Wholesale License. A wholesale license must be obtained  
23 by every person who engages in the business of selling tangible property for  
24 the purpose of resale. The annual fee for a wholesale license shall be based  
25 on annual gross revenue as follows:

26	<u>From \$1.00 to \$100,000.00</u>	<u>\$100.00</u>
27	<u>\$100,001.00 to \$500,000.00</u>	<u>\$200.00</u>

\$500,001.00 to \$1,000,000.00	\$400.00
\$1,000,001.00 to \$2,000,000.00	\$800.00
Exceeding \$2,000,000.00	\$1,000.00”

**Section 25.** 11 GCA §72108 is *amended* to read as follows:

**“§72108. Retail License.** A retail license must be obtained by every person who engages in the business of selling tangible property to others for the consumption or use by the purchaser, and not for resale. The annual fee for a retail license shall be based on annual gross revenue as follows:

From \$1.00 to \$250,000.00	\$100.00
\$250,001.00 to \$500,000.00	\$200.00
\$500,001.00 to \$1,000,000.00	\$400.00
\$1,000,001.00 to \$2,000,000.00	\$800.00
Exceeding \$2,000,000.00	\$1,000.00.”

**Section 26.** 11 GCA §72109 is *amended* to read as follows:

**“§72109. Vending Machine for Printed Materials Fees.** For those licensees engaged in the selling of printed materials, magazines or newspapers in consideration through coin, token, or monetarily operated vending machines, the annual fee is Ten Dollars (\$10.00) for each vending machine so operated, notwithstanding 11 GCA §70121.”

**Section 27.** 11 GCA §72110 is *amended* to read as follows:

**“§72110. Manufacturer’s License.** A manufacturer’s license must be obtained by every person who engages in the business of applying labor, by hand or with the aid of machinery, to raw materials or to partially processed materials resulting in substantial transformation of some material into a form capable of use different from that to which it could be put before such substantial transformation. The annual fee for a manufacturer’s license is:



1                   (a) For hand manufacturer                   \$25.00

2                   (b) For machine manufacturer                   \$80.00”

3 Section 28. Subsection (b) of §72157 of 11 GCA is *amended* to read as  
4 follows:

5                   “(b) Home Industry License. Any person who does business as a  
6 home industry *shall* obtain a home industry license. The annual fee for a  
7 home industry license is Twenty-five Dollars (\$25.00) for each business  
8 licenseable activity at each location. A person applying for a home industry  
9 license *shall not* be required to receive endorsements from the Department  
10 of Land Management, the Department of Labor, the Department of Revenue  
11 and Taxation and from the Department of Public Works. However, when  
12 the license is for food preparation, the health certificate for persons handling  
13 food and the health certificate for the suitability of the place of preparation  
14 shall be required. For purposes of this Section, no person may qualify for a  
15 home industry license *if* he employs in his business persons other than  
16 family members and *if* such business is not actually conducted in his own  
17 home. A person qualifying for a home industry license under this Section  
18 may engage in the manufacture of products and wholesale sales without  
19 obtaining any other business licenses.”

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20 Section 29. 11 GCA §76101 is *amended* to read as follows:

21                   “§76101. License Required. Every person engaged in or carrying  
22 on any service business or calling, which *shall* include all non-professional  
23 activities engaged in for other persons for consideration, involving the  
24 rendering of a service as distinguished from the production or sale of  
25 tangible property, but *not* including the services rendered by an employee to  
26 his employer, *shall* be required annually to obtain a service license. The  
27 annual fee for a service license *shall* be Fifty Dollars (\$50.00) except that

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1 the fee shall be Ten Dollars (\$10.00) for any person who rents or leases not  
2 more than one family–residential unit.

3 (a) Any person who rents or leases unimproved real property to  
4 another party shall be required to obtain a service license annually.  
5 The fee for this license shall be One Hundred Dollars (\$100.00).

6 (b) Any person who rents or leases multiple residential rental units  
7 shall be required to obtain an annual service license. The fee for this  
8 license shall be Twenty-five Dollars (\$25.00), or Five Dollars (\$5.00)  
9 per rental unit, whichever is greater.

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10 (c) Any person who rents or leases commercial office units shall be  
11 required to obtain an annual service license. The fee for this license is  
12 Five Dollars (\$5.00) for each commercial office unit.

13 (d) Any person who rents or leases hotel or motel rooms shall be  
14 required to obtain an annual service license. The fee for this license is  
15 Five Dollars (\$5.00) for each unit or room rented in a hotel or motel.

16 (e) Any person who rents or leases warehouse storage space shall  
17 be required to obtain an annual service license. The fee for this  
18 license shall be Two Hundred Dollars (\$200.00).

19 For the purposes of this Section, person means any person,  
20 firm, partnership, association, corporation, company, syndicate, estate,  
21 trust, business trust or organization of any kind, or any branch or  
22 division thereof.”

23 **Section 30.** A new subsection (e) is added to §106601 of 11 GCA to read as  
24 follows:

25 “(e) Every application for an additional branch, relocation of a branch  
26 or closing of a branch is subject to a licensing fee of Five Hundred Dollars  
27 (\$500.00) and such license shall be subject to an annual renewal.”

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1 **Section 31.** 11 GCA §109103 is *amended* to read as follows:

2 “**§109103. Foreign Exchange License Fee.** Every licensee *shall* pay  
3 annually or before July 1<sup>st</sup> a license fee of Five Hundred Dollars (\$500.00).”

4 **Section 32.** 11 GCA §109108 is *amended* to read as follows:

5 “**§109108. Registration of Agents.** Every agent of a licensee *shall*  
6 register with the Commissioner and *shall* pay annually on or before July 1<sup>st</sup> a  
7 registration fee of Fifty Dollars (\$50.00).”

8 **Section 33.** A new Subsection (6) is *added* to §6102 of 13 GCA to read as  
9 follows:

10 “(6) Bulk Transfer Filing Fee. A fee of Twenty Dollars (\$20.00) *shall*  
11 be assessed for each bulk transfer document that is filed with the Department  
12 of Revenue and Taxation.”

13 **Section 34.** 14 GCA §6204 is *amended* to read as follows:

14 “**§6204. Fees.** (1) A person required to file notification *shall* file on  
15 or before June 30<sup>th</sup> of each year and pay an annual fee of Twenty Dollars  
16 (\$20.00).

17 (2) Persons required to file notification who are sellers, lessors or  
18 lenders *shall* pay an additional fee at the time stated in Subsection (1) of  
19 Twenty Dollars (\$20.00) for each One Hundred Thousand Dollars  
20 (\$100,000.00) or part thereof, in excess of One Hundred Thousand Dollars  
21 (\$100,000.00) of the original unpaid balances arising from consumer credit  
22 sales, consumer leases and consumer loans, payable in installments, made  
23 within the twelve (12) months last preceding June 30<sup>th</sup> and held by the seller,  
24 lessor or lender for more than thirty (30) days after the inception of the sale,  
25 lease or loan giving rise to the obligations. A refinancing of a sale, lease or  
26 loan resulting in an increase in the amount of an obligation is considered a  
27 new sale, lease or loan to the extent of the amount of the increase.

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1           (3) Persons required to file notification who are assignees shall pay  
2 an additional fee at the time stated in Subsection (1) of Twenty Dollars  
3 (\$20.00) for each One Hundred Thousand Dollars (\$100,000.00), or part  
4 thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the  
5 unpaid balances at the time of the assignment of obligations arising from  
6 consumer credit sales, consumer leases and consumer loans, payable in  
7 installments taken by assignment within the twelve (12) months last  
8 preceding June 30<sup>th</sup>; provided, that an assignee need not pay a fee with  
9 respect to an obligation on which the assignor or other person has already  
10 paid a fee.”

11 **Section 35.** 16 GCA §3102 is amended to read as follows:

12           “§3102. Same: Fees. The following fee schedule in items (1)  
13 through (8) is valid for a three (3) year period. The applicant may elect for a  
14 license, notwithstanding §3101(m), Chapter 3, Title 16 GCA, which shall be  
15 valid for a five (5) year period, provided that, the fee for such a license shall  
16 be Forty-five Dollars (\$45.00). The fee for the issuance of a motor vehicle  
17 driver’s license is as follows:

<u>(1) Operator’s License</u>	<u>\$25.00</u>
<u>(2) Chauffeur’s License Class B</u>	<u>\$25.00</u>
<u>(3) Chauffeur’s License Class C</u>	<u>\$25.00</u>
<u>(4) Chauffeur’s License Class D</u>	<u>\$25.00</u>
<u>(5) Motorcycle Class F</u>	<u>\$25.00</u>
<u>(6) Mini Bus Class G</u>	<u>\$25.00</u>
<u>(7) Modified Vehicle Class H</u>	<u>\$25.00</u>
<u>(8) All other classes</u>	<u>\$25.00</u>
<u>(9) Driver’s License Renewal</u>	
<u>    Fee - Three (3) years</u>	<u>\$25.00</u>

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1	<u>Five (5) years)</u>	<u>\$45.00</u>
2	<u>(10) Instruction Permit for 120 days</u>	<u>\$10.00</u>
3	<u>(11) Driver's License Late Penalty</u>	<u>\$5.00</u>
4	<u>every three (3) months after expiration</u>	
5	<u>not to exceed</u>	<u>\$40.00</u>
6	<u>(12) Temporary Driver's License</u>	<u>\$10.00</u>
7	<u>valid for one (1) year</u>	
8	<u>(13) Reinstatement Fee</u>	<u>\$20.00</u>
9	<u>(14) Out of Guam processing fee</u>	<u>\$10.00</u>
10	<u>(15) Certification Fee</u>	<u>\$10.00</u>
11	<u>(16) Written Test Fee (Operator,</u>	
12	<u>Chauffeur &amp; Motorcycle)</u>	<u>\$15.00</u>
13	<u>(17) Foreign Language Operator</u>	
14	<u>Written Test Fee</u>	<u>\$35.00</u>
15	<u>(18) Cost of Mailing (The Department</u>	
16	<u>of Revenue and Taxation may adjust the</u>	
17	<u>mailing costs to provide for additional</u>	
18	<u>fees the U.S. Postal Service may charge)</u>	<u>\$ 3.00</u>

An instruction permit *shall* not be issued for a period to exceed ninety (90) days. A temporary permit *shall* not be issued for a period to exceed thirty (30) days.”

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**Section 36.** A new §3116 is *added* to Article 1 of 16 GCA to read as follows:

“§3116. **Publication.** The Department of Revenue and Taxation is authorized to publish various handbooks, covering the rules and regulations of each class of drivers, and to charge a fee therefore as follows:

1. Operator's Handbook \$ 5.00

1                   2.    Chauffeur’s Handbook           \$ 5.00

2                   3.    Motorcycle Handbook           \$ 5.00”

3           **Section 37.** A new subsection (a) is *added* to §7104 of Chapter 7 of 16  
4 GCA to read as follows:

5                   “(a) Fees. The Department of Revenue and Taxation is authorized to  
6 charge temporary permit fees as follows:

7                   (1) Temporary Permit A           \$ 5.00

8                   (2) Temporary Permit B           \$10.00”

9           **Section 38.** Subsection (g) of §7123 of 16 GCA is *amended* to read as  
10 follows:

11                   “(g) **Additional Fees.** In addition to the regular registration fee, the  
12 applicant shall be charged the cost of the personalized plate plus an  
13 additional Fifty Dollars (\$50.00). In addition to the regular renewal fee, the  
14 applicant for a renewal of such plates shall be charged an additional fee of  
15 Twenty Dollars (\$20.00).”

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16           **Section 39.** Subsection (i) of §7123 of 16 GCA is *amended* to read as  
17 follows:

18                   “(i) Transfer Fee. Whenever any person who has been issued  
19 personalized license plates applies to the Department for transfer of such  
20 plates to another passenger vehicle, commercial vehicle or trailer, a transfer  
21 fee of Twenty Five Dollars (\$25.00) shall be charged in addition to all other  
22 appropriate fees.”

23           **Section 40.** 16 GCA §7124 is *amended* to read as follows:

24                   “**§7124. Bicycle Equipped with a Motor: Registration.** The  
25 Department of Revenue and Taxation shall register and issue to the owner of  
26 a bicycle equipped with a motor a license plate. The fee for initial  
27 registration and issuance of the license plate is Twenty Dollars (\$20.00).

1 The vehicle shall be registered annually and the annual registration fee is  
2 Twenty Dollars (\$20.00).”

3 **Section 41.** 16 GCA §7133 is amended to read as follows:

4 “§7133. Registration: Mail Order Notification. The Department  
5 of Revenue and Taxation shall initiate a Mail Order Vehicle Registration  
6 Notification Program, which shall consist of notification annually to all  
7 vehicle owners of Guam of the time an owner shall register and license his  
8 vehicle as provided in this Title. The notification issued by the Department  
9 of Revenue and Taxation shall include a breakdown of all charges to be paid  
10 by the owner. Such registration notification form shall have all fees totaled,  
11 except that a subtotal shall be listed prior to the cost of mailing being listed  
12 and the final total. Vehicle owners are required to promptly pay the final  
13 total listed by mailing the payment to the Department of Revenue and  
14 Taxation or personally making payment to the Treasurer of Guam. The cost  
15 of mailing shall be Six Dollars (\$6.00) for license plates, Three Dollars  
16 (\$3.00) for decals and Three Dollars (\$3.00) for the mailing of the vehicle  
17 registration and any other form, title decal or device provided for in this Act,  
18 except that the Department of Revenue and Taxation may adjust the mailing  
19 costs to provide for additional fees the U.S. Postal Service may charge.

20 Failure by an owner of a vehicle to receive registration notification as  
21 provided for in this Title shall not in any manner relieve that person from the  
22 obligation of proper and timely registration and licensing and such person  
23 shall be subject to any penalties prescribed by this Title.”

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24 **Section 42.** Subsection (b) of §7146 of 16 GCA is amended to read as  
25 follows:

26 “(b) New owner must secure new registration. The transferee may  
27 operate and permit the operation of such vehicle upon a highway for ten (10)

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1 days after the transfer of such vehicle without the registration thereof and  
2 shall within ten (10) days after the transfer of such vehicle apply for and  
3 obtain the registration thereof, as upon an original registration, except as  
4 otherwise provided in (c) or (d) below, and except that no registration fee  
5 other than a Five Dollars (\$5.00) charge for the cost of new plates and new  
6 registration certificates, shall be imposed for such registration.”

7 **Section 43.** 16 GCA §7153 is *amended* to read as follows:

8 “§7153. Same: Registered. Upon the deposit of any such chattel  
9 mortgage and application for registration, and upon the payment of the fees  
10 as provided in this Title, the Department of Revenue and Taxation shall  
11 register the mortgagee, his successor or assignee as legal owner in the  
12 manner provided for the registration of motor vehicles under the provisions  
13 of this Title. The Director of Revenue and Taxation shall charge a  
14 recordation fee of Ten Dollars (\$10.00).

15 Upon notice from the mortgagee, his successor or his assignee, as lien  
16 holder, that the lien has been paid in full, the Department of Revenue and  
17 Taxation shall record the lien release as part of the registration process. For  
18 this service, the Director of Revenue and Taxation shall charge a lien release  
19 fee of Five Dollars (\$5.00).”

20 **Section 44.** §7160 of 16 GCA is *amended* to read as follows:

21 “§7160. Same: Amount. (a) The amount of the annual license and  
22 registration fee shall be determined by the gross weight of the vehicle in  
23 accordance with the following table:

<u>Gross Weight of Vehicle in Pounds</u>	<u>License and Registration Fees</u>
<u>Under 1000</u>	<u>\$20.00</u>



<u>1,000 to 1,499</u>	<u>\$22.00</u>
<u>1,500 to 1,999</u>	<u>\$24.00</u>
<u>2,000 to 2,499</u>	<u>\$26.00</u>
<u>2,500 to 2,999</u>	<u>\$28.00</u>
<u>3,000 to 3,499</u>	<u>\$30.00</u>
<u>3,500 to 3,999</u>	<u>\$32.00</u>
<u>4,000 to 4,499</u>	<u>\$34.00</u>
<u>4,500 to 4,999</u>	<u>\$36.00</u>
<u>5,000 to 5,499</u>	<u>\$38.00</u>
<u>5,500 to 5,999</u>	<u>\$40.00</u>
<u>6,000 to 6,499</u>	<u>\$42.00</u>
<u>6,500 to 6,999</u>	<u>\$44.00</u>
<u>7,000 to 7,499</u>	<u>\$56.00</u>
<u>7,500 to 7,999</u>	<u>\$58.00</u>
<u>8,000 and Over</u>	<u>\$58.00</u>

1            plus Three Dollars and Fifty Cents (\$3.50) for each five hundred (500)  
2            pounds or fraction thereof in excess of seven thousand nine hundred ninety-  
3            nine (7,999) pounds, provided that in computing fees, the above table shall  
4            be applied on a percentage based according to the model year of the vehicle  
5            with respect to vehicles whose gross weight is not in excess of seven  
6            thousand nine hundred ninety-nine (7,999) pounds, as follows:

<u>Model Year</u>	<u>Percent of Fee as</u>
-------------------	--------------------------

	<u>Shown on Table</u>
<u>1949 and earlier</u>	<u>50%</u>
<u>1950 through 1953</u>	<u>75%</u>
<u>1954 and subsequent</u>	<u>100%</u>

1        (b) Vehicles having a gross weight of one hundred forty thousand  
2        (140,000) pounds or more, and which are used temporarily or intermittently,  
3        may be issued a permit, in lieu of the annual license and registration, for a  
4        period not to exceed thirty (30) consecutive days or any portion thereof and  
5        shall be charged Two Hundred Dollars (\$200.00).

6        (c) In lieu of all other license and registration fees, (1) implements of  
7        husbandry and (2) road building and construction equipment other than  
8        motor trucks, trailers, semi-trailers, and pole or pipe dollies, operated on  
9        highways only in moving from one site to another, shall be subject to annual  
10       registration. The fee for such registration shall be Five Dollars (\$5.00) for  
11       each one thousand (1,000) pounds of gross weight of said vehicles.

12       The fees prescribed by this Subsection shall be subject to proration  
13       under 16 GCA §7167.

14       (d) For the initial registration of the motor vehicle in accordance with  
15       this Section, the registrant shall pay an additional fee of Eighteen Dollars  
16       (\$18.00) for the costs of license plates and tags.”

17       **Section 45.** 16 GCA §7170 is amended to read as follows:

18       “§7170. **Same: Special Plates.** For each special plate issued to a  
19       dealer or distributor, or renewed by a dealer or distributor, the Department of  
20       Revenue and Taxation shall collect a fee of Forty Dollars (\$40.00).”

21       **Section 46.** 16 GCA §7173 is amended to read as follows:

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1 “§7173. Same: Duplicate. The fee for any duplicate certificate of  
2 ownership, registration card, equipment identification receipt, duplicate license  
3 plate, operator’s or chauffeur’s licenses, is as follows:

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<u>Duplicated Documents</u>	<u>Fee</u>
<u>Registration Card</u>	<u>\$10.00</u>
<u>Certificate of Ownership</u>	<u>\$20.00</u>
<u>Equipment Identification Receipt</u>	<u>\$3.00</u>
<u>License Plate</u>	<u>\$15.00</u>
<u>Operator’s or Chauffeur’s License (regardless</u> <u>of three (3) or five (5) years)</u>	<u>\$25.00</u>
<u>Tags</u>	<u>\$3.00</u>
<u>Learner’s Permit</u>	<u>\$10.00</u>
<u>Intermediate License</u>	<u>\$10.00.”</u>

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4 Section 47. A new §7176 is added to Chapter 7 of 16 GCA to read as  
5 follows:

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6 “§7176. Certification Fee. The Director of Revenue and Taxation is  
7 authorized to provide documentation at the request of the registered or legal owner  
8 of a vehicle as proof of the ownership or status of said vehicle at a fee of Ten  
9 Dollars (\$10.00).”

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10 Section 48. Subsection (d) of §11101 of 16 GCA is amended to read as  
11 follows:

12 “(d) Upon the approval of an application for a taxicab driver’s license,  
13 the applicant shall be required to pay the license fee of Seven Dollars  
14 (\$7.00) to the Treasurer of Guam prior to receiving the license. This fee is in  
15 addition to the Chauffeur’s License fee.”

16 Section 49. A new subsection (d) is added to §11102 of 16 GCA to read as  
17 follows:

1 “(d) The Director of Revenue and Taxation is authorized to issue a  
2 taxi identification card and to charge a fee of Twenty-five Dollars (\$25.00)  
3 for each identification card issued.”

4 **Section 50.** A new Subsection (c) is *added* to §25101 of 16 GCA to read as  
5 follows:

6 “(c) The Director of Revenue and Taxation is authorized to charge  
7 fees in relation to changes in the registration of motor vehicles:

- 8 (1) Change in motor vehicle body or engine \$10.00
- 9 (2) Trailer registration \$10.00
- 10 (3) Change in owner status arising from  
11 marriage, death, divorce \$10.00
- 12 (4) Change in ownership arising  
13 from repossession \$10.00
- 14 (5) Purchase from *bonafide* auto dealer \$10.00”

15 **Section 51.** §25102 of 16 GCA is *amended* to read as follows:

16 “**§25102. Rate, Penalty and Interest.** The rate of tax is Five Dollars  
17 (\$5.00) plus two and one half percent (2.5%) of the actual market value on  
18 Guam of the vehicle, as determined by the Director of Revenue and Taxation  
19 or his delegate, in excess of One Hundred Dollars (\$100.00). Any tax *not*  
20 paid within thirty (30) days after transfer is subject to a delinquency penalty  
21 of five percent (5%) of the tax, and in addition, interest thereafter until paid  
22 at one-half percent (1/2%) per month or fraction thereof.”

23 **Section 52.** 16 GCA §31A08 is *added* to Article 1A, as follows:

24 “**§31A08. Fees.** The Director of Revenue and Taxation is authorized  
25 to charge the following non-refundable licensing fees for the respective  
26 graduated licensing stages:

- 27 Stage 1 - Learner’s Permit \$10.00, valid for two years

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1                    Stage 2 – Intermediate License                    \$10.00, valid for three years

2                    Stage 3 – Full Licensure                    \$10.00, valid for three years”

3                    **Section 53.** 18 GCA §2107 is *amended* to read as follows:

4                    **“§2107. Fee for Filing Articles.** Before filing the articles of  
5                    incorporation, the Director of Revenue and Taxation shall collect and  
6                    receive for filing such articles in accordance with provisions of this Part, a  
7                    fee of One Hundred Dollars (\$100.00).”

8                    **Section 54.** A new subsection (i) is *added* to §2110 of 18 GCA to read as  
9 follows:

10                    “(i) The Director of Revenue and Taxation shall charge a fee of  
11                    Twenty-five Dollars (\$25.00) for a name change resulting from a merger  
12                    between two (2) companies, groups or associations.”

13                    **Section 55.** 18 GCA §2201 is *amended* to read as follows:

14                    **“§2201. Bylaws: Adoption.** Every corporation formed under this  
15                    Part must, within one (1) month after the filing of articles of incorporation  
16                    with the Director of Revenue and Taxation, adopt a code of bylaws for its  
17                    government. These bylaws shall be consistent with its articles of  
18                    incorporation and shall not be inconsistent with the provisions of this Part or  
19                    other provisions of law. For the adoption of any bylaw or bylaws by the  
20                    corporation, the affirmative vote of the stockholders representing a majority  
21                    of all the paid-up capital stock, entitled to vote, or a majority of the members  
22                    if there be no capital stock, is necessary. The bylaws shall be signed by the  
23                    stockholders or members voting for them and shall be kept in the principal  
24                    office of the corporation, subject to the inspection of the stockholders or  
25                    members during office hours and a copy thereof, duly certified to by a  
26                    majority of the directors and countersigned by the secretary of the  
27                    corporation, shall be filed with the Director of the Revenue and Taxation,

1 who shall attach the same to the original articles of incorporation and charge  
2 a fee of Seventy-five Dollars (\$75.00) for the filing thereof.”

3 **Section 56.** The second paragraph of §2204 of 18 GCA is specifically  
4 amended to read as follows:

5 “Whenever any amendment of the articles of incorporation or a new  
6 bylaw is adopted, such amendment or bylaw shall be attached to the original  
7 articles or bylaws in the office of the corporation and a copy thereof duly  
8 certified to by a majority of the directors and countersigned by the secretary  
9 or clerk of the corporation, shall be filed with the Director of Revenue and  
10 Taxation, who shall attach the same to the original articles of incorporation  
11 and original bylaws on file in his office and charge the sum of Twenty  
12 Dollars (\$20.00) for this service.”

13 **Section 57.** A new subsection (a) is hereby added to §5102 of Chapter 5 of  
14 18 GCA to read as follows:

15 “(a) The Director of Revenue and Taxation shall charge a filing fee  
16 of Twenty-five Dollars (\$25.00) for each voluntary corporate dissolution  
17 filed with the Department.”

18 **Section 58.** The second paragraph of §6101 of Chapter 6 of 18 GCA is  
19 specifically amended to read as follows:

20 “If such designation has not been filed with the Director of Revenue  
21 and Taxation, or if process against any domestic corporation cannot, with the  
22 exercise of due diligence, be served upon the person designated or in any  
23 other manner provided by law, service may be had upon such corporation by  
24 delivering to the Director of Revenue and Taxation, or to any person  
25 employed in his office in the capacity of a deputy, duplicate copies of such  
26 process, together with a fee of Forty Dollars (\$40.00), which shall be  
27 included in the taxable costs of the suit, action, or proceeding. Upon the

1 receipt of such process and fee, the Director of Revenue and Taxation shall  
2 forthwith give notice of the service of such process to the corporation at its  
3 principal office in Guam, and shall deliver to such office, a copy of such  
4 process. The defendant shall appear and answer within thirty (30) days after  
5 such service upon the Director of Revenue and Taxation.”

6 **Section 59.** Subsections (d) and (e) of §7113 of 18 GCA are hereby  
7 amended to read as follows:

8 “(d) In addition to Subsection (b), whenever a foreign corporation  
9 authorized to transact business on Guam shall fail to appoint or maintain  
10 a registered agent on Guam, or whenever any such registered agent  
11 cannot with reasonable diligence be found at the registered office, or  
12 whenever the certificate of authority of a foreign corporation shall be  
13 suspended or revoked, then the Director of Revenue and Taxation may  
14 be an agent of such corporation upon whom any such process notice, or  
15 demand may be served. The fee for service of process shall be Forty  
16 Dollars (\$40.00).

17 (e) Every foreign corporation which transacts business on Guam  
18 without having been authorized to transact business on Guam thereby  
19 submits itself to the jurisdiction of the courts of Guam, and also thereby  
20 designates the Director of Revenue and Taxation as its agent upon whom  
21 any process, notice or demand upon it may be served in any action or  
22 proceeding arising out of or in connection with the transaction of  
23 business on Guam. The fee for service of process shall be Forty Dollars  
24 (\$40.00).”

25 **Section 60.** A new §9102.1 of Chapter 9 of 18 GCA is hereby added to  
26 read as follows:

1 “§9102.1. Articles of Merger Fee. The fee for filing Articles of  
2 Merger of Share Exchange and a Certificate of Ownership shall be One  
3 Hundred Dollars (\$100.00).”

4 Section 61. 18 GCA §10108(f) is amended to read as follows:

5 “(f) The names and residences of the directors or trustees elected by  
6 the religious society or order, or the diocese, synod, or district organization  
7 of the church to serve for the first year or such other times as may be  
8 prescribed by the laws of the society or order, or of the diocese, synod or  
9 district organization of the church, the board of directors or trustees to be not  
10 less than five (5) nor more than fifteen (15). For the filing of such articles of  
11 incorporation, the Director of Revenue & Taxation shall collect Twenty-five  
12 Dollars (\$25.00).”

13 Section 62. 18 GCA §25601 is amended to read as follows:

14 “§25601. Dissolution Defined. The dissolution of a partnership is  
15 the change in the relationship of the partners caused by any partner ceasing  
16 to be associated in the carrying on as distinguished from the winding up of  
17 the business. The fee for the filing a dissolution of a partnership shall be  
18 Twenty-five Dollars (\$25.00).”

19 Section 63. Item (4) of §25616(a) of 18 GCA is hereby amended to read as  
20 follows:

21 “(4) A partnership registered under this Section shall pay, in each  
22 year following the year in which its application is filed, on a date specified  
23 by the Department of Revenue and Taxation, an annual fee of Two Hundred  
24 Fifty Dollars (\$250.00) for each partner, but in no event shall the fee payable  
25 by an LLP in a given year be more than One Thousand Dollars (\$1,000.00)  
26 regardless of the number of partners. Payment of the fee must be  
27 accompanied by a notice, on a form provided by the Department of Revenue

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1 and Taxation, of the number of partners currently in the partnership and of  
2 any material changes in the information contained in the partnership's  
3 application for registration."

4 **Section 64.** A new subsection (f) is hereby *added* to §10103 of 18 GCA as  
5 follows:

6 "(f) The fee for the filing of the articles of association or articles of  
7 incorporation of a non-profit association shall be Fifty Dollars (\$50.00)."

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8 **Section 65.** 18 GCA §26108 is *amended* to read as follows:

9 **§26108. Foreign Partnership; Agent.** Every co-partnership, other  
10 than those mentioned in §26102 of this Chapter, domiciled outside of Guam,  
11 and having no regular place of business within Guam, must within forty (40)  
12 days from the time it commences to do business therein, file in the office of  
13 the Director of Revenue & Taxation of Guam, a designation of some person  
14 residing within Guam upon whom process issued by authority of or under  
15 any law of Guam, may be served. A copy of such designation, duly certified  
16 by the Director of Revenue & Taxation, is sufficient evidence of such  
17 appointment. Such process may be served on the person so designated, or,  
18 in the event that no such person is designated, then on the Director of  
19 Revenue and Taxation, together with a fee of Forty Dollars (\$40.00) which  
20 shall be included as taxable cost in judicial proceedings, and the service is a  
21 valid service on such partnership."

22 **Section 66.** Subsection (c) of §3202 of 19 GCA is hereby *amended* to read  
23 as follows:

24 "(c) Applications for a marriage license shall be made on a form  
25 prescribed by the Director of Public Health and Social Services and must be  
26 sworn to by both applicants before the Director of Public Health and Social  
27 Services or his delegate. No license shall be issued until after the expiration

1 of five (5) days after filing of the application, unless the applicant *shall pay a*  
2 *waiver fee of Fifty Dollars (\$50.00). Upon paying the waiver fee, the*  
3 *Director of Public Health and Social Services or his delegate may authorize*  
4 *the immediate issuance of a marriage license.”*

5 **Section 67.** Subsection (i) of §3202 of 19 GCA is hereby *amended to read*  
6 *as follows:*

7 *“(i) A fee of Thirty Dollars (\$30.00) shall accompany each*  
8 *application for a marriage license and shall not be refunded if the license is*  
9 *not issued or used. No marriage license fees collected by the government of*  
10 *Guam prior to the enactment of this Section shall be refunded.”*

11 **Section 68.** 19 GCA §3205 is hereby *amended to read as follows:*

12 **“§3205. Obligatory Upon Judge, the Director of Revenue and**  
13 **Taxation, the Director of Administration or Director of Public Health**  
14 **and Social Services.** The duty of solemnizing the marriage ceremony on  
15 any day *shall* be obligatory upon all the judges, the Director of Revenue and  
16 Taxation, the Director of Administration or the Director of Public Health  
17 and Social Services. The fee *shall* be Twenty-five Dollars (\$25.00).”

18 **Section 69.** 19 GCA §3209 is hereby *amended to read as follows:*

19 **“§3209. Issuance of Certified Copies of Certificate and License to**  
20 **Parties.** The Office of Vital Statistics, after the filing of the original license  
21 and certificate, *shall, upon request of and for either party, and after payment*  
22 *of a fee of Ten Dollars (\$10.00) for each copy, make a certified copy of*  
23 *license and certificate of marriage.”*

24 **Section 70.** A new §104121 is hereby *added to Chapter 104 of 21 GCA to*  
25 *read as follows:*

26 **“§104121. Trust Accounts: Penalty.** Each broker, associate broker,  
27 *or salesman that violates the provisions of §104120 of this Chapter, or*

1 commingles funds that should be in trust funds with other funds, or fails to  
2 deposit into a trust account any down payment, earnest money deposit, or  
3 other funds that should be held within a trust account, shall pay a penalty of  
4 One Hundred Dollars (\$100.00) for each violation.”

5 Section 71. §104410 of Chapter 104 of 21 GCA is amended to read as  
6 follows:

7 “§104410. License Fee. The original real estate broker’s license fee  
8 is Two Hundred Dollars (\$200.00) for a two (2) year period.”

9 Section 72. §104411 of Chapter 104 of 21 GCA is amended to read as  
10 follows:

11 “§104411. License Fee: When Payable: Failure of Examination:  
12 Additional Examination Fee. The original real estate broker’s license fee  
13 is payable at the time of the filing of an application for an original real estate  
14 broker’s license.

15 \_\_\_\_\_ If the applicant fails to pass the required written examination, he  
16 may be permitted to take another examination upon filing a request to the  
17 Department and upon the payment of a fee which shall be determined by the  
18 Director and which shall consist of the actual examination cost including  
19 costs to administer the examination. If an applicant fails to qualify for an  
20 original real estate broker’s license within three (3) years from the date of  
21 filing his application, said application shall thereupon lapse and no further  
22 proceedings thereon shall be taken.”

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23 Section 73. §104412 of Chapter 104 of 21 GCA is amended to read as  
24 follows:

25 “§104412. Same: Restricted Broker’s License Fee. The restricted  
26 broker’s license fee is One Hundred Dollars (\$100.00) for a one (1) year  
27 period.”

1 Section 74. §104413 of Chapter 104 of 21 GCA is amended to read as  
2 follows:

3 “§104413. Renewal Broker’s License Fee. The renewal real estate  
4 broker’s license fee is Four Hundred Dollars (\$400.00) for a four (4) year  
5 period.”

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6 Section 75. §104416 of Chapter 104 of 21 GCA is amended to read as  
7 follows:

8 “§104416. Original Salesman’s License Fee. The original real  
9 estate salesman’s license fee is One Hundred Dollars (\$100.00) for a two (2)  
10 year period.”

11 Section 76. §104417 of Chapter 104 of 21 GCA is amended to read as  
12 follows:

13 “§104417. Same: When Payable: Failure of Examination:  
14 Additional Fee. An original real estate salesman’s license fee is payable on  
15 filing an application for an original real estate salesman’s license. If the  
16 applicant fails to pass the required written examination, he may be permitted  
17 to take another examination upon filing a request to the Department and  
18 upon the payment of a fee which shall be determined by the Director and  
19 which shall consist of the actual examination cost, including costs to  
20 administer the examination. If an applicant fails to qualify for an original  
21 real estate salesman’s license within three (3) years from the date of filing  
22 his application, said application shall thereupon lapse and no further  
23 proceedings thereon shall be taken.”

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24 Section 77. §104418 of Chapter 104 of 21 GCA is amended to read as  
25 follows:

26 “§104418. Same: Restricted License Fee. The restricted salesman’s  
27 license fee is Fifty Dollars (\$50.00) for a one (1) year period.”

1 Section 78. §104419 of Chapter 104 of 21 GCA is amended to read as  
2 follows:

3 “§104419. Renewal Salesman’s License Fee. The renewal real  
4 estate salesman’s license fee is Two Hundred Dollars (\$200.00) for a four  
5 (4) year period.”

6 Section 79. §104420 of Chapter 104 of 21 GCA is amended to read as  
7 follows:

8 “§104420. Limited Salesman’s License Fee. The limited real estate  
9 salesman’s license fee is Fifty Dollars (\$50.00) for a one hundred twenty  
10 (120) day period.”

11 Section 80. §104421 of Chapter 104 of 21 GCA is amended to read as  
12 follows:

13 “§104421. Branch Office Broker’s License Fee. For a branch office  
14 broker’s license the fee is Fifty Dollars (\$50.00).”

15 Section 81. §104422 of Chapter 104 of 21 GCA is amended to read as  
16 follows:

17 “§104422. Change of Name or Address Fee. For change of name  
18 or of address of license on the records of the Department, the fee is Twenty-  
19 five Dollars (\$25.00).”

20 Section 82. §104423 of Chapter 104 of 21 GCA is amended to read as  
21 follows:

22 “§104423. Salesman’s License Transfer Fee. For transfer of a  
23 salesman’s license on change of employer, the fee is Twenty-five Dollars  
24 (\$25.00).”

25 Section 83. §104424 of Chapter 104 of 21 GCA is amended to read as  
26 follows:

1 “§104424. Duplicate License Fee. For a duplicate license the fee is  
2 Twenty-five Dollars (\$25.00).”

3 Section 84. §104425 of Chapter 104 of 21 GCA is amended to read as  
4 follows:

5 “§104425. Reinstatement of License: Fee. For reinstatement of a  
6 license within a licensing period or at the time of renewal the fee is Twenty-  
7 five Dollars (\$25.00).

8 As used in this Section, reinstatement of a license means the re-  
9 issuance of a canceled or inactivated real estate broker’s license or the re-  
10 issuance of a real estate salesman’s license, which was canceled or  
11 inactivated during the period for which it was issued upon the salesman’s  
12 withdrawal from the employ of a real estate broker.”

13 Section 85. 21 GCA §104426 is repealed in its entirety.

14 Section 86. §15110 of Chapter 15 of 22 GCA is amended to read as  
15 follows:

16 “§15110. Fees. (a) The Commissioner shall require the payment in  
17 advance of the following fees:

18 <u>Filing of application for certificate</u>	
19 <u>of authority</u>	<u>\$900.00</u>
20 <u>Filing of application for renewal of</u>	
21 <u>certificate of authority</u>	<u>\$500.00</u>
22 <u>Filing of any other certificate,</u>	
23 <u>statement, paper or exhibit</u>	
24 <u>required by this Title</u>	<u>\$20.00</u>
25 <u>Filing of new application after</u>	
26 <u>refusal to issue original certificate</u>	<u>\$900.00</u>
27 <u>Filing of application for issuance</u>	

<u>of certificate after revocation</u>	
<u>or expiration</u>	<u>\$900.00</u>
<u>Filing of application for withdrawal</u>	<u>\$200.00</u>
<u>Furnishing copies of papers filed,</u>	
<u>per page</u>	<u>\$1.00</u>
<u>Certifying copies of paper filed,</u>	
<u>per document</u>	<u>\$25.00</u>

Fees paid in accordance with the provisions of this Section shall not be refundable under any circumstance.

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(b) All funds deriving from this Section shall be deposited in the Treasury of Guam to the credit of the General Fund.”

Section 87. A new §15114 is hereby added to Article 3 of Chapter 15 of 22 GCA to read as follows:

“§15114. Penalty. Any person violating any provision of this Article shall be fined no more than Five Thousand Dollars (\$5,000.00).”

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Section 88. A new subsection (f) is added to §15316 of Article 3 of Chapter 15 of 22 GCA to read as follows:

**“(f) Filing Fee for Annual Statement: Penalty. The filing fee for an annual financial statement shall be Fifty Dollars (\$50.00). Any domestic insurer that fails to file an annual financial statement on or before April 1<sup>st</sup> of each year as required by subsection (a) hereof, shall pay a penalty of Five Hundred Dollars (\$500.00). After May 15<sup>th</sup> the domestic insurer shall pay an additional late filing fee of One Hundred Dollars (\$100.00) per day. The failure of a domestic insurer or company to file the required annual financial statement shall compel the automatic suspension or revocation of the domestic insurer’s or company’s certificate of authority. ”**

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1 Section 89. A new §15318 is hereby *added* to Article 3 of Chapter 15 of 22

2 GCA to read as follows:

3 “§15318. Penalty. Any person violating any provision of this Article  
4 shall be fined no more than Five Thousand Dollars (\$5,000.00).”

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5 Section 90. A new §15405 is hereby *added* to Article 4 of Chapter 15 of 22

6 GCA to read as follows:

7 “§15405. Filing Fee for Annual Statement: Penalty. The filing fee  
8 for an annual financial statement shall be Fifty Dollars (\$50.00). Any  
9 foreign insurer that fails to file an annual financial statement on or before  
10 April 1<sup>st</sup> of each year as required in §15404 shall pay a penalty of Five  
11 Hundred Dollars (\$500.00). After May 15<sup>th</sup>, the foreign insurer shall pay an  
12 additional late filing fee of One Hundred Dollars (\$100.00) per day. The  
13 failure of the foreign insurer or company to file the required annual financial  
14 statement shall compel the foreign insurer’s or company’s certificate of  
15 authority to be suspended or revoked.”

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16 Section 91. A new §15506 is hereby *added* to Article 5 of Chapter 15 of 22

17 GCA to read as follows:

18 “§15506. Filing Fee for Annual Statement: Penalty. The filing fee  
19 for an annual financial statement shall be Fifty Dollars (\$50.00). Any alien  
20 insurer that fails to file a financial statement on or before April 1<sup>st</sup> of each  
21 year as required in §15504 shall pay a penalty of Five Hundred Dollars  
22 (\$500.00). After May 15<sup>th</sup>, the alien insurer shall pay an additional late  
23 filing fee of One Hundred Dollars (\$100.00) per day. The failure of the  
24 foreign insurer or company to file the required annual financial statement  
25 shall automatically compel the foreign insurer’s or company’s certificate of  
26 authority to be suspended or revoked.”

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1 Section 92. §15701 of Article 7 of Chapter 15, 22 GCA is amended to read  
2 as follows:

3 “§15701. License. It shall be unlawful for any person to do or  
4 perform any act in Guam as an insurance broker, general agent, sub-agent, or  
5 solicitor, or hold himself out as such, for any kind of insurance without  
6 having first obtained a license issued by the Commissioner. Licenses and  
7 the renewals thereof shall be for an annual term expiring the 1<sup>st</sup> day of July  
8 occurring after issuance. The fee for each type of license and the renewal  
9 thereof shall be as follows:

10	<u>Broker</u>	<u>\$ 100.00</u>
11	<u>General Agent</u>	<u>\$ 100.00</u>
12	<u>Sub-agent</u>	<u>\$ 25.00</u>
13	<u>Nonresident producer</u>	<u>\$ 25.00</u>
14	<u>Solicitor</u>	<u>\$ 25.00.”</u>

15 Section 93. Subsection (a) of §15710 of Article 7 of Chapter 15 of, 22 GCA  
16 is amended to read as follows:

17 “(a) An insurance adjuster’s license may be issued by the  
18 Commissioner to any person filing an application on a prescribed  
19 form, and upon payment of a license fee of Fifty Dollars (\$50.00).  
20 Licenses and renewals thereof shall be for a term expiring one (1)  
21 year after date of issue.”

22 Section 94. A new §15712 is hereby added to Article 7 of Chapter 15 of 22  
23 GCA to read as follows:

24 “§15712. Penalty. Any person who is found violating any provision  
25 of this Article, shall pay a fine of not more than Five Thousand Dollars  
26 (\$5,000.00).”

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1 Section 95. §15801 of Article 8 of Chapter 15 of 22 GCA is *amended* to  
2 read as follows:

3 “§15801. Issuance of Licenses: Fee: Authority Conferred by  
4 License. The Insurance Commissioner, upon receipt of an application in  
5 proper form and a license fee of One Hundred Dollars (\$100.00), may issue  
6 a surplus line license to any duly qualified and licensed insurance broker or  
7 agent in Guam. Such license shall permit the broker or agent named therein  
8 to act as broker or agent in Guam for any foreign company or insurer (or  
9 alien company or insurer approved by the Commissioner) not authorized to  
10 transact business in Guam in securing, issuing or placing policies of  
11 insurance, contracts of indemnity and/or surety bonds on property located in,  
12 or undertakings to be carried out in Guam for such companies.”

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13 Section 96. Subsection (c) of §16117 of 30 GAR of Division 3 of Chapter  
14 16 is hereby amended to read as follows:

15 “(c) No person shall act as insurance manager, broker, agent or  
16 reinsurance intermediary for captive insurance in Guam without the  
17 authorization of the Commissioner. An application for such authorization  
18 must be on a form prescribed by the Commissioner. The application fee for  
19 an insurance manager, broker, agent, or reinsurance intermediary for captive  
20 business shall be One Hundred Dollars (\$100.00).”

21 Section 97. A new subsection (c) is *added* to §18308 of Chapter 18 of 22  
22 GCA to read as follows:

23 “(c) Every policy form filed with the Commissioner for  
24 approval shall be accompanied by a filing fee of Twenty Dollars  
25 (\$20.00).”

26 Section 98. A new subsection (d) is *added* to §18501 of 22 GCA to read as  
27 follows:

1 “(d) A filing fee of Two Hundred Dollars (\$200.00) shall be  
2 paid for every rate plan or request for the Commissioner’s approval  
3 that is filed with the Commissioner.”

4 **Section 99.** A new §18504 is hereby *added* to 22 GCA to read as follows:

5 “§18504. Penalty. Any person who is found violating any provision  
6 of this Article shall pay a fine of not more than Five Thousand Dollars  
7 (\$5,000.00).”

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8 **Section 100.** Subsection (a) of §30113 of 22 GCA is hereby *repealed and*  
9 *reenacted* to read as follows:

10 “(a) Each application for a real estate appraiser certification, real  
11 estate appraiser trainee, or for the renewal therefore, shall be accompanied  
12 by a fee of Two Hundred Dollars (\$200.00).”

13 **Section 101.** 22 GCA §30125 is *amended* to read:

14 “§30125. Criteria. The Real Property Appraiser Qualification  
15 Criteria set forth throughout this Chapter shall automatically be amended  
16 based on any newly-adopted Real Property Appraiser Qualification Criteria  
17 from the Appraiser Qualification Board (AOB) of the Appraisal  
18 Foundation.”

19 **Section 102.** Subsection (b) of §46203 of 22 GCA is hereby *amended to*  
20 *read as follows:*

21 “(b) Every applicant for initial or renewal registration shall pay a  
22 nonrefundable filing fee of Two Hundred Dollars (\$200.00) in the case of a  
23 broker-dealer, Fifty Dollars (\$50.00) in the case of an agent, and Two  
24 Hundred Dollars (\$200.00) in the case of an investment adviser.”

25 **Section 103.** §46301 of 22 GCA is hereby *amended* to read as follows:

1 “§46301. Registration Requirement. It is unlawful for any person  
2 to offer any security in Guam unless (1) it is registered under this Act or (2)  
3 the security or transaction is exempted under §46402 or (3) the security is a  
4 federal covered security. For the purposes of this Chapter the term "federal  
5 covered security" means a security that is, or upon completion of a  
6 transaction will be, a covered security under Section 18(b) of the Securities  
7 Act of 1933 (15 U.S.C. §77r(b)) or rules and regulations adopted pursuant  
8 to that Provision.”

9 **Section 104.** Subsection (b) of §46305 of 22 GCA is hereby *amended* to  
10 read as follows:

11 “(b) Every person filing a registration statement *shall* pay a filing fee  
12 of Two Hundred Dollars (\$200.00) plus one-fifth of one percent (0.2%) of  
13 the maximum aggregate offering price at which the registered securities are  
14 to be offered in Guam, but the fee *shall* in no case be more than Two  
15 Thousand Five Hundred Dollars (\$2,500.00). When a registration statement  
16 is withdrawn before the effective date or a pre-effective stop order is entered  
17 under §46306, the Administrator *shall* retain one-half (1/2) of the additional  
18 fee.”

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19 **Section 105.** 22 GCA §49101 is *amended* to read as follows:

20 “**§49101. Pawnbroking Without a License.** It *shall* be a  
21 misdemeanor to carry on the business of a pawnbroker or to receive goods in  
22 pledge for loans upon which interest is charged, without a license as a  
23 pawnbroker. The annual license fee for a pawnbroker *shall* be Five Hundred  
24 Dollars (\$500.00). A pawnbroker *shall* pay gross receipts tax upon its  
25 revenues and sales of pawned merchandise as a lending institution, as  
26 provided for in §26202, subsections (f), (f)(1) and (f)(2) of 11 GCA Finance  
27 and Taxation.”

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1 **Section 106. Reduction of Gross Receipt Tax Exemptions.** The Fifty  
2 Thousand Dollar (\$50,000.00) exemptions contained in items (9), (28), (29), (30),  
3 (31), and (32) of 11 GCA §26203(k) are reduced to Forty Thousand Dollars  
4 (\$40,000.00) effective May 1, 2007. In addition, the limitations on gross income  
5 contained in the same items of §26203(k) are decreased from Five Hundred  
6 Thousand Dollars (\$500,000.00) to Fifty Thousand Dollars (\$50,000.00) effective  
7 May 1, 2007.

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8 **Section 107. Streetlight Fund.** The provision contained in this Act  
9 requiring that ten percent (10%) of all fees to be deposited into the Better Services  
10 Fund *shall* not apply to the fees designated for deposit into the Streetlight Fund  
11 pursuant to 16 GCA Section 7161.

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1 **CHAPTER V**

2 **PART II**

3 **FEES AND CHARGES ASSESSED BY THE**  
4 **GUAM FIRE DEPARTMENT**

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5 **Section 1. (a) Enabling Authority of the Guam Fire Department.**  
6 §72106 of Title 10, Guam Code Annotated authorizes the Guam Fire Department  
7 to enact a schedule of fees for: (1) non-emergency use of an ambulance primarily  
8 for transportation; (2) conducting building inspections, reviewing building plans;  
9 and (3) issuance of permits. §73112 of Title 10, Guam Code Annotated authorizes  
10 the Guam Fire Department to promulgate rules setting forth grace periods within  
11 which parties in violation of the Uniform Fire Code may bring their premises up to  
12 code.

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13 **(b) Approval of Fees for Services Provided by the Guam Fire**  
14 **Department.** Notwithstanding any other law, the following rules and regulations  
15 establishing the fees for the services attached as “Exhibit 1” are hereby approved  
16 and enacted into law effective May 1, 2007. The Guam Fire Department shall  
17 retain authority to adopt additional fees and may amend the schedule of fees and  
18 charges in Exhibit 1 pursuant to the Administrative Adjudication Law, provided  
19 that such fees are not less than those established by this Act.

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20 **(c) Proceeds of the Guam Fire Department Fees for Services.** The  
21 proceeds of all fees collected pursuant to this Act shall be deposited in the Fire,  
22 Life and Medical Emergency (FLAME) Fund as provided in Title 10 GCA  
23 §72106.

1 CHAPTER V

2 PART III

3 FEES AND CHARGES ASSESSED BY THE

4 DEPARTMENT OF LAND MANAGEMENT

5 Section 1. §60320 of Title 21 Guam Code Annotated, relative to  
6 recording of documents at Department of Land Management, is amended to  
7 read:

8 "§60320. Fee Schedule. The recorder, notwithstanding any other  
9 provisions of law and exclusive of any documents tax, is authorized and  
10 directed to collect the following fees:

11 (a) For recording or filing any deed, agreement, assignment,  
12 amendment, addendum, lease, contract, assumption, bill of sale, mortgage,  
13 horizontal property regime transfer document, any of the foregoing covering  
14 one specific lot or parcel of land: Twenty-five Dollars (\$25.00) with Five  
15 Dollars (\$5.00) for each attachment or exhibit thereon plus Fifty Cents  
16  (\$.50) per page of the attachment or exhibit.

17 (b) For recording or filing of each instrument, court order, judgment,  
18 stipulation, decree, lis pendens, declaration of taking, abstract of judgment,  
19 abstracts, affidavit, bond, bankruptcy, certificates, lien, levy, order, claim,  
20 declaration, power of attorney (general & special), finding of facts, findings,  
21 final judgment and summons: Twenty-five Dollars (\$25.00) with Five  
22 Dollars (\$5.00) for each attachment or exhibit thereon plus Fifty Cents  
23  (\$.50) per page of the attachment or exhibit.

24 (c) For each additional lot or parcel of land involved in any single  
25 transaction as listed in paragraphs (a) or (b), a fee of: Ten Dollars (\$10.00)  
26 per parcel.

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1           (d) For recording or filing of each cancellation, satisfaction, dismissal,  
2 release, termination, waiver, withdrawal, easement, consent, grant, notices,  
3 rights of way, rights of entry, revocation or other lien: Fifteen Dollars  
4 (\$15.00) with Five Dollars (\$5.00) for every attachment or exhibit thereon,  
5 plus Fifty Cents (\$.50) per page of the attachment or exhibit.

6           (e) For recording or filing of an approved survey map a fee of  
7 Twenty-five Dollars (\$25.00) plus Five Dollars (\$5.00) per additional sheet  
8 thereof plus Ten Dollars (\$10.00) per lot created by a subdivision or  
9 parceling survey map and said fee shall also apply to land registration, re-  
10 subdivision, retracement, recertification, or revisions of survey maps.

11           (f) For a certified or authenticated copy of a certificate of title or a  
12 certificate of guaranteed claim a fee of Fifteen Dollars (\$15.00) or for a bail  
13 bond a fee of Twenty-five Dollars (\$25.00) plus One Dollar (\$1.00) per  
14 endorsement on the memorial estate.

15           (g) For furnishing written reports on areas, ownerships, lot  
16 numbers, descriptions, or other recorded information, for each lot or parcel  
17 of land: Ten Dollars (\$10.00).

18           (h) For reproducing services costing the government less than One  
19 Dollar (\$1.00), the Director of Land Management shall promulgate a  
20 schedule of fees thereof, all such fees to be under One Dollar (\$1.00) plus  
21 Fifty Cents (\$.50) charge for each additional page over five (5) pages.

22           (i) For recording or filing any documents required to be recorded by  
23 law for which a fee has not been provided, for each page or fraction thereof:  
24 Five Dollars (\$5.00).

25           **(j) PROCESSING FEE FOR CERTIFICATE OF TITLE:**

26           (1) First Issuance of Certificate of Title in a Land Registration  
27 Case, a fee of Forty Dollars (\$40.00)



1 (2) Issuance of Certificate of Title with one (1) current title  
2 cancellation, a fee of Sixty-five Dollars (\$65.00).

3 (3) Issuance of Certificate of Title with two (2) to five (5) Title  
4 cancellations, a fee of One Hundred Twenty-five Dollars  
5 (\$125.00).

6 (4) Issuance of Certificate of Title with six (6) or more Title  
7 cancellations, a fee of One Hundred Ninety Dollars  
8 (\$190.00).

9 (5) Fee of One Dollar (\$1.00) per endorsement on the memorial  
10 estate shall apply to the processing fee for certificate of Title  
11 under (a), (b), (c) and (d).

12 *Note: Sealed copy of a Certificate of Title shall be provided by*  
13 *Deputy Recorder.*

14 **(k) ABSTRACT OF TITLE AND RESEARCH PROCESSING**

15 **FEES:**

16 (1) Fee of One Thousand Dollars (\$1000.00) for abstract on  
17 unregistered parcel for court action and/or by order of the  
18 court.

19 (2) Fee schedule on the type of research listed below on  
20 parcels shall be assessed with the following:

21 (A) Research on one (1) parcel for the most current  
22 documented ownership, a Twenty-five Dollar (\$25.00)  
23 fee, plus the fee required by §60320.

24 (B) Research on a parcel of less than one (1) acre,  
25 from the basic lot to the current parcel description, a fee  
26 of Fifty Dollars (\$50.00) plus the fee required by §60320.

1 (C) Research on a parcel of less than one (1)  
2 hectare, from the basic lot to the current parcel  
3 description, a fee of Seventy-five Dollars (\$75.00), and a  
4 Ten Dollar (\$10.00) fee for each lot description provided,  
5 plus the fee required by §60320.

6 (D) Research on a parcel of less than one (1) acre,  
7 from the basic lot to the current consolidated parcel  
8 description, a fee of Seventy-five Dollars (\$75.00).

9 (E) Research on a parcel of less than two (2) acres,  
10 from the basic lot to the current parceled description less  
11 than six (6) lots, a fee of One Hundred Dollars (\$100.00),  
12 and a Ten Dollar (\$10.00) fee for each lot description  
13 provided.

14 (F) Research on parcels or lots, from the basic lot  
15 to the current tract subdivision description, a fee will be  
16 assessed as follows:

17 (i) tract subdivision with less than ten (10) Lots: One  
18 Hundred Dollars (\$100.00).

19 (ii) tract subdivision with less than twenty (20) Lots:  
20 One Hundred Fifty Dollars (\$150.00).

21 (iii) tract subdivision over twenty (20) Lots, research  
22 fee shall be One Hundred Fifty Dollars (\$150.00) plus  
23 Two Dollars (\$2.00) per additional lot.

24 (3) Service shall be provided pursuant to Subsection (k) only to  
25 persons eligible for “public assistance”, as provided in  
26 §2905(a) Chapter 2, Title 10 Guam Code Annotated,  
27 Program Participation and Eligibility Standards.

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1 Note: Abstract of Title Report shall be provided by the Deputy  
2 Recorder.

3 All monies received pursuant hereto shall be deposited in the Department of  
4 Land Management Land Survey Revolving Fund (LSRF)."

5 **Section 2.** §20101 of Title 11 Guam Code Annotated is *amended* to read:

6 "§20101. Realty Conveyance: Amount. A tax is established on all  
7 conveyances, deeds, instruments, or writings whereby any lands, tenements,  
8 or other realty shall be sold, granted, transferred, or otherwise conveyed to  
9 the purchaser or purchasers, or to any other person or persons designated by  
10 such purchaser or purchasers, as follows: Five Dollars (\$5.00) for each One  
11 Thousand Dollars (\$1,000.00) or fraction thereof on the true consideration or  
12 value received for such realty. Provided, that in sales of encumbered  
13 property, the tax shall be collected on the net amount of the consideration  
14 after deducting the amount of the encumbrance."

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15 **Section 3.** §20103 of Title 11 Guam Code Annotated is *amended* to read:

16 "§20103. Leases, etc.: Amount. The following tax shall be paid on  
17 each lease, agreement, memorandum, or contract for the hire, use, or rent of  
18 any land or tenements, or portion thereof:

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19 (a) If for a period of one (1) year or less, One Dollar (\$1.00).

20 (b) If for a period of more than one (1) year, and not more than  
21 three (3) years, Two Dollars (\$2.00).

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22 (c) If for a period of more than three (3) years, Three Dollars  
23 (\$3.00)."

24 **Section 4.** §20104 of Title 11, Guam Code Annotated is *amended* to read:

25 "§20104. Security Transactions: Amount. On every mortgage or  
26 pledge of lands, estate, or property, real or personal, whatsoever, where the  
27 same shall be made as security for the repayment of any definite and certain

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1 sum of money loaned at the time *or* previously due and owing, *or* forborne  
2 to be paid, being payable; and on any conveyance of a land, estate, or  
3 property whatsoever, to be sold or otherwise converted into money, which  
4 shall be and is intended only as security, either by express stipulation *or*  
5 otherwise, shall be paid a tax of Five Dollars (\$5.00) on each One Thousand  
6 Dollars (\$1,000.00) or fractional part thereof; provided, that upon each and  
7 every assignment *or* transfer of any mortgage, lease, *or* renewal *or*  
8 continuance of any agreement *or* contract by altering *or* otherwise, a tax  
9 shall be collected and paid at the same rate as that imposed on the original  
10 document.”

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11 **Section 5.** The existing first paragraph of §60602 of Title 21 Guam Code  
12 Annotated is designated as Subsection (a) of that Section, Subsection (a) thereof is  
13 designated as Subsection (b), and a new Subsection (c) is added to §60602 of Title  
14 21 Guam Code Annotated to read:

15 "(c) **Fee Schedule.** The Department of Land Management is  
16 authorized and directed to collect the following fees:

17 (1) For reproduction of maps:

18 (A) Bond \$10.00 for 1st copy and \$5.00  
19 \_\_\_\_\_ each additional

20 (B) Vellum \$15.00

21 (C) Mylar \$20.00

22 (2) Survey Manual \$150.00

23 (3) 1963 GGTN Book

24 Horizontal Book \$100.00

25 (4) Horizontal Control Survey

26 by (CGS) \$100.00

27 (5) Vertical Control Data \$70.00”

**Section 6. GIS/LIS Map and Data Products.** The Department of Land Management shall charge such fees for providing electronic maps and enhanced access to the department's databases relative to the Geographic Information Systems and Land Information System (GIS/LIS). The Department of Land Management shall provide hard copy maps produced from its GIS and digital GIS data for a fee. Fees shall be based on the cost of producing the requested information.

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Hard Copy Maps:

(a) Published Hard Copy Map Fees

(1) GIS Map Library. The following fees apply to printing specifically developed user-requested cartographic maps. The Department of Land Management GIS Library Map Order Form contains a listing of the published GIS maps.

<u>Map Size</u>	<u>Type</u>	<u>Price</u>
<u>24"x36"</u>	<u>Color Plot</u>	<u>\$25.00</u>
<u>36"x 48"</u>	<u>Color Plot</u>	<u>\$30.00</u>
<u>11"x17"</u>	<u>Color Plot</u>	<u>\$15.00</u>
<u>11"x17"</u>	<u>Black &amp; White</u>	<u>\$14.00</u>
<u>CD/RW or Other digital format</u>		<u>\$15.00</u>

Specialty Maps

<u>Map Name</u>	<u>Price</u>
<u>Department of Land Management</u>	<u>\$95.00</u>
<u>1967 Official Zoning Map 18 Sheet Set</u>	
<u>Department of Land Management</u>	
<u>Zoning Map</u>	<u>\$110.00</u>
<u>21 Sheet Set (including zoning map disclaimer)</u>	
<u>Ground Water Protection Zone Map</u>	<u>\$25.00</u>

1 (2) Black & White Photo Copies

- 2 • Large format photo copies of existing hard copy maps for  
3 sizes up to 36" x 48" bond will be Ten Dollars (\$10.00)  
4 for the first sheet and Five Dollars (\$5.00) for each  
5 additional sheet.
- 6 • 11" x 17" size photocopies shall be Two Dollars (\$2.00)  
7 per copy for requests.
- 8 • Standard letter size photocopies shall be One Dollar  
9 (\$1.00) per copy for requests.

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10 (3) Aerial Photography Image Data. The following archived image  
11 data is available in CD-RW Digital format. The digital ortho photos also  
12 include coordinate files.

<u>Image CD-ROM Data</u>	<u>Price</u>
<u>1993 Digital Ortho Photos</u>	<u>\$4,000</u>

15 (4) Custom Digital Map Data. The following fees will apply to  
16 custom requests for Department of Land Management's digital GIS data.  
17 GIS layers are priced per map layer. Building and contour data are priced  
18 per 2000 x 3000-foot panel grid.

<u>Item</u>	<u>DXF Format</u>	<u>Shape Format</u>
<u>GIS Parcel Footprint Panel</u>	<u>\$500</u>	<u>\$600</u>
<u>GIS Contour Panel</u>	<u>\$500</u>	<u>\$800</u>
<u>Other GIS Map Layer</u>	<u>\$2,500</u>	<u>\$3,000</u>

23 All monies received pursuant to this Section, shall be deposited in the Land  
24 Survey Revolving Fund."

25 **Section 7.** A new Subsection (d) is added to §61303 of Title 21, Guam  
26 Code Annotated, Chapter 61, Article 3 to read:

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1 **“(d) Charges for Notification of Surrounding Property Owners.**

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2 These charges shall apply to all Guam Land Use Commission public  
3 hearings, to include Conditional Uses, Zone Change (Summary and Split  
4 Zone Changes), Zone Variances, Subdivision Variances, Wetlands, or  
5 Seashore Clearances. The Department shall charge the applicant with all  
6 costs incurred in carrying out the requirements of Subsections (b) and (c) of  
7 this Section, and all costs and fees so collected shall be deposited in the  
8 Department of Land Management Land Survey Revolving Fund (LSRF) to  
9 be expended for the Division of Planning as the Director of Land  
10 Management may determine. The following rates shall be charged, and the  
11 total charges are cumulative over the following categories, as applicable:

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12 (1) CERTIFIED MAIL: Current U. S. Postal Rate as established.

13 (A) Maximum of 25 property owners x current U.S. postal rate

14 (B) Maximum of 50 property owners x current U.S. postal rate

15 (C) Maximum of 75 property owners x current U.S. postal rate

16 (D) Maximum of 100 property owners x current U.S. postal rate

17 (E) Maximum of 125 property owners x current U.S. postal rate

18 (plus 15% contingency fee)

19 (2) Paper. Number of reams used x \$25.00/ream:

20 (A) Up to 1 ream \$25.00

21 (B) More than 1 but less than 2 reams \$50.00

22 (C) More than 2 but less than 3 reams \$75.00

23 (D) More than 3 but less than 4 reams \$100.00

24 (E) More than 4 but less than 5 reams \$125.00

25 (plus 15% contingency fee)

26 (3) Envelope. Number of envelopes x \$.32:

27 (A) Maximum of 25 property owners \$8.00

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1	<u>(B) Maximum of 50 property owners</u>	<u>\$16.00</u>
2	<u>(C) Maximum of 75 property owners</u>	<u>\$24.00</u>
3	<u>(D) Maximum of 100 property owners</u>	<u>\$32.00</u>
4	<u>(E) Maximum of 125 property owners</u>	<u>\$40.00</u>
5	<u>(plus 15% contingency fee)</u>	

6	<u>(4) Man-hours to complete research:</u>	
7	<u>8 hours x \$13.00</u>	<u>\$104.00</u>
8	<u>(5) Equipment Use</u>	<u>\$75.00”</u>

9 **Section 8.** §61660 of Title 21 Guam Code Annotated is *repealed* and  
10 *reenacted* to read:

11 “**§61660. Filing Fees.** (a) Applications for services. Before accepting  
12 any application for the following, the Commission *shall* charge and collect  
13 the following filing fees for the first five (5) pages thereof and Twenty-five  
14 Cents (\$.25) for every additional page:

15	<u>TYPE OF APPLICATION</u>	<u>AMOUNT</u>
16	<u>(1) Appeals</u>	<u>\$50.00</u>
17	<u>(2) Conditional Use Permit</u>	<u>\$50.00</u>
18	<u>(3) Zone Change</u>	<u>\$50.00</u>
19	<u>(4) Zone Variance (Use, Sign, Density,</u>	
20	<u>Height, Parking)</u>	<u>\$75.00</u>
21	<u>(5) Zone Variance – Setback</u>	<u>\$75.00</u>
22	<u>(6) Subdivision Variance</u>	<u>\$50.00</u>
23	<u>(7) Tentative Development Plans</u>	<u>\$50.00</u>

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24 SERVICES BY THE GUAM LAND USE COMMISSION:

25	<u>(8) Summary Zone Change</u>	<u>\$25.00</u>
26	<u>(9) Split Zone Change</u>	<u>\$25.00</u>
27	<u>(10) Zone Variance – Setback Non-</u>	

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Conforming	\$75.00
(11) Certification of Zoning	\$10.00
(12) Request for Documents	\$2.00

All money received pursuant to this Subsection (a) shall be deposited in the Department of Land Management Land Survey Revolving Fund (LSRF).

(b) Fees. The following fee schedule is established for advertisement of public hearings, GLUC hearings and hearings on HPR Final and Preliminary Public Reports.

- (1) Public Hearing (Ad size 2" x 2" = 4 (x): the current rate charged by a newspaper of general circulation.
- (2) GLUC Hearing (Ad size 2" x 2" = 4 (x): the current rate charged by a newspaper of general circulation.
- (3) HPR Final and Preliminary Public Report Hearing (Ad size 2" x 2" = 4 (x): the current rate charged by a newspaper of general circulation.

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The Commission shall collect the fees established by this Section from the applicant and remit the same to the newspaper in question after publication.”

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Section 9. A new §63112 is added to Chapter 63, Title 21 Guam Code Annotated to read:

“§63112. Fees. The following fee schedule is established:

(1) Wetland Permit	\$75.00
(2) Seashore Permit	\$75.00

All money collected under this Section shall be deposited in the Department of Land Management Land Survey Revolving Fund (LSRF).”

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Section 10. §45130 of Title 21 Guam Code Annotated is amended to read:

1 "§45130. Questionnaire and Filing Fee. The notice of intention  
2 shall be accompanied by a fee of One Hundred Dollars (\$100.00) and by a  
3 verified copy of a questionnaire properly filled in. The questionnaire will be  
4 in such form and content as will require full disclosure of all material facts  
5 reasonably available. All fees collected under this Section shall be deposited  
6 in the Department of Land Management Land Survey Revolving Fund  
7 (LSRF)."

8 Section 11. §45132 of Title 21, Guam Code Annotated fees is amended to  
9 read:

10 "§45132. Inspection Expenses. When an inspection is to be made  
11 of projects, the notice of intention shall be accompanied by the filing fee,  
12 together with an amount estimated by the Commission to be necessary to  
13 cover the actual expenses of the inspection, not to exceed Forty Dollars  
14 (\$40.00) a day for each day consumed in the examination of the project. All  
15 fees collected under this Section shall be deposited in the Department of  
16 Land Management Land Survey Revolving Fund (LSRF)."

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17 Section 12. A new subsection (d) is added to §61563 of Title 21 Guam  
18 Code Annotated to read:

19 "(d) The Commission shall charge and collect a filing fee of Seventy-  
20 Five Dollars (\$75.00) for a Junk Yard Permit application. All fees collected  
21 under this Section shall be deposited in the Department of Land  
22 Management Land Survey Revolving Fund (LSRF)."

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1 **CHAPTER V**

2 **PART IV**

3 **FEES AND CHARGES ASSESSED BY THE**

4 **DEPARTMENT OF LABOR**

5 **Section 1. Registration Fee. §7119 of Article 1, Chapter 7 of Title 22**

6 GCA is hereby *amended* to read:

7 “§7119. Registration Fee. (a) The Guam Department of Labor is  
8 authorized to collect a registration fee of One Thousand Dollars (\$1,000.00)  
9 annually per non-immigrant temporary worker for each calendar year or a fraction  
10 thereof from the employer of each non-immigrant temporary worker, payable at  
11 the time of registration by the non-immigrant worker.

12 (b) Funds collected pursuant hereto *shall* be subject to legislative  
13 appropriation, and *shall* be used *solely* to support §7120, Chapter 7, 22 GCA  
14 (Manpower Development Fund) and Skills Training Programs for Guam residents  
15 in order to eliminate the need to bring non-immigrant temporary workers on  
16 Guam.”

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1 CHAPTER V

2 PART V

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3 FEEES AND CHARGES ASSESSED BY THE BOARD OF  
4 PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS  
5 (PEALS)

6 Section 1. Approval of Fees for Services Provided by the Professional  
7 Engineers, Architects and Land Surveyors (PEALS) Board. Notwithstanding  
8 any other law, the following fees, attached as “Exhibit 2”, for services provided by  
9 the Professional Engineers, Architects and Land Surveyors (PEALS) Board are  
10 hereby approved and enacted into law effective May 1, 2007. The Professional  
11 Engineers, Architects and Land Surveyors (PEALS) Board shall retain authority to  
12 adopt additional fees and to amend the said schedule of fees and charges pursuant  
13 to the Administrative Adjudication Law, provided that said fees shall not be less  
14 than those established herein. The fees collected pursuant hereto shall be  
15 deposited in the Professional Engineers, Architects and Land Surveyors (PEALS)  
16 Fund.

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**CHAPTER V**

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**PART VI**

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**FEES AND CHARGES ASSESSED BY THE  
CONTRACTORS LICENSE BOARD**

**Section 1.** §70114 of Chapter 70, Title 21 GCA is hereby *amended* to read:

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**“§70114. Fees; Annual.**

(a) The annual fees for each license prescribed by this Chapter  
*shall* be as follows:

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(1) License Fee

License to act as specialty contractor ..... \$400.00

License to act as general engineering

contractor ..... \$400.00

License to act as general building

contractor..... \$400.00

(2) License Fee for Responsible

Management Employee (RME)

License to act as RME in

specialty contracting ..... \$400.00

License to act as RME in general

engineering contracting ..... \$400.00

License to act as RME in general building

contracting ..... \$400.00

3) Re-issuance of a license or issuance of a

certified copy of license ..... \$20.00

(4) Application ..... \$50.00

(5) Application for Additional Classifications..... \$50.00

(6) Letter of Good Standing..... \$20.00

1                   (7) Study Guide .....\$50.00  
2                   (8) Inactive license fee (in lieu of renewal  
3                   fee) ..... \$20.00”

4           **Section 2.** §70111(c) of Chapter 70, Title 21 GCA is hereby *amended* as  
5 follows:

6                   “(c) Every application for a license hereunder *shall* be accompanied  
7 by an application fee of Fifty Dollars (\$50.00).”

1 **CHAPTER V**

2 **PART VII**

3 **FEES AND CHARGES ASSESSED BY THE**  
4 **DEPARTMENT OF PARKS AND RECREATION**

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5 **Section 1. Approval of Fees for Services Provided by the Department**  
6 **Of Parks And Recreation.** Notwithstanding any other law, the following fees,  
7 attached as **“Exhibit 3”**, for services provided by the Department of Parks and  
8 Recreation are hereby approved and enacted into law effective May 1, 2007. The  
9 Department of Parks and Recreation *shall* retain authority to adopt additional fees  
10 and may amend the said schedule of fees and charges pursuant to the  
11 *Administrative Adjudication Law*, provided that said fees *shall not be less than*  
12 those established herein. The fees collected pursuant hereto *shall* be deposited in  
13 *the Public Recreation Services Fund.*

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**CHAPTER V**  
**PART VIII**  
**FEES AND CHARGES ASSESSED BY THE**  
**GUAM POLICE DEPARTMENT**

**Section 1.** Notwithstanding any other law, the following schedule of fees and charges for services of the Guam Police Department is hereby approved and enacted into law effective May 1, 2007:

**GPD Services and Fees**

<b><u>Services</u></b>	<b><u>Fees</u></b>	
<u>Gun Dealer – Annual</u>	<u>\$600.00</u>	Formatted: Left
<u>Guam Identifications</u>	<u>\$25.00 No expiration</u>	Formatted: Left
<u>Traffic Reports</u>	<u>\$15.00 each</u>	Formatted: Left
<u>Blotters</u>	<u>\$1.00 first page (per day)</u>	Formatted: Left
	<u>\$.10 each following page</u>	
<u>Police Clearances</u>	<u>\$7.00</u>	Formatted: Left
<u>(Criminal History Record)</u>		
<u>Additional Copies</u>	<u>\$1.00 each</u>	Formatted: Left
<u>(maximum 3 per day)</u>		
<u>Abstracts of Criminal Reports</u>	<u>\$15.00</u>	Formatted: Left
	<u>\$20.00</u>	
<u>Fingerprinting</u>	<u>\$75.00</u>	
<u>Private Security Certification</u>		



Trainer Certification \$500.00

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Highway Permits \$50.00

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Firearm Registrations \$40.00

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Fees for new, copy and replacement firearm registrations are the same.

Firearm Identifications \$25.00

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Tri-annual

Fees for copies of firearm identifications are the same.

Concealed Firearm ID \$60.00

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Tri-annual renewal

Fees for copies of concealed firearm ID's are the same.

Temporary Firearm ID \$25.00

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**GPD Boating Services and Fees**

**Boating Services**

**Fees**

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New Application \$20.00 annual

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Transfer \$20.00 annual

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Renewal \$20.00 annual

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1 **CHAPTER V**

2 **PART IX**

3 **Section 1. Effective Date.** (a) The effective date for all fees, charges,  
4 penalties, provision, exemptions and moratoriums, excluding any de-appropriation  
5 penalties, contained in this Act shall be May 1, 2007.

6 **(b) Public Notification.** The Department of Revenue and Taxation, the  
7 Guam Fire Department, the Department of Land Management, the Department of  
8 Labor, the Professional Engineers, Architects and Land Surveyors Board, the  
9 Contractors License Board, the Department of Parks and Recreation, and the Guam  
10 Police Department shall provide proper and timely public notice to the community  
11 regarding the new or adjusted fees, fines and penalties imposed by this Act. The  
12 public notice shall include, but not be limited to, print media of general circulation  
13 and the agency’s respective website. Said public notice shall be published and  
14 posted no later than ten (10) working days after enactment of this Act.

15 **Section 2. Annual Public Hearing Requirements on Fee Schedules.** A  
16 new §3131 is added to Division 1, Chapter 3, Title 5 GCA as follows:

17 **“§3131. Annual Public Hearing Requirements on Fee Schedules. All**  
18 departments and agencies of the government of Guam that administer and collect  
19 fees for government services shall conduct a public hearing on existing fee  
20 schedules to receive and ascertain public opinion thereon within sixty (60) days of  
21 enactment of this Act. Beginning in 2008, all such departments and agencies shall  
22 conduct such hearings on an annual basis prior to April 1 of each year and shall  
23 regularly adjust existing fees, pursuant to the Administrative Adjudication Act, or  
24 implement new fees for the purpose of cost recovery.”

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**CHAPTER VI**

**MISCELLANEOUS PROVISIONS**

**Section 1. Autonomous Agencies COLA Annuity Share. (a) The A.**

B. Won Pat International Airport Authority, Guam, the Guam Economic Development and Commerce Authority, the Guam Housing Corporation, and the Government of Guam Retirement Fund shall pay a “Cost of Living Allowance” (COLA) of One Thousand One Hundred Dollars (\$1,100) to the annuitants who retired from every respective aforementioned agency who were receiving COLA as of September 30, 2006 and their survivors.

(b) Said agencies shall reimburse the General Fund for any COLAs paid by the Fund in fiscal year 2007 to annuitants that have retired from that agency and their survivors.

**Section 2. Fast Track Teacher Certification Programs Offered by the Yamashita Educator Corps.** For the purpose of the “Fast Track Teacher Certification Program” offered through the Yamashita Teacher Corps, for degreed individuals, the requirements for an internship and student teaching shall be waived if the individual has two (2) years of documented and verifiable teaching experience.

**Section 3.** Section 10, Part IV, Chapter II of Public Law 28-150 is amended to read as follows:

**“Section 10. Comprehensive Cancer Therapy Center Initiative. (a) Comprehensive Cancer Therapy Center.** The Administrator of the Guam Memorial Hospital Authority (GMHA) shall provide a plan of action, within six (6) months of the enactment hereof, to *I Liheslaturan Guåhan, I Maga’Lahen Guåhan* and the Board of Trustees, for the development and construction of a comprehensive Cancer Therapy Center, to provide radiation therapy and treatment

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- CHAPTER 5
- AUTHORIZATION FOR A LINE OF CREDIT
- Section 1. Authority to Borrow. I Maga’lahen 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- ... [284]
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1 and medical oncology for the treatment of cancer patients. Said plan of action  
2 shall:

3 (1) incorporate timelines, funding requirements, and administrative  
4 options for the operations of the Cancer Therapy Center;

5 (2) compare and contrast the costs and benefits of the Cancer  
6 Therapy Center operating under fully privatized ownership, and public-  
7 private partnership; and

8 (3) include provisions for the care of indigent patients under the  
9 Medically Indigent Program (MIP) and Medicaid Program.

10 (b) **Radiation Therapy or Treatment Machine.** The sum of Two Million  
11 Dollars (\$2,000,000) is hereby appropriated from Fiscal Year 2008 revenues to the  
12 Guam Memorial Hospital Authority to be kept separate in a restricted fund and  
13 used solely for radiation therapy for cancer treatment through the Medically  
14 Indigent Program (MIP). The Guam Memorial Hospital Authority shall enter into a  
15 contract or a public-private partnership agreement for the operation of a Radiation  
16 Therapy Machine. Said contract or public-private partnership agreement shall  
17 provide for the care of indigent patients under the Medically Indigent Program  
18 (MIP) and Medicaid Program and shall require that invoices for cancer treatment  
19 be paid within sixty (60) days after receipt.”

20 **Section 4. Safe Street Fund.** §18125(e) of Article 1 of Chapter 18 of 16  
21 GCA is hereby amended to read:

22 “(e) The Administrator of the Courts and the Director of Corrections shall  
23 submit an annual report to I Maga’lahen Guåhan and to the Speaker of I  
24 Liheslaturan Guåhan regarding the status of the Fund no later than ninety (90)  
25 days after the close of the preceding fiscal year. Such report shall be included in  
26 the financial statements of the Judiciary of Guam, including its year-end financial  
27 statements.”

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**Section 5. Guam Community College Budget.** §33101 of Chapter 33 of

17 GCA is hereby amended to read:

**“§33101. Submission of Budget.**

Notwithstanding any other law, rule or regulation to the contrary, the Board shall submit its annual operating budget and such capital improvement budgets as it finds necessary directly to *I Liheslaturan Guåhan* no later than the fifteenth (15<sup>th</sup>) day of February of every year.”

**Section 6.** A new Chapter 161 is hereby added to Title 11 GCA to read as follows.

**“Chapter 161. Better Public Service Fund.** (a) There is hereby established, separate and apart from the General Fund, the “Better Public Service Fund.”

(b) Ten percent (10%) of all fee and license revenues received by the Department of Revenue and Taxation shall be deposited into said Fund.

(c) The Director of Revenue and Taxation shall use the Fund to improve and modernize systems that are used to provide Department services to the public, including on-line filing of all taxes, on-line renewal of licenses and permits, upgrades of computer hardware and software to improve record retrieval by members of the public, and the training of Department staff in technical skills and customer service.

(d) No moneys shall be expended from the Fund without legislative appropriation. The Fund shall not be subject to the transfer authority of *I Maga’lahi*.”

**Section 7. Prohibition on the Use of Funds Received Through the Public Welfare Assistance Program for the Purchase of Alcoholic Beverages and Tobacco Products.** (a) The use of public welfare assistance program funds for the purchase of alcoholic beverages or tobacco products is prohibited.

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1 (b) Each welfare recipient who violates subsection (a) hereof shall be  
2 penalized as follows:

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3 (i) A first offense shall result in the revocation of benefits from the  
4 program in question for a period not to exceed three (3) months.

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5 (ii) A second offense shall result in the revocation of benefits from  
6 the program in question for a period not to exceed six (6) months.

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7 (iii) A third offense shall result in the revocation of benefits from  
8 the program in question for a period not to exceed one (1) year.

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9 (iv) A fourth offense shall result in the permanent revocation of  
10 benefits from the program in question.

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11 (c) Each business vendor who violates subsection (a) hereof shall be  
12 penalized as follows:

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13 (i) A first offense shall result in a penalty of Two Hundred Dollars  
14 (\$200.00) for each violation.

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15 (ii) A second offense shall result in a penalty of Five Hundred  
16 Dollars (\$500.00) for each violation.

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17 (iii) A third offense shall result in a penalty of One Thousand  
18 Dollars (\$1,000.00) for each violation.

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19 (iv) A fourth offense shall result in the permanent revocation of the  
20 vendor's right to provide service to recipients for the program in  
21 question.

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22 (d) The Director of Public Health and Social Services shall enforce this  
23 Section. The Director shall approve the imposition of the aforementioned  
24 penalties, as well as the reconsideration of said penalties following an appeal. The  
25 Director shall use existing appeal procedures when applicable.

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26 (e) The Director shall periodically review each program and its  
27 beneficiaries.

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1 ~~(f) The Director of Public Health and Social Services shall notify current~~  
2 public welfare recipients ~~and vendors in writing regarding the~~ prohibitions and  
3 penalties ~~imposed by this Section. Said notice shall include, but not be limited to,~~  
4 ~~news media sources and electronic means.”~~

5 **Section 8. Guam Board of Accountancy.** §35104(d) of Chapter 35 of 22  
6 GCA is hereby *repealed* and *reenacted* to read:

7 “(d) Notwithstanding the Central Accounting Act, all fees and money  
8 collected by the Board under this Chapter shall ~~be~~ accounted for by the Board and  
9 deposited in a special fund known as the ‘Guam Board of Accountancy Fund.’  
10 ~~The Board shall maintain said Fund~~ in a bank licensed to do business on Guam,  
11 and funds ~~therein~~ shall be paid out only upon a request for payment, ~~or~~ requisition,  
12 submitted by the Executive Director and countersigned by the Chairperson of the  
13 Board, ~~or some other member specifically designated by the Board.~~ All monies in  
14 this Fund are subject to legislative appropriation for the use of the Board in  
15 ~~performing its duties. Said monies shall be expended solely to~~ administer the  
16 provisions of this Chapter, ~~and~~ may include, but ~~shall not be limited to,~~ the costs of  
17 ~~investigations, taking testimony and procuring the attendance of witnesses before~~  
18 the Board or its committees; all legal proceedings ~~brought pursuant to this Chapter;~~  
19 ~~and educational programs for the benefit of the public and licensees and their~~  
20 employees. The Board shall submit a proposed budget to *I Liheslatura* annually.  
21 This Section shall become effective beginning Fiscal Year 2007.”

22 **Section 9.** ~~Section 52 of Chapter IV of Public Law 28-68 is hereby repealed~~  
23 ~~in its entirety.~~

24 **Section 10.** §3228 of Chapter 3, Article 2, Title 11 of the Guam Code  
25 Annotated is hereby *amended* to read as follows:

26 “§3228. **Mobile License.** A mobile license shall be a general on-sale  
27 license only ~~and shall authorize the licensee to sell alcoholic beverages to~~

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1 passengers, clients and customers for consumption only on the premises of a  
2 limousine ~~or~~ bus meeting the requirements of 16 GCA §18121. The license shall  
3 be restricted to vehicles owned and registered to the licensee and shall be non-  
4 transferable. All rules and regulations applicable and enforceable, in accordance  
5 with Chapter 3, Title 11, Guam Code Annotated, to on-sale licenses shall apply to  
6 mobile license.

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7 No applicant issued a license under this Section shall authorize any  
8 individual to operate a vehicle, ~~subject to this Section~~ who has been convicted of  
9 any drug ~~or~~ alcohol-related offense.”

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10 **Section 11.** §51503, Article 5 Chapter 51 of 10 GCA is hereby amended to  
11 read:

12 “§51503. **Continuing Appropriation.** (a) All revenues from the  
13 Recycling Revolving Fund are hereby appropriated to the Department of  
14 Public Works to fund ~~the costs of~~ the administration and implementation of  
15 this Article.

16 (b) In Fiscal Year 2007, the Director of Public Works shall expend monies  
17 from the Recycling Revolving Fund to pay current obligations of the  
18 Department of Public Works arising from the ongoing Island-Wide  
19 Collection and Off-Island Disposal of Abandoned Vehicles, White Goods,  
20 Tires, and Batteries program pursuant to GSA Bid No. 038-05.”

21 **Section 12. Sunset and Rightsizing Commission.** A new Chapter 12 is  
22 hereby added to Title 5 of the Guam Code Annotated to read as follows:

23 **“CHAPTER 12**

24 **SUNSET AND RIGHTSIZING COMMISSION**

25 **§12101. Title.**

26 **§ 12102. Purpose.**



1        §12103.     Sunset and Rightsizing Commission to Review the  
 2                    Performance of all Executive Branch Agencies.  
 3        §12104.     Obtaining Information from Executive Branch Agencies.  
 4        §12105.     Public Hearings and Meetings.  
 5        §12106.     Review of Efficiency and Need for Executive Branch  
 6                    Agencies.

7        §12107.     Recommendation to *I Maga’lahi* and *I Liheslaturan*  
 8                    *Guåhan*.

9        §12108.     Draft Legislation.

10       §12109.     Exemption.

11       §12110.     Severability.

12       §12101.     Title.    This Chapter ~~shall be known~~ as “The Government  
 13 Reorganization and Program Performance Improvement Act of 2007.”

14       §12102.     Purpose. ~~This Chapter is intended to improve Executive~~  
 15 Branch ~~performance by determining whether agencies and programs work,~~  
 16 ~~addressing deficiencies in existing programs, eliminating duplication of effort, and~~  
 17 ~~abolishing agencies and programs that do not work.~~

18       §12103.     Sunset and Rightsizing Commission to Review the  
 19 Performance of all Executive Branch Agencies.

20       (a) ~~There is hereby established the Sunset and Rightsizing Commission.~~  
 21 ~~The Commission shall review all executive branch agencies and programs~~  
 22 ~~according to a schedule set by the Commission, but no later than one (1) year after~~  
 23 ~~enactment hereof.~~

24       (b) ~~All executive branch agencies and programs shall be realigned, modified~~  
 25 ~~or abolished one (1) year after the Commission submits its recommendations and~~  
 26 ~~report thereon to I Maga’lahi and the Speaker of I Liheslaturan Guåhan, unless the~~

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1 agency *or* program is re-established by law. The deadline for abolition of an  
2 agency *or* program may be extended by the Commission for an additional year.

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(3) ...abolishment [350]

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3 (c) The Commission *shall* be comprised of seven (7) members, four (4) of  
4 whom shall be appointed by *I Maga'lahi* and three (3) of whom shall be appointed  
5 by *I Liheslaturan Guåhan* within ten (10) days from the enactment hereof. *I*  
6 *Maga'lahi shall* designate one (1) member of the Commission to serve as  
7 Chairman and one (1) member to serve as Vice Chairman.

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8 (d) Commission members shall serve at the pleasure of the appointing  
9 authority, and for a term *not to exceed* three (3) years, unless reappointed by the  
10 appointing authority.

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11 (e) Any vacancy on the Commission *shall* be filled in the same manner as  
12 the original appointment for the vacant position.

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13 **§12104. Obtaining Information from Executive Branch Agencies.**

14 The Commission is authorized to obtain directly from any executive department,  
15 bureau, agency, board, commission, office, public corporation, or instrumentality  
16 of the government of Guam any and all information needed to execute its  
17 functions.

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18 **§12105. Public Hearings and Meetings.**

19 (a) Public Hearings. The Commission shall hold public hearings  
20 and meetings as needed. All public hearings shall be conducted so as  
21 to protect, according to applicable law, information provided to *or*  
22 developed for or by the Commission.

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23 (b) The Commission *shall* meet periodically at the call of the Chair.  
24 Such meetings may include public hearings as authorized by  
25 this Chapter.

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26 (c) Four (4) members of the Commission *shall* constitute a quorum  
27 but a lesser number may conduct hearings.

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1 §12106. **Review of Efficiency and Need for Executive Branch**  
2 **Agencies.** The Commission shall review **executive branch** agencies and programs  
3 **according to** the criteria **established by** this **Chapter.** The Commission shall  
4 consider recommendations made by *I Maga'lahi* for improving the performance of  
5 agencies or programs. The Commission may consider any publicly available  
6 agency *or* program evaluations and assessments, including those **performed by I**  
7 *Maga'lahi.* Such **evaluations shall consider** the purpose, design, strategic plan,  
8 management, and results of **the agency or** program, and such other matters as the  
9 Commission **deems** appropriate, **and shall** make recommendations to improve  
10 efficiency and effectiveness.

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to the Commission ...the ... being  
considered...  
In its deliberations, t [363]

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undertaken...assessments ...evaluate  
the...considers ...as well as [364]

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or program [365]

11 §12107. **Recommendation to I Maga'lahi and I Liheslaturan**  
12 **Guāhan.** The Commission shall **submit a report** to *I Maga'lahi* and the Speaker of  
13 *I Liheslaturan Guāhan* not later than June 1 of each year **regarding:**

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submit ...a report containing the  
following [366]

14 (a) its **evaluation** of each agency and program reviewed during the  
15 preceding twelve (12) months; and

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16 (b) its recommendations **about** how to improve the results **achieved**  
17 **by** each agency *or* program and whether to abolish any agency *or* program;  
18 **and**

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19 (c) a draft of proposed legislation needed to **execute** its  
20 recommendations.

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**Legislation.** The Commission shall  
submit to *I Maga'lahi* and the Speaker of  
*I Liheslaturan Guāhan*, with its report,

21 §12108. **Exemption.** No regulations to protect the environment, health,  
22 safety, *or* civil rights shall **be terminated pursuant to this Chapter.**

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23 §12109. **Severability.** If any provision of this **Chapter** *or* its application  
24 to any person *or* circumstances is held invalid, the invalidity **shall not** affect other  
25 provisions *or* applications of this Act which can be given effect without the invalid  
26 provision or application, and to this end the provisions of this Act are severable.”

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**Section 13.** Section 3 of Part VI of Chapter II of Public Law 28-149 and Section 3 of Chapter VI of Public Law 28-150 are hereby *repealed*.

**Section 14. Staffing Pattern Reporting.** Section 4(a) of Chapter V of Public Law 28-150 is hereby *amended* to read:

**“(a) Staffing Pattern.** Beginning October 1, 2006, and continuing for each quarter thereafter, every director, administrator *or* head of a government of Guam agency, including line agencies, semi-autonomous agencies, public corporations, the President of the Mayors Council of Guam and the Judiciary of Guam, shall submit to the Speaker of *I Liheslaturan Guåhan* a current staffing pattern, with continuing updates thereafter, in the format of the Executive Branch FY 2007 Budget Call, as of the previous quarter’s ending, of employees funded by that instrumentality. Such staffing pattern shall include, *at a minimum*, the name of the employee, position title, salary, increment costs and benefit costs for each employee, as well as the funding source for the salary and benefits of each employee, and shall be posted on the agency website.”

**Section 15. Reporting Requirements.** Section 2 of Chapter VI of Public Law 28-150 is hereby *amended* to read:

**“Section 2. Reporting Requirements.** *No later than* thirty (30) days after the end of every fiscal quarter of FY 2007, every director, administrator *or* head of a government of Guam agency, including line agencies, autonomous and semi-autonomous agencies, public corporations, the President of the Mayors Council of Guam and the Judiciary of Guam, regardless of the source of the entity’s appropriations and revenue, shall submit to the Public Auditor of Guam and the Speaker of *I Liheslaturan Guåhan* and post on the entity’s website, in written and electronic format (including, *but not limited to*, diskettes, CDs and email) a report making full disclosure of ALL funds under his or her purview and administration for the preceding quarter. Said report shall be in the form of

**Deleted: Section 12. Reporting Requirements.** Section 2 of Part VI of Chapter II of Public Law 28-149 is hereby *amended* to read:¶  
**“Section 2. Reporting Requirements.** *No later than* thirty (30) days after the ~~elose~~ end of each fiscal quarter of Fiscal Year 2007, the Superintendent of Education of the Guam Public School System, the President of the University of Guam, the President of the Guam Community College, the General Manager of Guam Educational Telecommunication Corp., and the Director of the Guam Public Library System, regardless of the source of the entity’s appropriations and revenue, shall submit to the Public Auditor of Guam and the Speaker of *I Liheslaturan Guåhan* and post on the entity’s website, in written and electronic format (including, but not limited to, diskettes, CDs and email), a report making full disclosure of ALL funds under his purview and administration for the preceding quarter. Said report shall be in the form of financial statements *or* revenue and expenditure reports for every fund he administers, *or* in a format as may be required by *I Liheslaturan Guåhan*, regardless of whether said fund is appropriated, non-appropriated, local *or* federal and regardless of the source of the funding. This and every reporting requirement imposed by this Act *or* any appropriation pertaining to FY 2007 shall be subject to the following:¶  
(a) If the head of an agency receiving funds pursuant to this Act does *not* submit said report to the Speaker of *I Liheslaturan Guåhan* and post the same on the website by its due date, ¶ (... [372])

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1 financial statements *or* revenue and expenditure reports for every fund he  
2 administers, regardless of whether said fund is appropriated, non-appropriated,  
3 local *or* federal and regardless of the source of the funding. This and every  
4 reporting requirement imposed by this Act or any act pertaining to FY 2007 *shall*  
5 be subject to the following *if any or all of the following requirements are not met:*

6 (a) providing a written report;

7 (b) providing an electronic format of the report; and

8 (c) posting the report on the website.

9 The director of any government agency receiving Funds pursuant to this Act,  
10 regardless of the source of the agency's appropriations and revenue, *shall* have his  
11 gross salary per pay period and the gross salaries per pay period of his deputy and  
12 Chief Financial Officer reduced by twenty percent (20%), for the remainder of the  
13 Fiscal Year 2007, for failing to comply with any reporting requirements mandated  
14 by this Act and those reporting requirements contained in Section 2, Chapter II,  
15 Part VI of Public Law 28-149 and Section 2, Chapter VI of Public Law 28-150.  
16 Copies of the personnel actions evidencing the salary reduction *shall* be provided  
17 to the Speaker of *I Liheslatura*, the Office of the Public Auditor, and posted on the  
18 department/agency website. Beginning with the third quarter of Fiscal Year 2007,  
19 the Office of the Public Auditor shall provide notice to all directors of their  
20 responsibility under this section three (3) days before the end of each quarter. The  
21 Public Auditor *shall* prepare letters attesting to the failure to comply that caused  
22 the salary reduction for placement in each of the aforementioned responsible  
23 officials' respective personnel files. For the purposes of this Section, a director  
24 *shall* include the head of a department, agency, autonomous agency, semi-  
25 autonomous agency, or public corporation, including, *but not limited to*, the  
26 Superintendent of Education, the President of the University of Guam, the  
27 President of Guam Community College, the General Manager of the Guam

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1 Educational Telecommunication Corporation, the Director of the Guam Public  
2 Library System, the Executive Director of the Mayors Council of Guam, the  
3 Executive Director of *I Liheslaturan Guåhan* and the Administrator of the Courts  
4 of Guam.

5 Any person who undergoes a reduction in salary pursuant to this provision,  
6 who is transferred to a position in another department, agency, *or* instrumentality  
7 of the government of Guam that has a greater gross salary per pay period, *shall not*  
8 be paid a salary greater than the reduced salary resulting from the application of  
9 this Section for the remainder of Fiscal Year 2007.”

10 **Section 16.** Section 4(a) of Public Law 29-01 is hereby *amended* to read:

11 **“Section 4. Revised FY 2008 Executive Budget.**

12 (a) *I Maga’lahen Guåhan shall* submit, *no later than* May 10, 2007, to the  
13 Speaker of *I Liheslaturan Guåhan*, the Revised Fiscal Year 2008 Executive Budget  
14 and *shall* incorporate therein his Deficit Elimination Plan and the departmental  
15 budget allocation adjustments required by said Plan. The revised FY 2008 Budget  
16 *shall* include adjustments resulting from any line of credit *or* debt instrument that  
17 requires payment from FY 2008 revenues.”

18 **Section 17. Modification of Planned Expenditures.** §4109(c)(3) of 5

19 GCA is *amended* to read:

20 “(3) Modify *or* withhold the planned expenditures at any time during the  
21 appropriation period *if* the Bureau of Budget and Management Research finds that  
22 such expenditures are greater than those necessary to execute the programs at the  
23 level authorized by *I Maga’lahi* (the Governor) and *I Liheslatura* (the Legislature),  
24 *or* that the receipts and surpluses will be insufficient to meet the authorized  
25 expenditure levels, provided that *no* planned expenditures necessary to provide  
26 every public school student an adequate public education *shall* be modified *or*  
27 withheld. The Director of the Bureau of Budget and Management Research, in

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(a) *If* the head of an executive branch line agency, autonomous and semi-autonomous agency, public corporation *or* any part of the executive branch, does *not* submit said report to the Speaker of *I Liheslaturan Guåhan* and post the same on the website by its due date, *I Maga’lahi*, through the Director of the Bureau of Budget and Management Research, *shall, no later than* fifteen (15) days after said due date, notify the agency head of his non-compliance and the imminent de-appropriation of Funds.¶

(b) *If* the head of any agency or entity of the government of Guam does *not* submit and post said report by its due date, the chairperson *or* president of the appropriate board, commission *or* council, *shall* notify the agency head of non-compliance and the imminent de-appropriation or remittance of funds.¶  
(c) The failure of any official, board, commission *or* council to give the notice required by the previous two subsections *shall not* affect the de-appropriation *or* remittance of funds mandated by the next Section.”¶

**Section 16. Deappropriation of Funds.** Section 3 of Chapter VI of Public Law 28-150 is hereby *amended* to read:¶

**“Section 3. Deappropriation of Funds.** (a) *If* the director, administrator *or* head of a government agency, including line agencies, autonomous and semi-autonomous agencies, public corporations, the President of the Mayors Council of Guam and the Judiciary of Guam, regardless of the source of the entity’s appropriations and revenue, fails to comply with any reporting requirement mandated by this Act, the funds appropriated for the operations of the entity he administers *shall, on* the forty-fifth (45<sup>th</sup>) day after the report’s due date, be automatically deappropriated in the maximum amount of five percent (5%) per quarter of the agency’s total operations appropriation for FY 2007 for EACH of these if any *or* all of ( ... [383]

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1 collaboration with the Director of Revenue and Taxation and the Director of  
2 Administration, *shall* determine revenue tracking for every fiscal year based on the  
3 actual collections of every preceding month, and prepare monthly Comparative  
4 Revenue and Expenditure Analysis Reports that compare the budgeted and actual  
5 revenues and departmental program appropriations with expenditures and  
6 encumbrances. *If* revenues are tracking below projected revenues for the year, the  
7 Bureau of Budget and Management Research *shall* adjust and sequester an amount  
8 of the remaining allotments, *except* for those of the Guam Public School System,  
9 equal to the percentage of revenues that are below the fiscal year's projected  
10 revenues. The Director of the Bureau of Budget and Management Research, the  
11 Director of Administration, and the Director of Revenue and Taxation *shall* certify  
12 said reports, which *shall* be transmitted to *I Maga'lahañ Guåhan* and the Speaker  
13 of *I Liheslaturan Guåhan* no later than fifteen (15) days after the end of each  
14 month. The Director of the Bureau of Budget and Management Research *shall* be  
15 personally liable for allotments released in excess of anticipated cash receipts for  
16 the fiscal year in which allotments are released, and shall be subject to the  
17 liabilities and penalties imposed in Article 1 of Chapter 14 of 4 GCA."

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18 **Section 18.** §22904 of Article 9, Chapter 22, 5 GCA is *repealed* and  
19 *reenacted* to read:  
20 **“Deposits and Appropriations.** All revenues in excess of expenditures  
21 authorized through appropriations from the General Fund shall be deposited in the  
22 Rainy Day Fund. However, no deposits to the Rainy Day Fund *shall* be made *if*  
23 the Fund's assets exceed twenty-five percent (25%) of the average gross operating  
24 requirements funded by the General Fund. No appropriations from the Rainy Day  
25 Fund *shall* be made that reduce the Rainy Day Fund below the said twenty-five  
26 percent (25%) average of the gross operating requirements funded by the General  
27 Fund.”

1 Section 19. §22906 of Article 9, Chapter 22, 5 GCA is *amended* to read:  
2 “§22906. Investment. The Director of Administration *shall* invest money  
3 held in the Rainy Day Fund in any type of investment approved for the Retirement  
4 Fund. All proceeds and income from investments of the Rainy Day Fund *shall* be  
5 deposited in the Rainy Day Fund provided that *if* the Fund exceeds twenty-five  
6 (25%) of the average gross operating requirements funded by the General Fund the  
7 amount *greater than* said twenty-five percent (25%) *shall* be deposited in the  
8 General Fund.

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9 Section 20. Section 26 of Chapter 2 Part I of Public Law 28-68 is hereby  
10 *repealed and reenacted* to read as follows:

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11 “Section 26. GPSS Compensation Plan Review. Section 2 of Public Law  
12 28-036 is hereby *amended* to read as follows:

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13 Section 2. GPSS Compensation Plan Review. The Civil Service  
14 Commission (‘Commission’), in consultation with the Guam Public School System  
15 (GPSS), immediately upon enactment *hereof, and* every three (3) years thereafter,  
16 *shall* review and upgrade, as needed, the Compensation Plans of *certificated*  
17 *teachers, guidance counselors,* and school librarians of GPSS, to be competitive  
18 with the U.S. national average. *Only full-time certified teachers, full-time certified*  
19 *guidance counselors, and full-time certified* school librarians of GPSS *shall be*  
20 *entitled to additional compensation pursuant to this Section or the Commission’s*  
21 *review of the GPSS Compensation Plan.* The Commission *shall enact* the upgraded  
22 Compensation Plans of *full-time* Certificated *teachers, guidance counselors, and*  
23 *school librarians of GPSS* within *sixty* (60) days *after* commencement of *its*  
24 review.”

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Deleted: ...*Guidance Counselors*...*except that no additional compensation pursuant to this Section shall be paid to a certificated employee of GPSS not occupying the position for which such person is certificate* ... [394]

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25 Section 21. Subparagraph 15A301(a)(2)(i) of Chapter 15, Title 17 GCA is  
26 *hereby amended* to read:

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1 “(i) United States citizens, *or* a permanent resident alien, who has completed  
2 a minimum of three (3) but *no more than* four (4) academic years and meets all  
3 academic credit requirements for graduation during attendance in a public, non-  
4 public, *or* DODEA high school on Guam; and.”

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5 **Section 22. Real Property Tax Amnesty.** Notwithstanding Title 5 GCA  
6 §22425, all real property tax proceeds levied pursuant to Title 11 GCA §24103 for  
7 the years prior to and including the year 2005, and collected by the Department of  
8 Revenue Taxation Real Property Amnesty Program, *shall* be deposited into the  
9 Treasury of Guam to the credit of the General Fund for the payment of General  
10 Fund obligations.

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11 **Section 23. Notification of Responsibility.** The notification by the Office  
12 of the Public Auditor, of all directors of their responsibilities pursuant to Public  
13 Law 28-149, Section 3, Part VI of Chapter II and Public Law 28-150, Section 3, of  
14 Chapter VI of Public Law 28-150 as amended by this Act, *shall* be effective  
15 beginning the third quarter of Fiscal Year 2007.

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16 **Section 24.** Section 2 of Chapter V of Public Law 28-150 is *amended to*  
17 read:

18 **“Section 2. Retirement Option for Government of Guam**  
19 **Employees upon the Complete Remittance of Individual Retirement Fund**  
20 **Contributions.** Members of the Government of Guam Retirement Fund who  
21 meet the minimum eligibility requirements for retirement *shall* be permitted to  
22 retire upon the complete remittance of their outstanding individual contributions to  
23 the Fund. Such contributions *shall* include the employee and employer retirement  
24 contributions. Any and all fees, interest at actuarial rates, and penalties associated  
25 with the requirements set forth by the Government of Guam Retirement Fund *shall*  
26 be paid by the Government.

1 This Section does not restrict the continuing remittance of existing  
2 Retirement Fund contributions as required by law or as set forth by the  
3 Government of Guam Retirement Fund. By the fifteenth (15<sup>th</sup>) day of each month,  
4 the Director of the Government of Guam Retirement Fund shall provide a detailed  
5 report to the Speaker of I Lheslaturan Guåhan regarding said remittances and  
6 number of retirements for the prior month pursuant to this Section. Nothing herein  
7 shall be construed to abrogate any of the provisions of Public Law 28-38.”

8 Section 25. The Guam Waterworks Authority (GWA) shall, in the future,  
9 enact all rules and regulations according to the Administrative Adjudication Act.  
10 GWA shall bring its current administrative rules and regulations into conformance  
11 with law, including the Administrative Adjudication Act, within one hundred  
12 twenty (120) days, or its rules shall be of no further force or effect. Any GWA  
13 employees or agents who enforce GWA rules and regulations shall specify, in  
14 writing, the rule or regulation being enforced or authorizing the action taken,  
15 without which specification said action shall be void. GWA employees or agents  
16 shall not be held personally liable for losses caused to ratepayers when acting at  
17 the direction of superiors, including the Consolidated Commission on Utilities,  
18 subject to the provisions of 4 GCA §3106, including costs incurred and attorney’s  
19 fees, for actions undertaken in violation hereof.”

20 Section 26. A new Chapter 13 is added to Title 5 Guam Code Annotated to  
21 read:

22 “CHAPTER 13

23 Commission on Modernization of the Government of Guam (COM-21)

24 §13101. Declaration Of Policy.

25 §13102. Commission On Modernization Of The Government  
26 of Guam for the 21<sup>st</sup> Century and Beyond (COM-21).

27 §13103. Duties of the Commission.

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administrative rules and regulations of  
t...comply with [401]

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rule or regulation,... [404]

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- 1           **§13104.     Evaluating Criteria.**
- 2           **§13105.     Timelines.**
- 3           **§13106.     Provisions Regarding Personnel.**
- 4           **§13107.     Guiding Principles.**
- 5           **§13108.     Modernization and Streamlining Panels and**
- 6           **Committees.**

7           **§13101. Declaration Of Policy.** ~~The policy of *I Liheslatura* is to~~  
 8 promote simplicity, economy, efficiency, modernization, and streamlining of  
 9 the delivery of services ~~by~~ the executive branch of the Government of  
 10 Guam. This policy will enable the executive branch to pursue ~~accelerated~~  
 11 economic growth and comparable social development, ~~by:~~

- 12           (a) ~~Determining which~~ mandates imposed on the executive branch are  
 13 funded, ~~unfunded or~~ underfunded, and eliminating ~~unnecessary~~ mandates;
- 14           (b) Prioritizing executive branch services, activities, and functions;
- 15           (c) Promoting the modernization and streamlining of government  
 16 consistent with the public service needs of the citizenry;
- 17           (d) Eliminating duplicative and overlapping services, activities, and  
 18 functions ~~through consolidation and integration;~~
- 19           (e) Eliminating services, activities, and functions not necessary to the  
 20 efficient conduct of government;
- 21           (f) ~~Enhancing~~ the ~~skills~~ of public service personnel through  
 22 ~~continuous training and education.~~

23           **§13102. Commission on Modernization of the Government of Guam for**  
 24 **the Twenty-first (21<sup>st</sup>) Century and Beyond (COM-21).**

25           (a) ~~To realize~~ the policy set forth ~~by §13101~~, there is hereby created  
 26 “The Commission on Modernization of the Government of Guam for the  
 27 Twenty-first (21<sup>st</sup>) Century and Beyond” (COM-21).

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- Deleted: to improve public services in the executive departments, agencies, offices, commissions, boards, and instrumentalities, including public institutions and corporations controlled and/or funded in full or in major part by the Government of Guam, within the limits of their respective charters, excluding the Office of the Public Auditor, the Guam Election Commission and municipal governments
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1 (b) The Commission *shall* be composed of eleven (11) members as  
2 follows:

3 (1) Three (3) members *shall* be appointed by *I Maga'laha*  
4 *Guåhan*, at least one (1) of whom *shall* be from the classified  
5 service of the government of Guam, and at least one (1) of  
6 whom *shall* not be a government employee;

7 (2) One (1) member *shall* be appointed by the Speaker of *I*  
8 *Liheslaturan Guåhan*, who may appoint himself;

9 (3) One (1) member *shall* be appointed by the Minority  
10 Leader of *I Liheslaturan Guahån*, who may appoint himself;

11 (4) Three (3) members from the Judiciary *shall* be appointed  
12 by the Chief Justice of the Supreme Court of Guam, at least one  
13 (1) of whom *shall* be from the classified service of the courts  
14 and at least one (1) of whom *shall* not be a government  
15 employee;

16 (5) One (1) member *shall* be appointed by the President of  
17 the Mayors' Council, who may appoint himself;

18 (6) The Public Auditor of Guam, who *shall* be a member *ex*  
19 *officio*;

20 (7) The Director of the Civil Service Commission of the  
21 Government of Guam, who *shall* be a member *ex officio*.

22 (c) The term of any appointee *shall* expire with the term of the  
23 respective appointing authority.

24 (d) Any appointed member of the Commission who fails to attend  
25 three (3) consecutive regularly scheduled meetings, without being excused  
26 by a motion passed by the Commission, *shall* automatically be disqualified

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1 ~~from~~ serving and the ~~respective~~ appointing authority shall then appoint a  
2 replacement for said member.

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3 **§13103. Duties of the Commission.**

4 (a) The Commission shall elect from among ~~its~~ membership a  
5 ~~Chairperson, Vice Chairperson, Secretary, and Spokesperson~~ of the  
6 ~~Commission at its~~ first organizational meeting.

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7 (b) The ~~Chairperson~~, with the approval of the Commission, shall  
8 detail, in accordance with applicable Civil Service laws and personnel rules,  
9 and ~~after~~ consultation with the officials of ~~the~~ various instrumentalities of  
10 the Government of Guam, such personnel ~~he~~ deems necessary for the  
11 ~~Commission to~~ perform its duties.

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12 (c) The Commission shall formulate policy guidelines consistent  
13 with existing law that ~~it shall~~ follow, in ~~executing~~ this Chapter.

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14 (d) The Commission shall suggest changes to existing law ~~and new~~  
15 ~~legislation and submit~~ draft legislation to *I Liheslatura*.

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16 (e) The Commission shall conduct public hearings for the  
17 purposes of consulting with public officers and their employees and ~~of~~  
18 reconciling conflicting interests ~~that~~ arise ~~from~~ modernization and  
19 streamlining.

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20 (f) The Commission shall ~~consider~~ and make use of such studies  
21 and recommendations as may be presented ~~to it~~ by the Bureau of Budget and  
22 Management Research, the Department of Administration, the Bureau of  
23 Planning, the Department of Revenue and Taxation, the Office of the Public  
24 Auditor, the Civil Service Commission, the Office of the Attorney General  
25 of Guam, the University of Guam (UOG) School of Business and Public  
26 Administration, the Compiler of Laws, and such other governmental units ~~or~~

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1 agencies as it may designate, ~~or~~ such private entities and individuals as it  
2 may deem advisable.

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3 (g) The office of the Commission shall be located at the Jesus and  
4 Eugenia Leon Guerrero - UOG School of Business and Public  
5 Administration (SBPA) Building. The School of Business and Public  
6 Administration shall serve as the Secretariat of the Commission and shall  
7 provide administrative and professional services to the Commission.  
8 Logistical support and resources for the School of Business and Public  
9 Administration in support of the Commission shall be provided by the  
10 Bureau of Statistics and Plans and the Guam State Clearing House. If  
11 necessary, the School of Business and Public Administration shall provide a  
12 annual budget request to the Speaker of I Liheslatura on the Commission's  
13 behalf for Fiscal Year 2008.

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14 (h) The Commission is authorized to:

- 15 (1) review all legal mandates imposed on the government of  
16 Guam by existing law, including all unfunded and underfunded  
17 mandates (1950 to present);
- 18 (2) recommend to *I Liheslatura* the merger, coordination,  
19 consolidation, ~~or~~ integration of departments, agencies, offices,  
20 instrumentalities, and functions of the government;
- 21 (3) recommend to *I Liheslatura* the dissolution of  
22 departments, agencies, offices, instrumentalities, ~~or~~ functions  
23 which are not necessary for the efficient conduct of government  
24 functions, services and activities;

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1 (4) recommend to *I Liheslatura* the elimination of  
2 overlapping and duplicative services, functions and activities of  
3 the government;

4 (5) recommend to *I Liheslatura* the transfer of functions,  
5 appropriations, equipment, property, records, and personnel  
6 from one (1) department, agency, office ~~or~~ instrumentality to  
7 another;

8 (6) recommend to *I Liheslatura* the creation, ~~classification~~  
9 and dissolution of ~~employment~~ positions;

10 (7) recommend to *I Liheslatura* the standardization of  
11 salaries, materials and equipment throughout the government;  
12 and

13 (8) ~~take actions~~ necessary and desirable to ~~promote economy,~~  
14 efficiency, modernization and streamlining the government of  
15 Guam.

16 (i) The Commission ~~shall review~~ and ~~investigate~~ the present status  
17 of Government departments, agencies, offices, and instrumentalities of the  
18 executive branch of government, including government owned ~~or~~ controlled  
19 corporations, ~~provided that no office, agency or function shall be continued~~  
20 beyond ~~a~~ period authorized by law ~~or~~ beyond ~~a~~ time when it would have  
21 terminated ~~without Commission review.~~

22 ~~(j) The Office of the Public Auditor, the Guam Election~~  
23 ~~Commission and the offices of the Village Mayors are excluded from~~  
24 ~~Commission purview.~~

25 **§13104. Evaluating Criteria.** In ~~its~~ review of government ~~agencies~~, and in  
26 proposing reforms ~~pursuant to~~ this Chapter, the following ~~principles shall~~ guide the  
27 Commission:

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development of the modernization and  
streamlining plans for the government of  
Guam mandated in

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process to make decisions



- 1 (a) What are the options?  
 2 (b) What are the consequences of the various options?  
 3 (c) What are the savings, expenses, benefits and detriments of the

4 options and consequences?

5 (d) Which options create the greatest savings and benefits for the  
 6 people of Guam?

7 **§13105. Timelines.** The Commission *shall* submit an integrated plan of  
 8 modernization and streamlining, which *shall* include all plans described by this  
 9 Chapter, to *I Maga'laha*n *Guåhan* no later than November 1<sup>st</sup>, 2007. Within thirty  
 10 (30) days after receipt, *I Maga'lahi* shall return the plan together with his  
 11 comments thereon and revisions thereto to the Commission. The Commission  
 12 *shall*, within thirty (30) days after the plan's return, submit to *I Liheslaturan*  
 13 *Guåhan* the final plan, with or without further modification, together with a  
 14 declaration that the plan will accomplish the purposes of this Chapter. No such  
 15 plan *shall* become effective unless approved by I Liheslatura, which must either  
 16 accept it or reject it in total. After approval, I Maga'lahi shall immediately  
 17 implement the plan subject to the Appropriation Act for that fiscal year.

18 **§13106. Provisions Regarding Personnel.** If it is necessary to reduce the  
 19 personnel of any instrumentality pursuant to the modernization and streamlining  
 20 plan, *Guam's* Civil Service laws regarding reduction in workforce shall apply,  
 21 provided, that no current employee shall lose employment. Employees affected by  
 22 the plan may transfer to other positions in the government service with no loss in  
 23 pay, no loss of civil service eligibility, and, no interruption of pay or benefits.

24 **§13107. Guiding Principles.** The Commission on Modernization of the  
 25 Government of Guam (COM-21) *shall*:

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 . . . Upon [414]

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 . . . Officers and employees whose positions are dissolved as a consequence of the modernization and streamlining initiative authorized under this [419]

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**Deleted:** observe the following guiding principles in all of its deliberations, actions and decisions



1 a) Establish an administrative system that is transparent,  
2 development-oriented, and respectful of the current and future needs of the  
3 population;

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4 b) Consider past and present studies conducted by different  
5 entities in the government, the University of Guam, the federal government,  
6 and the private and non-profit sectors;

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7 c) Concentrate on factual analyses of conditions and problems on  
8 Guam to develop feasible recommendations for administrative improvement;

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9 d) Modernize and streamline administration to implement more  
10 effectively programs approved by *I Maga'lahi* and *I Liheslatura*;

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11 e) Promote the greatest possible output from the government's  
12 human, financial and other resources.

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13 f) Consolidate departments, agencies, offices, and other  
14 organizational units on the basis of major functions to minimize conflicts,  
15 and duplication of activities and thus achieve simplicity, economy, and  
16 efficiency in government operations;

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17 g) Encourage administrative decentralization or delegation of  
18 authority that creates greater participation and more effective working  
19 relationships at various levels of management;

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20 h) Consider measures to clarify lines of authority, improve  
21 communication and strengthen accountability at various levels of  
22 management;

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23 i) Adopt measures that curtail and modify practices and attitudes  
24 that prevent sound, honest, ethical and effective public administration;

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25 j) Take into account appropriate cultural and environmental  
26 factors;

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Deleted: in determining realistic solutions to the problem of achieving efficient, economical, and responsive management of public resources and public affairs

1 k) Organize modernization and streamlining panels, each of which  
2 shall be headed by a member of the Commission, each having six (6) to  
3 eight (8) members, who are acknowledged experts and practitioners in the  
4 field in question. Of the members of the panels, about one-fourth (1/4) shall  
5 come from the private sector, one-fourth (1/4) from the University of Guam  
6 and Guam Community College, and one-fourth (1/4) from the classified  
7 service of the government of Guam, and the remainder from the primary  
8 labor organization serving government employees.

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9 l) The Commission shall divide its work into the following  
10 twenty-one (21) functional areas, with one (1) panel concentrating on each  
11 area. The areas shall include:

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12 **Administration of Economic Development**

- 13 (a) Agricultural and Natural Resources Development
- 14 (b) Commercial Development
- 15 (c) Public Enterprises and Financial Institutions
- 16 (d) Economic Planning and Program Implementation

17 **Administration of Education and Social Development**

- 18 (e) Education, Science and Technology
- 19 (f) Labor, Manpower and Youth Development
- 20 (g) Social Welfare
- 21 (h) Health

22 **General Government Affairs**

- 23 (i) Disaster Administration and Territorial Security
- 24 (j) Law Enforcement
- 25 (k) Administration of Justice
- 26 (l) Regulatory Administration

27 **Administrative Development**

- (m) Revenue System and Administration
  - (n) Budgeting and Financial Control
  - (o) Field Organization and Village Municipal Government Relations
  - (p) Civil Service Improvement
  - (q) Office of *I Maga'Lahi* and Central Administrative Services
- Administration of Indigenous Programs and Political Status**
- Quest**
- (r) Chamorro Land Trust
  - (s) Land for the Landless
  - (t) Chamorro Language and Cultural Programs
  - (u) Political Status Quest and Self Determination

**§13108. Modernization and Streamlining Panels and Committees. (a)**

The modernization streamlining panels *shall* serve as “idea” groups, whose basic function shall be to create ideas and to make recommendations to the Commission regarding their respective assigned areas.

(b) There is hereby created a Coordinating and Development Committee composed of the Vice-chairpersons, and Chairpersons of the twenty-one (21) panels, and headed by the Commission Chairperson. The Committee shall integrate and harmonize the work of the various panels preparatory to the consideration of specific proposals by the full Commission.

(c) The Executive Director of the Commission shall supervise the technical staff and secretariat, which shall provide technical and administrative support. The technical staff shall be headed by a technical staff director and shall assist the Commission and panels in these areas:

(i) Creation of the Integrated Modernization and Streamlining Plan.

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1 (ii) Studying government modernization and streamlining from the  
2 date of enactment to October 1<sup>st</sup>, 2007.

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- Deleted: shall be undertaken
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3 (iii) Interviews and in-depth studies of departments, agencies and  
4 offices which fall within their respective areas.

5 (iv) Technical assistance to both the Commission and the panels.

6 (d) The Commission shall first formulate policy guidelines and work  
7 schedules. Then, it shall initiate active panel work. Hearings shall be conducted  
8 to seek input of knowledgeable individuals and professional groups. Proposals  
9 developed shall be reviewed by the Commission as a body through panel  
10 Chairpersons.

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11 (e) Panel reports shall be completed and submitted by June 1<sup>st</sup>, 2007 and  
12 shall subsequently be voted upon by the Commission, which shall obtain input  
13 from the departments, agencies and offices concerned and the general public. The  
14 Modernization and Streamlining Plan shall reflect the ideas and practical insights  
15 of a cross-section of the Guam community, including political representatives,  
16 career civil servants, technician, professors, business executives, labor leaders and  
17 others.

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18 (f) To maintain the integrity of the various modernization and  
19 streamlining plans and to insure legislative approval, I Maga'lahi shall issue an  
20 Executive Order creating the Governor's Committee to review and revise the  
21 Integrated Modernization and Streamlining Plan. The Committee shall assist I  
22 Maga'lahi in reviewing the proposals and shall obtain input from the Governor's  
23 cabinet and the community.

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24 (g) Upon submission of the Plan to I Maga'lahi, he shall immediately call  
25 a series of Cabinet meetings to discuss the Plan. Subsequently, I Maga'lahi may  
26 invite members of I Liheslatura from both parties to provide their opinions  
27 regarding the Plan."

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1 Section 27. Subsection (d) of Section 4403 of Chapter 4, 4 GCA is *repealed*  
2 and *reenacted* to read:

3 “(d) All personnel actions regarding the classified service shall be  
4 filed with the Commission within twenty (20) days after their effective date.  
5 The Commission may set aside and declare null and void any personnel  
6 action if the Commission finds that it was taken in violation of personnel  
7 laws or rules, provided, however, that this Section *shall not* be deemed to  
8 permit appeals by employees from adverse actions not covered by  
9 Subsection (b) above. Prior to declaring any personnel action null and void,  
10 the Commission shall provide written notice of the alleged violation to the  
11 agency head. The agency head shall respond within ten (10) days after  
12 receipt of the notice to the Commission’s proposed action. All actions taken  
13 by the Commission pursuant to this Section *shall* be taken within one  
14 hundred twenty (120) days after the personnel action is filed with the  
15 Commission. The Civil Service Commission shall submit its final decision  
16 to I Liheslatura. The Commission’s decision shall be final but subject to  
17 judicial review.”

18 Section 28. Effective sixty (60) days from the enactment of this Act, the  
19 nomenclature “Business Privilege Tax” *shall* be used in all laws, documents,  
20 regulations and on all official forms and documents of the government of Guam to  
21 describe any transactions or activities formerly described as the Gross Receipts  
22 Tax.

23 Section 29. Statement of Legislative Purpose. The Office of Finance and  
24 Budget was originally established by Section 23 of Public Law 25-176, a  
25 supplemental appropriations act to the General Appropriations Act of 2001, a  
26 section which has not been codified. This Act codifies the laws creating the Office  
27 of Finance and Budget and expands OFB’s purpose, functions and duties.

**Deleted:** Upon submission of the Plan to I Maga’lahi, the latter shall immediately call a series of Cabinet meetings at which time features of the Integrated Plan shall be discussed. Subsequently, I Maga’lahi may also invite members of I Liheslatura from both parties to get their initial reactions to the Plan. The Plan shall be returned to the Commission by I Maga’lahi within thirty (30) calendar days following the receipt of the Integrated Plan from the Commission. I Maga’lahi shall submit written reactions to the Plan and any proposed revisions to the Commission within the thirty (30) day period.¶ The Commission on Modernization and Streamlining shall then consider the various reactions and proposed revisions of I Maga’lahi, Cabinet members and the public at large. ¶ Further, refinements and changes in the Plan may also be proposed by the Commission’s technical staff as a result of further public hearings, and for which they have conducted. All final changes shall be approved by the Commission then forwarded to I Liheslatura for final action within thirty (30) days after receiving I Maga’lahi’s reaction and proposed revisions to the Plan. No modernization or streamlining plan shall become effective unless expressly approved by I Liheslatura which must either accept it or reject it in whole.”¶

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1 (a) A new Chapter 13 is *added* to Title 2 of the Guam Code Annotated as  
2 follows:

3 “CHAPTER 13

4 OFFICE OF FINANCE AND BUDGET

5 §13101. **Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
6 recognizes the need for the independent forecasting of government revenues, with  
7 the minimum goal of adopting the best econometric model for the government of  
8 Guam. There is a need to compile and provide to *I Liheslaturan Guåhan*, *I*  
9 *Maga’lahen Guåhan* and the public, forecasts of revenues *no less than* five (5)  
10 years immediately beyond the operating budget year; expenditure information *no*  
11 *less than* five (5) years past; consistent year-by-year analysis of the impact of  
12 federal expenditures on Guam's economy and employment; and information related  
13 to the formulation of short and long-term fiscal policy.

14 Future fiscal policy must be consistent with government reorganization,  
15 performance-based budgeting, measurable program goals, and transparency. The  
16 present relationship between traditional and performance-based budgeting is  
17 crucial to our fiscal maturity, a goal that requires improved articulation and  
18 standards to measure goal-driven objectives and practical technological  
19 applications in budget formulation.

20 *I Liheslaturan Guåhan*, therefore, hereby creates the Office of Finance and  
21 Budget (“OFB”) to renew fiscal discipline through the practice of open  
22 government, cooperation between the legislative and executive branches, and the  
23 assignment of fiscal responsibility to appropriate government entities and officials,  
24 all to promote public confidence and government efficiency.

25 §13102. **Creation of Office.** There is hereby created, within *I*  
26 *Liheslaturan Guåhan*, under the supervision of the Committee on Ways and  
27 Means, or equivalent Standing Committee, the Office of Finance and Budget

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1 (“OFB”), organized and operating as *I Liheslaturan Guåhan* may from time  
2 to time provide through its Standing Rules.

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rules and regulations ...within ( ... [429]

3 **§13103. Budget of Office.** The budget of the OFB shall not be  
4 included as part of *I Liheslaturan Guåhan*’s annual operating budget.

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supervision of the Committee on Ways  
and Means, or equivalent Standing  
Committee, its budget ...a ( ... [430]

5 **§13104. Purpose of Office.** The OFB shall administer this Chapter  
6 and perform the responsibilities assigned to it by law and the Standing  
7 Rules. It shall coordinate and gather information relevant to government  
8 revenue projections, fiscal policy, legislative appropriations, taxation,  
9 revenue collection, government expenditures, general fund revenues, and  
10 special fund revenues.

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necessary for *I Liheslatura*...to make and  
adopt ...for the operations of the  
government of Guam, issues of concern  
relative to ( ... [431]

11 **§13105. Administration of Office.** The Chairperson of the  
12 Committee on Ways and Means, or equivalent Standing Committee, shall  
13 appoint a Director who shall administer the OFB and perform other duties as  
14 prescribed by law and the Standing Rules. The Director shall also be  
15 responsible for any and all matters assigned to OFB by the Chairperson of  
16 the Committee on Ways and Means, or equivalent Standing Committee.

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ration...of ...office ..... ...as ( ... [432]

17 **§13106. Duties of Office.** The Office of Finance and Budget shall;

18 (a) use all available resources to develop and adopt a model for  
19 Guam’s existing and projected economy, which shall simulate the  
20 effect of revenue raising, the effect of any proposed benefits, optional  
21 revenue generation and the utility thereof;

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OFB *shall* utilize all existing and  
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22 (b) compile and provide to *I Liheslaturan Guåhan*, to *I*  
23 *Maga’lahi*, and to the public, forecasts of revenues, current and prior  
24 year expenditures, and surpluses or deficits;

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25 (c) assess the impact of federal expenditures in Guam; and

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1 (d) perform such other duties as are assigned to it by the  
2 Standing Rules of *I Liheslaturan Guåhan* or the Chairperson of the  
3 Committee on Ways and Means.

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4 **§13107. Special Accounting Service.** There is hereby established a  
5 Special Accounting Service work group comprised of a senior staff member  
6 of *I Liheslaturan Guåhan*'s Office of Finance and Budget; the Controller of  
7 the Department of Administration; the Chief of the Taxpayer Services  
8 Administration Branch of the Department of Revenue and Taxation; and the  
9 Budget Analyst Supervisor of the Bureau of Budget and Management  
10 Research. Said service shall meet from time to time to discuss and develop  
11 recommendations on fiscal policy, provide technical assistance to the Office  
12 of Finance and Budget, and share information relative to government  
13 finances. The senior staff member of *I Liheslaturan Guåhan*'s Office of  
14 Finance and Budget shall serve as Chairperson of the Special Accounting  
15 Service.

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16 **§13108. Special Economic Service.** There shall be a Special  
17 Economic Service work group comprised of the Chairman of *I Liheslaturan*  
18 *Guåhan*'s Committee on Ways and Means, or equivalent Standing  
19 Committee; the Director of the Office of Finance and Budget; the Public  
20 Auditor; the Director of the Bureau of Budget and Management Research;  
21 the Director of Revenue and Taxation; the Director of Administration; the  
22 Administrator of the Guam Economic Development and Commerce  
23 Authority; the Senior Economist of the Department of Labor; the Chief  
24 Planner of the Bureau of Statistics and Plans; and the Administrator of  
25 Research and Evaluation (Research Manager) of the Guam Visitors Bureau.  
26 Said Service shall meet from time to time to discuss and develop  
27 recommendations on economic policy, provide technical assistance to the

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Office of Finance and Budget, and share information relative to the state of the economy. The Chairperson of ~~the~~ Committee on Ways and Means, or equivalent Standing Committee, shall serve as Chairperson of the Special Economic Service.

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**§13109. Executive Branch Accounting, Financial, and Economic Services.** *I Maga'lahren Guåhan*, shall provide the Office of Finance and Budget with any and all information and services ~~it requires to fully execute~~ this Chapter.

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(a) Reports. *I Maga'lahren Guåhan* shall report to *I Liheslaturan Guåhan* as follows:

(1) *No later than thirty (30) days after* the end of each month of a fiscal year, the revenue tracking for the General Fund, the Tourist Attraction Fund, Solid Waste Operations Fund (Tipping Fees), Territorial Education Facilities Fund, and the Guam Highway Fund for the balance of the fiscal year, based upon the actual collections of the preceding month, and prepare a comparative statement of “actual” and “projected” revenues. Such information shall be compiled in a report, in collaboration with the Director of Revenue and Taxation and the Director of Administration, ~~certified by the Director of the Bureau of Budget and Management Research,~~ and submitted to the Speaker of *I Liheslaturan Guåhan* no later than thirty (30) days after the end of each month of the fiscal year;

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(2) On July 1, 2007, and on a semiannual basis thereafter, the impact of federal expenditures, including projections of federal expenditures ~~on Guam,~~ on Guam's economic growth, employment, tax revenues, and other variables, for the next year compared with the previous five (5) years; identify significant federal expenditures ~~or~~

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1 potential expenditures on Guam affecting military bases, installations,  
2 active duty and retired military personnel within Guam, as well as any  
3 impact of the changes in these expenditures. Such information *shall*  
4 be compiled in a report, certified by a majority of the members of the  
5 Special Economic Service, and submitted to the Speaker of *I*  
6 *Liheslaturan Guåhan*;

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7 (3) On July 1, 2007, and on a semiannual basis thereafter, the  
8 impact of tourism expenditures on Guam's economy and employment,  
9 including projections of tourism expenditures on Guam, on Guam's  
10 economic growth, employment, tax revenues, and other variables, for  
11 the next year compared with the previous five (5) years; identify  
12 significant tourism expenditures or potential expenditures coming into  
13 Guam affecting tourism as well as the impact of the changes in these  
14 expenditures. Such information shall be compiled in a report,  
15 certified by a majority of the members of the Special Economic  
16 Service, and submitted to the Speaker of *I Liheslaturan Guåhan*; and

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17 (4) Long-range forecasts of revenues and expenditures for each  
18 of the five (5) years immediately beyond the budget year. Such  
19 information *shall* be compiled in a report, certified by a majority of  
20 the members of the Special Economic Service and submitted to the  
21 Speaker of *I Liheslaturan Guåhan*."

22 Section 30. §23 of Public Law 25-176 is hereby *repealed* in its entirety.

23 Section 31. Public Law 27-19 is hereby *repealed* in its entirety.

24 Section 32. Public Law 27-42 is hereby *repealed* in its entirety.

25 Section 33. Public Law 28-149, Chapter II, Part VII is hereby *repealed* in  
26 its entirety.

27 Section 34. §58111 of Chapter 58 of 12 GCA is hereby *amended* to read:

1 “§58111. Grounds for Suspension, Rescission *or* Revocation. A

2 Qualifying Certificate may be suspended, rescinded *or* revoked by *I Maga’lahen*  
3 *Guåhan* upon the recommendation of the Authority for the following reasons:

4 (a) Fraud. Fraud *or* misrepresentation of any material *fact* in  
5 the application for such Certificate;

6 (b) Noncompliance with Certificate. Failure to comply with  
7 any condition *or* obligation set out in the qualifying certificate, the  
8 Qualifying Certificate law and rules thereof, *or* any laws and rules of  
9 the government of Guam having a direct impact on the *beneficiary’s*  
10 activities. *The Qualifying Certificate beneficiary may* correct such  
11 noncompliance *within twelve (12) months from the date it was*  
12 *notified in writing as to the nature of the noncompliance and reasons*  
13 *for such noncompliance. All benefits shall* be suspended during this  
14 noncompliance period. Failure to correct such noncompliance within  
15 the period given *shall* result in revocation of the Qualifying  
16 Certificate;

17 (c) Bankruptcy. The filing by *or* against the Beneficiary of a  
18 petition for bankruptcy;

19 (d) Dissolution *or* death. A finding by the Attorney General  
20 that a corporate Beneficiary has been dissolved, that a partnership  
21 Beneficiary has been dissolved, *or* that an individual Beneficiary has  
22 died;

23 (e) Noncompliance with laws and rules. Failure to comply with  
24 any provision of this Chapter *or* with the applicable rules and  
25 regulations of the Authority.”

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**Section 35. Executive Branch Travel Restrictions.** Funds appropriated by this Act, *shall not* be used for off-island travel *or* per diem by executive branch employees and officials except for:

(a) Travel that is federally funded;

(b) Travel that is specifically required to administer *or* secure federal grant programs;

(c) Travel by *I Maga'lahren Guåhan, I Segundu Na Maga'lahren Guåhan, Mayors and Vice-Mayors, and other officials to represent the people of Guam at meetings and functions deemed critical to the well-being of the people of Guam by I Maga'lahren Guåhan, provided that the Director of Administration shall provide a monthly report to the Speaker of I Liheslaturan Guåhan on such travel expenses by the 5<sup>th</sup> day of each subsequent month thereafter;*

(d) Travel to promote tourism on Guam, provided that such travel is paid for by the Tourist Attraction Fund and is restricted to the General Manager *or* his designee, Board Members, professional staff of the Guam Visitors Bureau, and those individuals required for promotional activities;

(e) Travel by law enforcement personnel providing escort services for criminal suspects, detainees, and convicted felons being returned to Guam for judicial proceedings *or* being transferred to off-island correctional facilities;

(f) Travel by medical personnel providing escort services for patients requiring off-island medical treatment, and other escorts as specifically authorized by the Department of Public Health and Social Services pursuant to Guam law;

(g) Travel necessary for the enforcement of court orders;

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2. Add a new Section \_\_\_\_\_ to Chapter 6 – Miscellaneous Provisions; Section 31. ¶ “§58112 of Chapter 58 of 12GCA is hereby repealed in its entirety.” ¶ § 58112. Hearing Required. ¶ No recommendation for suspension, rescission or revocation of a Qualifying Certificate shall be made by the Authority *except after a* hearing thereon pursuant to the provisions of the Administrative Adjudication Law. ¶ A new Section \_\_\_\_\_ is hereby added to Chapter 6, Miscellaneous Provisions to read: ¶

Section 32. 11GCA §26201 is hereby amended to read as follows: ¶

§26201. Levy. (a) There is hereby levied and shall be assessed and collected monthly privilege taxes against the persons on account of their business and other activities in Guam measured by the application of rates against values, gross proceeds of sales *or* gross income, as the case may be. ¶

<#>A person engaging in, transacting, conducting, continuing, doing, *or* carrying on a business in Guam, who is required to pay taxes levied in this Chapter and opts to show to each customer the amount that will be transmitted to the government of Guam as a result of the customer’s transaction, may exclude GRT reimbursement collected from the measure of taxable gross receipts. ¶

<#>A person who opts to show to each customer the amount of the tax levied in this Chapter that will be transmitted to the government of Guam as a result of the customer’s transaction, shall not display, advertise, mark, present an invoice or bill for payment, *or* hold out to the public any manner directly *or* indirectly the cost of the transaction without including the tax levied by this Chapter. The tax levied pursuant to this Section shall not be presented *nor* added to the cost of the transaction at the point of sale *or* collection of the transaction. ¶ (... [446])

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- (h) Travel under the Residential Treatment Fund;
- (i) Travel required for employees requiring professional certification and training.

**Section 36. Wireless Communications Restrictions.** Notwithstanding any

other provision of law, no government of Guam funds shall be expended for the use of cellular telephones, cellular telephone service and other wireless telephone service. This Section shall apply to the expenditure of any or all government of Guam funds, regardless of source and inclusive of all funds expended by autonomous agencies. Government of Guam funds may be spent on wireless telephone service if the government of Guam will be reimbursed from Federal funds or other grants. This Section shall not apply to I Maga'lahaen Guåhan, I Segundu Na Maga'lahaen Guåhan, the Speaker of I Liheslaturan Guåhan, the Chief Justice of the Supreme Court of Guam, the Presiding Judge of the Superior Court of Guam, the Crisis Hotline Program of the Department of Mental Health and Substance Abuse (for official use only), law enforcement officials, and on-call health professionals at the Guam Memorial Hospital Authority, the Department of Mental Health and Substance Abuse, the Department of Public Health and Social Services, the Village Mayors and Vice Mayors, GFD and EMS officials, on-call emergency management personnel and the Guam Medical Examiner."

**Section 37. Restriction on the Home Use of Government of Guam**

**Vehicles.** Except where expressly permitted by 4 GCA, §1103(c), no government of Guam owned, leased or rented vehicles may be driven home by an employee unless such employee is on call as an emergency first responder.

**Section 38.** §3111 of Chapter 3, Title 2 GCA is amended to read:

**"§3111. Oaths and Affirmations.** The Speaker of I Liheslaturan Guåhan, or the Chairperson of a Committee, or their designee, including the legislative Sergeant-at-Arms or Assistant Sergeant-at-Arms, may administer oaths or

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1 affirmations to a witness in any matter under examination in furtherance of a  
2 legislative proceeding, whether he is under subpoena *or* not, except that oaths *shall*  
3 be administered to all witnesses whenever fiscal matters are under examination.”

4 **Section 39. Revenue Tracking Report.** Section 5 of Chapter V of Public  
5 Law 28-150 is *amended* to read:

6 **“Section 5. Revenue Tracking Report.** The Director of the Bureau of  
7 Budget and Management Research, in collaboration with the Director of Revenue  
8 and Taxation and the Director of Administration *shall* determine, *no later than*  
9 *thirty (30) days* after the end of each month of Fiscal Year 2007, the revenue  
10 tracking for the balance of the fiscal year, based upon the actual collections of the  
11 preceding month and prepare a comparative statement of the “actual and  
12 “projected” revenues. Such information *shall* be compiled in a report, certified by  
13 each of the aforementioned Directors and submitted to the Speaker of *I*  
14 *Liheslaturan Guåhan* *no later than thirty (30) days* after the end of each month of  
15 the fiscal year. Such reports *shall* be submitted in written and electronic format  
16 and *shall* be posted quarterly on the Bureau of Budget and Management  
17 Research’s website.”

18 **Section 40. Additional Revenues to General Fund.** Except as otherwise  
19 provided for by this Act, exclusive of Guam Fire Department Fees, Alien Labor  
20 Certification Fees and fees deposited into the Better Public Services Fund, all  
21 revenues resulting from adjusted *or* new fees adopted by this Act shall be  
22 deposited into the General Fund.

23 **Section 41.** The Department of Revenue and Taxation *shall* include in its  
24 proposed fiscal year budget the costs, expenses, and attorney fees *or* salaries  
25 necessary for the Office of the Attorney General to provide legal services to the  
26 Department.

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1 **Section 42. (a) Authorizing the Solicitation, Acceptance, Use and**  
2 **Administration of Gifts, Bequests and Donations by the Guam Medical**  
3 **Referral Office.** The Administrator of the Guam Medical Referral Office may  
4 solicit, accept, use and administer gifts, bequests and donations on behalf of the  
5 Guam Medical Referral Office. The Administrator *shall* deposit said funds into the  
6 Guam Medical Referral Office Trust Fund created by Subsection (b) hereof. Said  
7 fund *shall* be used for operations of the various Medical Referral Offices outside of  
8 Guam, except for privatized operations in the Republic of the Philippines, for  
9 purposes stated and intended by the donor that are consistent with the duties of the  
10 Guam Medical Referral Office. The Administrator *shall* submit to the Speaker of *I*  
11 *Liheslaturan Guåhan*, and the Public Auditor, and post on the office's website, a  
12 quarterly report identifying each donor and the amounts donated, including the fair  
13 market value of all gifts, bequests and donations, and describing the solicitation,  
14 acceptance, use and administration of gifts, bequests and donations.

15 **(b) Creation of a Guam Medical Referral Office Trust Fund.** There is  
16 hereby created, separate and apart from other funds of the government of Guam, a  
17 special fund known as the "Guam Medical Referral Office Trust Fund." The Fund  
18 *shall* not be commingled with the General Fund *or* any other funds of the  
19 government of Guam. The Administrator of the Guam Medical Referral Office  
20 *shall* be the administrator of the Fund, may issue warrants of expenditure and *shall*  
21 maintain a record of all donations and expenditures.

22 **Section 43.** Section 4 Chapter IV Part I of Public Law 28-150 is hereby  
23 *amended* to read:

24 **"Section 4. Transfer Authority of *I Maga'láhen Guahan*.** *I Maga'láhen*  
25 *Guahan* is authorized to transfer funds between Fiscal Year 2007 General Fund  
26 Executive Branch appropriations provided that he *shall* transfer no more than  
27 fifteen percent (15%) of the appropriations made to the Department of Law, the

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1 Mayors Council, the University of Guam, the Guam Community College, the  
2 Guam Public School System and the Guam Public School System Operations  
3 Fund. *I Maga'lahaen Guahan shall provide a monthly report to the Speaker of I*  
4 *Liheslaturan Guahan on all transfers from or to the Special Funds, the Department*  
5 *of Law, the University of Guam, the Guam Community College, the Guam Public*  
6 *School System, and the Guam Public School System Operations Fund during the*  
7 *previous month. Said report shall include, but not be limited to, amounts*  
8 *transferred, agencies or special funds from which funds are transferred to or from,*  
9 *and the reason for the transfer. Failure to provide the report by the 20<sup>th</sup> day of the*  
10 *month following the transfer shall terminate the transfer authority under this*  
11 *Section.*”

12 **Section 44. Additional Revenues.** Notwithstanding §7120, Chapter 7 of  
13 Title 22 GCA and Section 44 of Chapter 6 of this Act, the sum of Five Hundred  
14 Thousand Dollars (\$500,000) collected from the additional revenues from  
15 registration fees for non-immigrant temporary workers for Fiscal Year 2007 shall  
16 be deposited into the Treasury of Guam to the credit of the General Fund for the  
17 payment of General Fund obligations.

18 **Section 45. Reductions.** The appropriations for the departments and  
19 agencies' operations contained in Chapters III and IV of this Act shall be further  
20 reduced by the respective amounts itemized in the attached Appendix.”

21 **Section 46. Prohibition on the Use of Appropriations to Fill Vacant**  
22 **Positions.** Upon the effective date of this Act, appropriations made by Public Law  
23 28-149, Public Law 28-150 or this Act shall not be used to hire full-time  
24 employees to fill vacant positions within the departments, agencies, and  
25 instrumentalities of the Executive Branch of the government of Guam, except for:

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- (a) teachers, guidance counselors, school librarians, school health counselors, one-to-one school aides for children with special needs, special education professionals;
- (b) attorneys; investigators and legal support personnel;
- (c) nurses and doctors;
- (d) temporary survey workers employed by the Department of Labor for the purpose of conducting employment surveys;
- (e) licensed health care professional ancillary service positions at the Guam Memorial Hospital Authority, the Department of Mental Health and Substance Abuse, and the Department of Public Health and Social Services;
- (f) faculty positions of the University of Guam and the Guam Community College;
- (g) youth service workers and youth service worker assistants; and
- (h) uniformed police, fire, corrections and related public safety positions;
- (i) positions within the Mayors Council of Guam;
- (j) positions appointed directly by *I Maga'lahen Guåhan*;
- (k) revenue agents and other positions within the Department of Revenue and Taxation related to the

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1 collection of government revenue and processing  
2 of income tax returns; and

3 (1) federally funded positions (at least 50% matching  
4 and 100%).”

5 Section 47. Section 4104 of Chapter 4, Division 1 of Title 17 Guam Code

6 Annotated is hereby amended to read as follows:

7 §4104. Standards for Curriculum and Textbook Adoption. In order to  
8 ensure that the students of Guam's public and private schools receive adequate  
9 textbooks according to their varying scholastic abilities, the following curriculum  
10 and textbook adoption standards are prescribed:

11 (a) The Guam Education Policy Board adopt policies on the curricular needs  
12 of the school system, taking into account:

13 (1) The varying scholastic abilities of students;

14 (2) The varying vocational interests of students upon completing  
15 secondary education; and

16 (3) The changing societal expectations of education.

17 The Board shall adopt policies pertaining to the review, adoption and  
18 procurement of instructional materials, equipment and supplies including textbooks  
19 and related materials for use by all students attending school in Guam.

20 (b) The Board shall not delegate or negotiate the responsibility conferred in  
21 subsection (a) of this Section unless:

22 (1) The delegation of this duty is for expert or professional work  
23 activities leading up to and in preparation for the adoption of a multiple  
24 listing of textbooks; or

25 (2) The delegation of this duty is for expert or professional work  
26 activities leading up to curriculum adoption; or

27 (3) Duties are specified by law to be shared.

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1 (c) The Board shall establish a standing committee of the Board called the  
2 Textbook Selection Committee (the *Committee*), which shall be chaired by a  
3 member of the appointed by the chairperson of the Board and shall consist of four  
4 (4) additional members, who may or may not be members of the Board appointed  
5 by the chairperson of the Committee. The chairperson shall make appointments  
6 from both the public and the private school sectors. The Board shall also establish  
7 two subcommittees, one of which shall be composed of educators from the public  
8 schools and the other of educators from the private schools. Each subcommittee  
9 shall examine textbooks and make recommendations thereon to the Committee,  
10 which will then make recommendations for adoption or disapproval of the  
11 proposals to the Board. Textbooks and other instructional materials adopted for  
12 each grade and subject field shall come from a multiple listing to meet the varying  
13 ability levels of elementary and secondary students in the territory. The Board shall  
14 also establish a textbook adoption calendar setting forth the subjects or courses for  
15 each grade level that are to be selected and ordered each year, on a rotation basis,  
16 not to exceed seven (7) years of continuous use for any one (1) textbook, and the  
17 critical dates to be met each year. In addition, the Board shall establish a similar  
18 but separate calendar for the textbook ordering process which will ensure that new  
19 and replacement textbooks are available in the classroom for the opening of school  
20 each year.

21 (d) It shall be the duty of the Committee to:

22 (1) Establish the criteria for the selection of texts for use by students  
23 attending public and private schools in Guam and ensure that such criteria  
24 are met;

25 (2) Review the curriculum changes and textbook adoption proposals  
26 submitted to it by the subcommittees, and make recommendations to the

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1 Board to adopt *or* disapprove proposals of the subcommittees, and state the  
2 reasons therefore;

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3 (3) Review the list of textbooks requested by the public and private  
4 schools for the next school year to ensure that the textbooks were selected  
5 from the multiple listing of textbooks adopted by the Board;

6 (4) Recommend to the Board the amount of advance appropriation  
7 necessary to purchase the textbooks; and

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8 (5) Ensure that the textbook adoption calendar and the textbook  
9 ordering calendar established by the Board are adhered to.

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10 (e) No school official or member of any committee or subcommittee created  
11 by the Board shall accept any emolument, money, *or* other valuable thing, *or* any  
12 inducement to directly *or* indirectly introduce, recommend, vote for, *or* otherwise  
13 influence the adoption *or* purchase of any textbooks *or* other instructional  
14 materials. Anyone who violates any of these prohibitions shall be guilty of a  
15 misdemeanor and shall be removed from the position occupied.

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16 (f) The Board shall select and adopt a multiple list of textbooks for use by  
17 elementary and secondary grades. The list of textbooks shall be based on the  
18 recommendations of the subcommittees established pursuant to subsections (c) and  
19 (d) of this Section. The list shall consist of textbooks for each subject matter *or*  
20 course that address the varying scholastic abilities of students in Guam's schools.  
21 The Board shall act on the recommendation of the subcommittees and Committee  
22 within thirty (30) days after submission.

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23 (g) It is the policy of the Board that no public funds shall be expended to  
24 purchase religious *or* sectarian books, *or* books used for religious *or* sectarian  
25 purposes.

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26 **Section 48.** Pursuant to the Personnel Rules and Regulation of the  
27 Department of Administration, no permanent classified employee of any

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1 department *or* agency of the government of Guam *shall* be subject to layoff *or*  
 2 furlough before the following categories of employees within said department *or*  
 3 agency have been first subjected to layoff *or* furlough. All layoff *or* furlough  
 4 actions *shall* be imposed in the following order:

- 5 1. Part time, short term *or* seasonal employees (unclassified employees  
 6 shall be considered short term *or* seasonal);
- 7 2. Provisional employees;
- 8 3. Temporary *or* limited term employees; and
- 9 4. Probational (initial) employees.

10 **Section 49.** Review of Business Privilege Tax Exemptions. Each business  
 11 privilege tax exemption authorized in §26203 of 11 GCA *shall* be evaluated by the  
 12 Legislative Tax Review Commission pursuant to Chapter 11 of 2 GCA, using the  
 13 principles of economic efficiency, equity, simplicity, administrative feasibility,  
 14 accountability and regarding the purpose of economic growth. The Commission  
 15 *shall* provide its evaluation of said exemptions and make recommendations for  
 16 permanent repeal *or* reauthorization thereof to *I Maga'lahaen Guåhan* and *I*  
 17 *Liheslatura no later than September 1, 2007.*

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**Chapter VII**

**Supplemental Funding**

**Section 1. Repeal of §26201(b), (c) and (d) of 11 GCA.** (a) Legislative Intent. I Liheslaturan Guahan finds that §26201(b), (c) and (d) of Title 11 of the Guam Code Annotated were enacted to provide an incentive to retailers who choose to make the Business Privilege Tax (formerly known as the Gross Receipts Tax) visible to its customers as a result of the temporary increase of the said tax pursuant to Public Law 27-05. I Liheslaturan Guahan finds that the aforementioned Sections should be repealed since the temporary increase of tax has been repealed. I Liheslaturan Guahan finds that it is in the best interest of the people of Guam to repeal the incentive contained herein, and that the revenues generated from the repeal of this Section should be appropriated to fund critical public services of the government of Guam.

**(b) Repeal.** §26201(b), (c) and (d) of Chapter 26 of 11 GCA are hereby repealed.

**(c) Notification.** The Director of Revenue and Taxation shall notify in writing all persons who have previously used §26201(b), (c) and (d) of their repeal.

**Section 2. Revenues Realized.** Notwithstanding the adopted revised revenue estimate for Fiscal Year 2007 contained in Chapter 2 of this Act, I Liheslaturan Guahan, the Guam Legislature, adopts the sum of Two Million Dollars (\$2,000,000) as additional revenue for the government of Guam resulting from the repeal of §26201(b), (c) and (d) of Title 11 of the Guam Code Annotated.

**Section 3. Appropriations.** In addition to the appropriations contained in the other Chapters of this Act and Public Law 28-149 and Public Law 28-150, the sum of Two Million Dollars (\$2,000,000) is hereby appropriated from the General

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1 Fund from revenues resulting from the repeal of §26201(b), (c) and (d) of Title 11  
2 of the Guam Code Annotated as follows:

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3 (a) University of Guam - \$500,000, of which \$25,000 is appropriated  
4 to the School of Business and Public Administration to fund the  
5 Commission on Modernization of the Government of Guam  
6 created by the Miscellaneous Provisions Section of this Act;

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7 (b) Guam Community College - \$250,000;

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8 (c) Department of Revenue and Taxation - \$500,000;

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9 (d) Public Defender Service Corporation - \$150,000;

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10 (e) Department of Public Health and Social Services - \$600,000.”

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**Chapter VIII**

**Section 1. Severability.** *If any provision of this Act or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.*

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Section 11. Effective Date. (a) The effective date for all fees, charges, penalties, provision, exemptions and moratoriums, excluding any de-appropriation penalties, contained in this Act shall be May 1, 2007.¶  
All other references to enactment dates contained in this Act are hereby deleted.¶

(b) Public Notification. The Department of Revenue and Taxation, the Guam Fire Department, the Department of Land Management, the Department of Labor, the Professional Engineers, Architects and Land Surveyors Board, the Contractors License Board, the Department of Parks and Recreation, and the Guam Police Department shall provide proper and timely public notification to the community-at-large on the new or adjusted fee increases, fines and penalties pursuant to this Act. The public notification of information shall include, but not be limited to, the use of print media of general circulation and on the agency's respective website. Said public notice shall be published and posted no later than ten (10) working days upon enactment of this Act. ¶

(c) Severability Clause. *If any of the provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.*

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¶  
Section 1. 11GCA §1104 is amended to read as follows: ¶  
"§1104. Functions (a) Income Tax. The Department of Revenue and Taxation shall be responsible under the ... [556]

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~~Thirty two Million Nine Hundred Sixty three Thousand Seven  
Hundred Twenty two Dollars (\$32,963,722) Thirty two Million Three  
Hundred Forty eight Thousand Two Hundred Ninety eight Dollars  
(\$32,348,298)~~

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~~Twenty four Million Six Hundred Sixteen Thousand Nine Hundred  
Forty seven Dollars (\$24,616,947) Twenty four Million One  
Thousand Five Hundred Twenty three Dollars (\$24,001,523)~~

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25	<del>Five Hundred Fourteen Thousand Four Hundred Seventy seven</del>		
26	<del>Dollars (\$514,477) Five Hundred One Thousand Six Hundred</del>		
27	<del>Fifteen Dollars (\$501,615)</del>		
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23 ~~Section 1. Department of Public Health and Social Services General~~

24 ~~Fund Appropriation. Subsection (a), Section 1, Part I, Chapter II of Public Law~~

25 ~~28-150 is hereby amended to read:~~

26 ~~“(a) DPHSS Operations and Community Health Centers. The~~  
27 ~~sum of Eighteen Million Four Hundred Twenty five Thousand Four~~  
28 ~~Hundred Eighty Dollars (\$18,425,480) Seventeen Million Nine Hundred~~  
29 ~~Sixty four Thousand Eight Hundred Forty three Dollars (\$17,964,843) is~~  
30 ~~appropriated from the General Fund to the Department of Public Health and~~  
31 ~~Social Services for its operations, which includes the operations of the~~  
32 ~~Community Health Centers, in Fiscal Year 2007.”~~

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

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23 ~~Ten Million Sixty two Thousand Seven Hundred Ninety five Dollars~~  
24 ~~(\$10,062,795)~~

25

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27 **Section 5. Guam Memorial Hospital Authority Operations**

28 **Appropriation.** Section 5 of Chapter 4 of this Bill No. 74, Modifications to Public  
29 Law 28-150, General Appropriations Act of 2007.

30 “

31

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1 ~~Three Million Six Hundred Thirty nine Thousand Nine Hundred Seventy seven~~  
2 ~~Dollars (\$3,639,977) Three Million Five Hundred Forty eight Thousand~~  
3 ~~Nine Hundred Seventy seven Dollars (\$3,548,977)~~

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

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29 ~~“(a) The sum of Thirteen Million Nine Hundred Twenty four~~  
30 ~~Thousand Four Hundred Twenty six Dollars (\$13,924,426) Thirteen Million~~  
31 ~~Five Hundred Seventy six Thousand Three Hundred Fifteen Dollars~~  
32 ~~(\$13,576,315) is appropriated from the General Fund to the Department of~~  
33 ~~Corrections for its operations in Fiscal Year 2007.”~~  
34

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26 ~~“Section 1. Department of Youth Affairs. The sum of Three~~  
27 ~~Million Three Hundred Fifty six Thousand Five Hundred Fifty one Dollars~~  
28 ~~(\$3,356,551) Three Million Two Hundred Seventy two Thousand Six~~  
29 ~~Hundred Thirty seven Dollars (\$3,272,637) is appropriated from the General~~  
30 ~~Fund to the Department of Youth Affairs (DYA) for its operations in Fiscal~~  
31 ~~Year 2007.”~~

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14 ~~“Section 1. Office of the Chief Medical Examiner. The sum of~~  
15 ~~Four Hundred Eight Thousand Five Hundred Fifty nine Dollars (\$408,559)~~  
16 ~~Three Hundred Ninety eight Thousand Three Hundred Forty five Dollars~~  
17 ~~(\$398,345) is appropriated from the General Fund to the Office of the Chief~~  
18 ~~Medical Examiner for its operations in Fiscal Year 2007”.~~

19 ~~Section 13. Office of the Attorney General, Department of Law. Section~~  
20 ~~1(a), Part VII, Chapter III of Public Law 28-150 is hereby amended to read:~~

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

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23 ~~“Section 1. Appropriation for Executive~~

24 ~~Branch. The sum of Twenty six Million Two Hundred Forty one~~  
25 ~~Thousand One Hundred Twenty nine Dollars (\$26,241,129) Sixty-~~  
26 ~~four Million Two Hundred Ninety five Thousand Nine Hundred~~  
27 ~~Thirty five Dollars (\$64,295,935) is appropriated to I Maga'laha~~  
28 ~~Guahan, of which Five Million Seven Hundred Forty Thousand Six~~  
29 ~~Hundred Eighty three Dollars (\$5,740,683) Forty four Million Four~~  
30 ~~Hundred Ninety five Thousand Four Hundred Eighty nine Dollars~~  
31 ~~(\$44,495,489) is from the General Fund, as designated below,~~  
32 ~~Eighteen Million One Hundred Thirty Thousand Thirty one Dollars~~  
33 ~~(\$18,130,031) is from Special Funds, as designated below, and Two~~

1 Million Three Hundred Seventy Thousand Four Hundred Fifteen  
2 Dollars (~~\$2,370,415~~) One Million Six Hundred Seventy Thousand  
3 Four Hundred Fifteen Dollars (~~\$1,670,415~~) is from Federal Matching  
4 Grants in Aid, as designated below, for Executive Branch operations,  
5 including personnel costs, in Fiscal Year 2007 for the following  
6 entities:

7 (a) Department of Administration (Guam Highway Fund —  
8 \$2,500,000); (General Fund \$7,945,742).

9 Department of Revenue and Taxation (General Fund \$8,088,791).

10 Bureau of Budget and Management Research (General Fund—  
11 \$1,315,926).

12 Civil Service Commission (General Fund \$455,979).

13 Bureau of Statistics and Plans (General Fund \$1,071,004).

14 Department of Military Affairs (Federal Matching Grants In Aid —  
15 \$839,150); (General Fund \$443,902).

16 Department of Public Works (Guam Highway Fund — \$6,798,009);  
17 Solid Waste Operations Fund — \$5,822,582); (General Fund—  
18 \$7,744,930).

19 Department of Labor (Manpower Development Fund — \$44,545);  
20 (Federal Matching Grants In Aid — \$33,100); (General Fund—  
21 \$1,660,119).

22 Department of Agriculture (Guam Plant Inspection and Permit Fund—  
23 \$44,507); (Federal Matching Grants In Aid — \$560,565); (General  
24 Fund \$2,136,038).

25 Department of Land Management (Land Survey Revolving Fund—  
26 \$950,000); (FY 2005 Land Survey Revolving Fund Unreserved Fund  
27 Balance \$682,580); (General Fund \$2,140,380).



1 ~~Department of Parks and Recreation (Public Recreation Services Fund~~  
2 ~~—\$154,717); (General Fund \$3,450,743).~~

3 ~~Guam Council on the Arts and Humanities Agency (Tourist Attraction~~  
4 ~~Fund — \$50,000); (Federal Matching Grants In Aid — \$237,600);~~  
5 ~~(General Fund \$254,482).~~

6 ~~Department of Chamorro Affairs (Tourist Attraction Fund — \$54,099);~~  
7 ~~(General Fund \$656,408).~~

8 ~~Guam Election Commission (Federal Matching Grants In Aid —~~  
9 ~~\$700,000); (General Fund \$331,048).~~

10 ~~Commission on Decolonization (General Fund \$143,195).~~

11 ~~Guam Ancestral Lands Commission (General Fund \$189,016).~~

12 ~~Chamorro Land Trust Commission (Chamorro Land Trust Operations~~  
13 ~~Fund — \$492,266).~~

14 ~~Office of *I Maga'laha*n *Guåhan* (General Fund \$3,760,563).~~

15 ~~Office of *I Segundo Na Maga'laha*n *Guåhan* (General Fund-~~  
16 ~~\$1,084,437).~~

17 ~~Guam State Clearinghouse (General Fund \$310,254).~~

18 ~~Office of Veteran's Affairs (General Fund \$257,452).~~

19 ~~Medical Referral Office (General Fund \$620,510).~~

20 ~~Guam Board of Accountancy (General Fund \$434,570).~~

21 ~~Guam Contractors License Board (Guam Contractors License Board~~  
22 ~~Fund — \$334,901).~~

23 ~~Board of Professional Engineers, Architects and Land Surveyors~~  
24 ~~(Professional Engineers, Architects and Land Surveyors Board Fund—~~  
25 ~~\$201,825).”~~

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4 ~~“(d) Notwithstanding any other provision of law, the debt service~~  
5 ~~savings of approximately Eight Million Dollars (\$8,000,000) realized from~~  
6 ~~the 1993 General Obligation Bond Refinancing is hereby appropriated from~~  
7 ~~the Territorial Education Facilities Fund to *I Maga’lahen Guåhan* for the~~  
8 ~~Fiscal Year 2007 operations of the Executive Branch.~~

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29 ~~“Section 3. Continuing Appropriation. *I Maga’lahen Guåhan* is~~  
30 ~~authorized to expend up to Twenty five Million Dollars (\$25,000,000) of the~~  
31 ~~balance of prior years’ appropriations for Executive Branch departments and~~  
32 ~~agencies for operations in Fiscal Year 2007, *except* for those appropriations~~  
33 ~~otherwise continued pursuant to this Act. The authority to expend the said~~  
34 ~~Twenty five Million Dollars (\$25,000,000) is deemed continued for Fiscal~~  
35 ~~Year 2007 *only*. *I Maga’lahen Guåhan* shall identify such unexpended and~~  
36 ~~unencumbered appropriations that continue into Fiscal Year 2007 and report~~

1 such continued appropriations and the expenditures therefrom to the Speaker  
2 of *I Liheslaturan Guåhan*.”

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

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

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22 ~~“**Section 16. *I Liheslaturan Guåhan* Operations.** The sum of Six~~  
23 ~~Million Eight Hundred Thirty three Thousand Five Hundred Forty six~~  
24 ~~Dollars (**\$6,833,546**) Six Million Six Hundred Sixty two Thousand Seven~~  
25 ~~Hundred Seven Dollars (**\$6,662,707**) is appropriated from the General Fund~~  
26 ~~to *I Liheslaturan Guåhan* for its operations, including personnel services.”~~

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8 Five Hundred Five Thousand Six Hundred Thirty-four Dollars

9 (~~\$505,634~~) Four Hundred Ninety-two Thousand Nine Hundred Ninety-three

10 Dollars (\$492,993)

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25 is appropriated

28 "Section 19. (a) Mayors Council of Guam Operations. The sum of

29 ~~Seven Million Five Hundred Fifty six Thousand One Hundred Twelve~~

30 ~~Dollars (\$7,556,112)~~ Seven Million Three Hundred Sixty-seven Thousand

31 Two Hundred and Nine Dollars (\$7,367,209) is appropriated from the

32 General Fund to the Mayors Council of Guam for personnel services,

33 operations and utilities for Fiscal Year 2007.

34

35 (b) Village Streets Maintenance and Beautification. The sum of

~~One Million Five Hundred Thousand Dollars (\$1,500,000)~~ One Million Four

1 Hundred Sixty-two Thousand Five Hundred Dollars (\$1,462,500) is  
2 appropriated from the General Fund to the Mayors Council of Guam for  
3 Fiscal Year 2007 for the maintenance and beautification of village secondary  
4 and tertiary roads and other operational requirements. Such funds *shall not*  
5 be subject to any transfer authority of *I Maga'lahaen Guåhan*. The Fund  
6 *shall* be divided among the Village Mayors as follows:

7 (1) Each Mayor *shall* receive the sum of Twenty Thousand Dollars  
8 (\$20,000); and

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

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

22 (d) With the written approval of the Municipal Planning Councils,  
23 Village Mayors are authorized to apply additional funds derived from  
24 private contributions, donations, and fundraising to supplement their village  
25 projects or programs, including any programs funded from local, federal, or  
26 special funds. Each Mayor *shall* submit a report to the Speaker of *I*  
27 *Liheslaturan Guåhan*, the President of the Mayors Council and the Public

1 Auditor on the fifth (5<sup>th</sup>) day of the first (1<sup>st</sup>) month of every fiscal quarter  
2 (October 5<sup>th</sup>, January 5<sup>th</sup>, April 5<sup>th</sup>, and July 5<sup>th</sup>) regarding the receipts,  
3 expenditures, and applications of these funds. Such report *shall* be posted  
4 on the website of the Mayors Council of Guam.

5 (e) The appropriation in Subsection (a) hereof shall provide for the  
6 rental of office space for the Mayors of Inarajan and Piti.”

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17 ~~“Section 22. Public Defender Services Corporation. The sum of~~  
18 ~~Two Million Eight Hundred Seventy five Thousand Four Hundred Eighteen~~  
19 ~~Dollars (\$2,875,418) Two Million Eight Hundred Three Thousand Five~~  
20 ~~Hundred Thirty three Dollars (\$2,803,533) is appropriated from the General~~  
21 ~~Fund to the Public Defender Services Corporation for its operations in Fiscal~~  
22 ~~Year 2007.”~~

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2 ~~One Million Four Hundred Sixty Thousand Nine Hundred Seventy-~~  
3 ~~eight Dollars (\$1,460,978)~~

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12 ~~One Million One Hundred Thirty five Thousand Nine Hundred~~  
13 ~~Seventy eight Dollars (\$1,135,978)~~

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31 ~~Three Hundred Twenty five Thousand Dollars (\$325,000)~~

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The sum of Four Hundred Sixty Thousand Dollars (\$460,000) is

hereby appropriated to the

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The sum of ~~Two Hundred Seventy Thousand Eight Hundred Seventy~~

~~Six Dollars(\$270,421.00)~~ Four Hundred Fifty Thousand Four Hundred

Twenty-one Dollars (\$450,421) is hereby appropriated to t

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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 the proceeds from said loans and lines of credit to fund the annual operational appropriations for education, health and safety of the government of Guam in the Amended General Appropriation Act of 2007 and for payment of prior year obligations;~~

~~(b) the lender shall not levy prepaid charges for opening a line of credit;~~

~~(c) interest paid to the lenders pursuant to 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 Guåhan and the lender, provided that said interest rate shall not exceed eight percent (8%) per annum and shall be computed on a three hundred sixty five (365) day calendar year upon the actual amount of funds loaned to the~~

1 government, and interest *shall* be paid annually;

2 (f) ~~the loans or lines of credit will be secured by a pledge of Section~~  
3 ~~30 Funds [Title 48 U.S. Code Section 11421(h)];~~

4 (g) ~~all funds borrowed shall be repaid within ten (10) years, with the~~  
5 ~~option to extend payments for another five (5) years, and in no case shall any~~  
6 ~~amount borrowed be financed, resulting in a repayment more than ten (10)~~  
7 ~~years after the loan is made unless the option to extend is exercised; and~~

8 (h) ~~the principal, interest and other costs of the financing shall be~~  
9 ~~paid from the unencumbered proceeds of Section 30 Funds.~~

10 **Section 2. Early Payoff of Loan or Line or Lines of Credit.** ~~Twenty five~~  
11 ~~percent (25%) of any amount in excess of One Hundred Million Dollars~~  
12 ~~(\$100,000,000) payable to the government of Guam by the government of the~~  
13 ~~United States pursuant to Section 30 of the Organic Act, Title 48 U.S. Code~~  
14 ~~Section 11421(h), shall be used for accelerated payment of the loans and lines of~~  
15 ~~credit.~~

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20 ~~, Jose D. Leon Guerrero Commercial Port, the Guam Waterworks Authority~~  
21 ~~and the Guam Visitors Bureau~~

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27 **Section 2. Proceeds.** ~~Notwithstanding Title 5 GCA Section 22425, all~~  
28 ~~proceeds from real property taxes levied pursuant to Title 11 GCA Section 24103~~  
29 ~~for the years before and including the year 2005 shall be deposited in the General~~  
30 ~~Fund.~~

1           ~~**Section 3. Reversion of Unencumbered or Unexpended Continuing**~~  
2 ~~**Appropriations.**~~ All General Fund appropriations that are unencumbered or  
3 unexpended as of March 31, 2007, as contained in the following Sections of P.L.  
4 28-150, *shall* revert to the General Fund:

5           ~~Section 4, Part I Department of Public Health and Social Services,~~  
6           ~~Chapter II;~~

7           ~~Section 19, Chapter V, Miscellaneous Provisions;~~

8           ~~Section 21, Chapter V, Miscellaneous Provisions;~~

9           ~~Section 22, Chapter V, Miscellaneous Provisions;~~

10          ~~Section 23, Chapter V, Miscellaneous Provisions;~~

11          ~~Section 26, Chapter V, Miscellaneous Provisions;~~

12          ~~Section 40, Chapter V, Miscellaneous Provisions; and~~

13          ~~Section 41, Chapter V, Miscellaneous Provisions.~~

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

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

24          ~~**Section 5. Moratorium on Extended Hours.**~~ A moratorium *shall* be in  
25 effect for extended hours of operation for government instrumentalities affected by  
26 4 GCA Section 4120(a) until January 1, 2009.

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

3           ~~“Section 22901. Purpose.~~ The Structural Stabilization Fund is a  
4 cash fund maintained by the government of Guam for contingencies and for  
5 appropriation to address, eliminate or reduce any General Fund deficit that  
6 exists at the end of a fiscal year.

7           ~~A stabilization fund is necessary to ensure the continued orderly~~  
8 ~~operation of government and the provision of services to residents and to~~  
9 ~~maintain the existing tax structure if budget shortfalls develop during a fiscal~~  
10 ~~year. Credit rating agencies examine fiscal stability to evaluate the~~  
11 ~~government’s credit worthiness, and instability can cause credit downgrades~~  
12 ~~and increased borrowing costs.~~

13           ~~Section 22902. Creation.~~ There is hereby established, in the  
14 Treasury of Guam, a Structural Stabilization Fund, hereinafter referred to as  
15 the “SSF”, for the purposes of reducing the need for tax increases,  
16 maintaining the highest possible bond rating, reducing the need for short  
17 term borrowing, meeting government obligations when deficits or failures in  
18 revenue occur, and for addressing budgetary shortfalls.

19           ~~Section 22903. Deposits and Appropriations.~~ All revenues  
20 received by the government of Guam in any fiscal year in excess of  
21 expenditures authorized by appropriations for that fiscal year from the  
22 General Fund *shall* be deposited in the SSF. However, no deposits to the  
23 SSF shall be made if such deposit exceeds twenty five percent (25%) of the  
24 average gross operating requirements funded by the General Fund. No  
25 appropriation of the SSF shall be made *if* such appropriation reduces the SSF  
26 below the twenty five (25%) percent average of the gross operating  
27 requirements funded by the General Fund.





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The following restrictions *shall* apply in the administration of public welfare benefits through the Department of Public Health And Social Services:

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The following penalties and fines *shall* be applicable for non-compliance with the provisions contained herein:

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1 found to be in violation of the prohibition and restriction on the purchase of  
2 alcoholic beverages and tobacco products with public welfare assistance funds  
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found to be in violation of the prohibition and restriction on the sale of alcoholic beverages and tobacco products with the use of public welfare assistance funds *shall*

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be responsible for ensuring the proper

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and compliance of the provisions contained herein

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Such enforcement

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The Director of Public Health and Social Services *shall* be the approval authority for the imposition of the aforementioned penalties, or for the reconsideration of any penalties assessed following the appeal process.

1 Existing procedures of appeal relevant to other public welfare assistance  
2 programs administered by the Department of Public Health and Social Services  
3 shall be utilized, wherein applicable, in entertaining appeals by public welfare  
4 recipients or business vendors in reference to the provisions contained herein.

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23 Composition and other matters.

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16 Length of Service. The members of the Sunset and Rightsizing

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25 Each member *shall* serve

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31 the Governor *I Maga'lahaen Guåhan* or *I Liheslaturan Guåhan*

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4 **Section 12. Reporting Requirements.** Section 2 of Part VI of Chapter II  
5 of Public Law 28-149 is hereby *amended* to read:

6 **“Section 2. Reporting Requirements.** *No later than thirty (30) days after*  
7 *the eløse end of each fiscal quarter of Fiscal Year 2007, the Superintendent of*  
8 *Education of the Guam Public School System, the President of the University of*  
9 *Guam, the President of the Guam Community College, the General Manager of*  
10 *Guam Educational Telecommunication Corp., and the Director of the Guam Public*  
11 *Library System, regardless of the source of the entity’s appropriations and revenue,*  
12 *shall submit to the Public Auditor of Guam and the Speaker of I Liheslaturan*  
13 *Guåhan and post on the entity’s website, in written and electronic format*  
14 *(including, but not limited to, diskettes, CDs and email), a report making full*  
15 *disclosure of ALL funds under his purview and administration for the preceding*  
16 *quarter. Said report shall be in the form of financial statements or revenue and*  
17 *expenditure reports for every fund he administers, or in a format as may be*  
18 *required by I Liheslaturan Guåhan, regardless of whether said fund is*  
19 *appropriated, non-appropriated, local or federal and regardless of the source of the*  
20 *funding. This and every reporting requirement imposed by this Act or any*  
21 *appropriation pertaining to FY 2007 shall be subject to the following:*

22 (a) *If the head of an agency receiving funds pursuant to this Act does*  
23 *not submit said report to the Speaker of I Liheslaturan Guåhan and post the*  
24 *same on the website by its due date, I Maga’lahi shall, no later than fifteen*  
25 *(15) days after said due date, notify the agency head of his or her non-*  
26 *compliance and the imminent de-appropriation of funds.*

1 (b) *If* the head of an agency receiving funds pursuant to this Act fails to  
2 submit and post said report by its due date, the chairperson of the  
3 appropriate Board *shall* notify the agency head of his *or* her non-compliance  
4 and the imminent de-appropriation *or* remittance of funds.

5 (c) The failure of any official *or* board to give the notice required by  
6 the previous two (2) subsections *shall not* affect the de-appropriation *or*  
7 remittance of funds mandated by the next Section.”

8 **~~Section 13. De-appropriation of Funds.~~** Section 3 of Part VI of Chapter II  
9 of Public Law 28-149 is hereby *amended* to read:

10 **~~“Section 3. De-appropriation of Funds.~~** ~~*If* the director, administrator *or*~~  
11 ~~head of a government agency receiving Funds pursuant to this Act, regardless of~~  
12 ~~the source of the agency’s appropriations and revenue, fails to comply with any~~  
13 ~~reporting requirement mandated by this Act, the Funds appropriated for the~~  
14 ~~operations to of the entity he *or* she administers *shall*, on the forty-fifth (45th) day~~  
15 ~~after the report’s due date, be automatically de-appropriated in the maximum~~  
16 ~~amount of five percent (5%) per quarter of the agency’s total operations~~  
17 ~~appropriation for FY 2007 for EACH of if any *or* all of the following requirements~~  
18 ~~are *not* met:~~

19 (a) ~~providing a written report;~~

20 (b) ~~providing an electronic format of the report; and~~

21 (c) ~~posting the report on the website.~~

22 This Section *shall not* apply when *I Maga’lahi* has declared a state of  
23 emergency *or* declared the island to be in a Condition of Readiness One. The  
24 deadline for submittal of reports *shall* be extended by the same number of days for  
25 which the emergency is declared *or* the number of days in which the island is in  
26 Condition of Readiness One. The Public Auditor *shall* examine the appropriate  
27 records, certify any de-appropriation *or* remittance of funds and report thereon to *I*

1 ~~*Maga'lahi* and the Speaker of *I Liheslaturan Guåhan*. The Director of the Bureau~~  
2 ~~of Budget and Management Research *shall* promptly reduce the appropriation or~~  
3 ~~allotment to the non-compliant agency in accordance herewith, effectuate the de-~~  
4 ~~appropriation and submit a written report thereon to *I Maga'lahi* and the Speaker~~  
5 ~~of *I Liheslaturan Guåhan*.”~~

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32	<del>each agency or department head in the Executive Branch of the government</del>		
33	<del>of Guam, the Chairperson of the Judicial Council and the Chairperson of the Board</del>		
34	<del>of Trustees of the Public Defender Service Corporation</del>		
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(a) ~~If the head of an executive branch line agency, autonomous and semi-autonomous agency, public corporation or any part of the executive branch, does not submit said report to the Speaker of I Liheslaturan Guåhan and post the same on the website by its due date, I Maga'lahi, through the Director of the Bureau of Budget and Management Research, shall, no later than fifteen (15) days after said due date, notify the agency head of his non-compliance and the imminent de-appropriation of Funds.~~

(b) ~~If the head of any agency or entity of the government of Guam does not submit and post said report by its due date, the chairperson or president of the appropriate board, commission or council, shall notify the agency head of non-compliance and the imminent de-appropriation or remittance of funds.~~

(c) ~~The failure of any official, board, commission or council to give the notice required by the previous two subsections shall not affect the de-appropriation or remittance of funds mandated by the next Section."~~

**Section 16. Deappropriation of Funds.** Section 3 of Chapter VI of Public Law 28-150 is hereby *amended* to read:

**"Section 3. Deappropriation of Funds.** (a) ~~If the director, administrator or head of a government agency, including line agencies, autonomous and semi-autonomous agencies, public corporations, the President of the Mayors Council of Guam and the Judiciary of Guam, regardless of the source of the entity's appropriations and revenue, fails to comply with any reporting requirement mandated by this Act, the funds appropriated for the operations to of the entity he administers shall, on the forty fifth (45<sup>th</sup>) day after the report's due date, be automatically deappropriated in the maximum amount of five percent (5%) per quarter of the agency's total operations appropriation for FY 2007 for EACH of these if any or all of the following requirements are not met:~~

- 1           ~~(a) — providing a written report;~~
- 2           ~~(b) — providing an electronic format of the report; and~~
- 3           ~~(c) — posting the report on the website.~~

4           ~~For autonomous and semi-autonomous agencies, boards, commissions,~~  
5 ~~councils or other entities not receiving legislative appropriations, such non-~~  
6 ~~compliant entity shall pay into the General Fund a sum equal to five percent (5%)~~  
7 ~~of its current fiscal year revenues.~~

8           ~~The director, administrator or head of a government agency, including line~~  
9 ~~agencies, autonomous and semi-autonomous, public corporations, the President of~~  
10 ~~the Mayors Council of Guam and the Judiciary of Guam, his/her deputy and chief~~  
11 ~~financial officer shall have their per annum salary reduced by twenty percent~~  
12 ~~(20%) and a letter attesting to their failure to comply shall be added to each of their~~  
13 ~~personnel files, for the remainder of the fiscal year, for failing to comply with the~~  
14 ~~mandates of this Section. Copies of the personnel actions evidencing the salary~~  
15 ~~reduction shall be provided to the Speaker of I Liheslatura, the Office of the Public~~  
16 ~~Auditor, and posted on the department/agency website. No de appropriation of~~  
17 ~~funds pursuant in this Act shall result in the termination, release or furlough, or~~  
18 ~~experience any salary reduction whatsoever for any classified employee from the~~  
19 ~~non-compliant government agency, including line agencies, autonomous and semi-~~  
20 ~~autonomous, public corporations, employees of the Mayor's Council of Guam and~~  
21 ~~the Judiciary of Guam. The provisions of this Section also apply to P.L. 28-149,~~  
22 ~~Section 3 of Part VI of Chapter II. The Office of the Public Auditor shall provide~~  
23 ~~notice to all directors of their responsibility under this Section three (3) days before~~  
24 ~~the end of each quarter.~~

25           ~~— This Section shall not apply when I Maga'lahi has declared a state of~~  
26 ~~emergency or declared the island to be in a Condition of Readiness One. The~~  
27 ~~Public Auditor shall examine the appropriate records, certify any deappropriation~~

1 and remittance of funds and report thereon to *I Maga'lahi* and the Speaker of *I*  
2 *Liheslaturan Guåhan*. The Public Auditor *shall* prepare letters attesting to the  
3 failure to comply that caused the de-appropriation and reduction of allotment, for  
4 placement in each of the responsible officials' respective personnel files. The  
5 Director of the Bureau of Budget and Management Research *shall* promptly reduce  
6 the appropriation *or* allotment to the non-compliant agency in accordance  
7 herewith, effectuate the deappropriation and submit a written report thereon to *I*  
8 *Maga'lahi* and the Speaker of *I Liheslaturan Guåhan*. For autonomous and semi-  
9 autonomous agencies, boards, commissions *or* councils *not* receiving legislative  
10 appropriations, the Public Auditor *shall* ensure that the financial statement of the  
11 non-compliant entity reflects the five percent (5%) liability to the General Fund, *if*  
12 remittance is *not* made to the General Fund. Failure to give the notice required by  
13 subsections (a) and (b) of the previous Section *shall not* affect the deappropriation  
14 of funds *or* remittance of funds mandated herein.”

15 **6. Add a new Section \_\_\_ to Chapter 6:**

16 **Section \_\_\_.** **Reporting Requirements for Non-Profit Organizations**  
17 **Receiving Appropriations from the Government of Guam.** A new  
18 subsection (f) is hereby added to Section 7 of Chapter VI of Public Law  
19 28-150:

20 “(f) Non-Profit Organizations funded by this Act shall be subject  
21 to the penalty imposed for the non-compliance with Reporting  
22 Requirements pursuant to Section 3 of Chapter VI of this Act. The  
23 deappropriation shall be applied against the funds appropriated for  
24 the Non-Profit Organization.”

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1 **Section 17.** Any amounts previously de-appropriated in excess of the maximum  
2 five percent (5%) per quarter of the agency's total operations appropriation for FY  
3 2007 are hereby re-appropriated to the respective agency.

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35	<del>except that no additional compensation pursuant to this Section shall be paid</del>		
36	<del>to a certificated employee of GPSS not occupying the position for which such</del>		
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23 When enforcing any GWA rule or regulation,

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41 providing authority

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and

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the same

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within thirty (30) days after the opening

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in final form within thirty (30) days to *I Liheslatura* with or without

modification,

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such modernization and streamlining is necessary to

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modernization or streamlining

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26 forthwith

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29 same

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32 by issuing the necessary executive order or orders

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34 Page 112: [417] Deleted session\_pc 4/27/2007 8:37:00 PM

35 the limits of

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3 during which the implementation is effected

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5 Page 112: [418] Deleted session\_pc 4/27/2007 7:51:00 PM

6 **12106**

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8 Page 112: [418] Deleted session\_pc 4/27/2007 8:39:00 PM

9 *Whenever*

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11 Page 112: [419] Deleted session\_pc 4/27/2007 8:39:00 PM

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15 office

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17 Page 112: [419] Deleted session\_pc 5/1/2007 1:28:00 PM

18 affected by

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21 (s)

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24 or modifications, thereof, the provisions on reduction in force in

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26 Page 112: [419] Deleted session\_pc 4/27/2007 8:40:00 PM

27 Code

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33 ied

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36 however,

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38 Page 112: [419] Deleted session\_pc 4/27/2007 8:41:00 PM

39 face the loss of

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41 Page 112: [419] Deleted session\_pc 4/30/2007 12:29:00 PM

42 because of this Act

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45 Personnel

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6 *shall* be entitled to

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9 and *shall* be given the ability to

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12 offices of

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15 .

16 Officers and employees whose positions are dissolved as a consequence of  
17 the modernization and streamlining initiative authorized under this Act, *shall not*  
18 lose their

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21 and *shall* be transferred and absorbed in other units of government.

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26 Page 112: [421] Deleted session\_pc 4/27/2007 8:43:00 PM

27 Furthermore, there *shall* be

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30 due to personnel during the transition and implementing phase effectuated by this

31 Act

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31 Page 117: [423] Deleted session\_pc 5/3/2007 10:51:00 PM  
32 The Commission *shall* receive for government entities copies of a  
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34 Page 117: [423] Deleted session\_pc 4/28/2007 5:55:00 PM  
35 in  
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3 such

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6 upon finding

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9 without compliance with

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15 All personnel actions must be filed with the Commission within twenty (20) days  
16 of the effective date of such action.

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22 final

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24 Page 117: [425] Deleted session\_pc 4/28/2007 5:59:00 PM

25 decision,

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28 Upon receipt of the notice of violation, t

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31 *has*

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34 to respond

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36 Page 117: [426] Deleted session\_pc 5/1/2007 9:53:00 PM

37 recommended corrective

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40 , if any

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43 in accordance with

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1 . In no event may a personnel action be null and void after the one hundred  
2 twentieth (120<sup>th</sup>) day after the Commission receives the personnel actions  
3 and related documents

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5 Page 117: [426] Deleted session\_pc 5/1/2007 9:55:00 PM

6 Upon the decision being signed by the Civil Service Commission, t

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9 and judgment

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15 decision of the

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27 **26**

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30 Act

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32 Page 117: [428] Deleted session\_pc 5/1/2007 9:57:00 PM

33 and

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35 Page 117: [428] Deleted session\_pc 4/28/2007 6:08:00 PM

36 . The purpose of

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38 Page 117: [428] Deleted session\_pc 4/28/2007 6:08:00 PM

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42 is to

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of said office		
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legislatively		
Page 119: [429] Deleted	session_pc	4/28/2007 6:22:00 PM
under such rules and regulations		
Page 119: [429] Deleted	session_pc	4/28/2007 6:22:00 PM
within its		
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Page 119: [430] Deleted	session_pc	4/28/2007 6:23:00 PM
While		
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will be under the supervision of the Committee on Ways and Means,		
or equivalent Standing Committee, its budget		
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be responsible for the		
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7           and duties

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13          be charged with the

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25          necessary for *I Liheslatura*

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28          to make and

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31          adopt

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34          for the operations of the government of Guam, issues of concern

35          relative to

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37          Page 119: [432] Deleted                           session\_pc                           4/28/2007 6:26:00 PM

38          be responsible for the

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include, but are <i>not</i> limited to the following		
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and the		
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. The OFB <i>shall</i> utilize all existing and otherwise available		
resources		
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1 make available

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13 ~~Failure to comply with any condition or obligation set out in the~~  
14 ~~Certificate after having been notified by the Authority in writing of~~  
15 ~~such failure to comply and after having been given by the Authority a~~  
16 ~~reasonable period of time within which to correct such failure~~

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**2. Add a new Section \_\_\_ to Chapter 6 – Miscellaneous Provisions:****Section 31.**

“§58112 of Chapter 58 of 12GCA is hereby *repealed* in its entirety.”

**~~§ 58112. Hearing Required.~~**

~~No recommendation for suspension, rescission or revocation of a Qualifying Certificate shall be made by the Authority **except** after a hearing thereon pursuant to the provisions of the Administrative Adjudication Law.~~

**A new Section \_\_\_\_\_ is hereby added to Chapter 6, Miscellaneous Provisions to read:**

**Section 32.** 11GCA §26201 is hereby *amended* to read as follows:

**§26201. Levy.** (a) There is hereby levied and *shall* be assessed and collected monthly privilege taxes against the persons on account of their business and other activities in Guam measured by the application of rates against values, gross proceeds of sales *or* gross income, as the case may be.

A person engaging in, transacting, conducting, continuing, doing, *or* carrying on a business in Guam, who is required to pay taxes levied in this Chapter and opts to show to each customer the amount that will be transmitted to the government of Guam as a result of the customer’s transaction, may exclude GRT reimbursement collected from the measure of taxable gross receipts.

A person who opts to show to each customer the amount of the tax levied in this Chapter that will be transmitted to the government of Guam as a result of the customer’s transaction, *shall not* display, advertise, mark, present an invoice or bill for payment, *or* hold out to the public any

1 manner directly *or* indirectly the cost of the transaction without  
2 including the tax levied by this Chapter. The tax levied pursuant to this  
3 Section *shall not* be presented *nor* added to the cost of the transaction at  
4 the point of sale *or* collection of the transaction.

5 Example:

6 Allowed under this provision:

7 Cost of Item or Service: \$1.00

8 GRT: \$ .04

9 Total Cost \$1.00

10 Not Allowed under this provision:

11 Cost of Item or Service \$1.00

12 GRT: \$ .04

13 Total Cost \$1.04

14 (c) (d)\_ A person engaging in, transacting, conducting, continuing, doing, *or*  
15 carrying on a business in Guam *shall* annually notify the Department of  
16 Revenue and Taxation of its election pursuant to Subsection (b) of this  
17 Section.

18 ~~(d)~~ (e) Notwithstanding the Administrative Adjudication Law, the Director  
19 of the Department of Revenue and taxation *shall* promulgate the necessary rules to  
20 effectively implement 11 GCA §26201 (b) and ~~(e)~~ (d), *no later than* December 05,  
21 203. The rules *shall* become effective upon submission to *I Liheslaturan Guåhan*.  
22 Subsequent changes to such rules *shall* be pursuant to the Administrative  
23 Adjudication Law or by statute.

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19 CHAPTER 6  
20 AMENDMENTS TO CERTAIN FEES,  
21 CHARGES AND PENALTIES OF THE  
22 GOVERNMENT OF GUAM  
23 PART I  
24 FEES AND PENALTIES ASSESSED BY THE DEPARTMENT OF REVENUE AND TAXATION.

25  
26 Section 1. ~~11GCA §1104 is amended to read as follows:~~

27 ~~“§1104. Functions (a) Income Tax. The Department of Revenue and Taxation shall be responsible under~~  
28 ~~the Governor for the enforcement of the Guam Territorial Income Tax set in accordance with §1421 of~~  
29 ~~Title 48, U.S.C. The Department of Revenue and Taxation in the execution of Guam’s tax laws, may~~  
30 ~~implement fees substantially similar to fees charged by the Secretary of the Treasury for services in the~~  
31 ~~administration of the Internal Revenue Code when such fee is not adjudicated or implemented by Guam~~  
32 ~~law or regulation. The Director of the Department of Revenue and Taxation shall apply such fees where~~  
33 ~~applicable in executing the Internal Revenue Code and the tax laws of Guam.”~~

34 Section 1. A new §1112 is added to Chapter 1 of 11 GCA as follows:



1 “§1112. Income Tax. (a) Service Fees. The Income Tax and Processing Branch of the Department of  
2 Revenue and Taxation is authorized to charge service fees as follows:

No.	Description	Fee
(1)	For each Page	\$1
(2)	W-1 Duplication Fee	\$5
(3)	Certification Notice to Taxpayer	\$3
(4)	Form F-500 Duplication Fee	\$3
(5)	SWICA Duplication Fee	\$5”

3 Section 2. 11 GCA §2118 is *amended* to read as follows:

4 “§2118. The Director *shall* collect for each annual inspection of a scale, weight or measure before the  
5 sealing of the same and deliver to the owner, a certificate of its accuracy, a fee as established in the  
6 schedule of fees promulgated under the provisions of this Chapter. The Director *shall* collect the  
7 appropriate fee for any other service rendered by the Department under the provisions of this Chapter.  
8 The Director and shall ~~pay over to the Treasurer of Guam~~ for deposit such funds in the General Fund of  
9 fees collected pursuant to this Section. The fees are as follows:

<u>Scales</u>	<u>Fee</u>	
11 01 to 30 lbs	<del>\$2.00</del>	<u>\$4.00</u>
12 31 to 100 lbs	<del>\$3.00</del>	<u>\$6.00</u>
13 101 to 501 lbs	<del>\$5.00</del>	<u>\$8.00</u>
14 501 to 2000 lbs	<del>\$10.00</del>	<u>\$13.00</u>
15 2001 to 5000 lbs	<del>\$20.00</del>	<u>\$25.00</u>
16 5001 to 10000 lbs	<del>\$30.00</del>	<u>\$35.00</u>
17 Over 10000 lbs	<del>\$20.00</del>	<u>\$40.00</u>
18 Dry or Liquid Measures		
19 Less than 1 gallon	<del>\$2.00</del>	<u>\$4.00</u>
20 1 to 5 gallons	<del>\$5.00</del>	<u>\$10.00</u>
21 Lineal Measures		
22 Inspectors		
23 Salary per hour	<del>\$5.00</del>	<u>\$10.00</u>
24 Taxi Calibration		
25 Taximeter	<del>\$10.00</del>	<u>\$20.00”</u>

26 Section 3. 11 GCA §2205 is hereby *amended* to read as follows:

1 “§2205. License Fees. Before the issuance of any license as a public weighmaster, or any renewal  
2 thereof, the applicant *shall* pay to the Director a fee of ~~Twenty Five Dollars (\$25.00)~~ Fifty Dollars  
3 (\$50.00). Licenses *shall* expire two (2) years after issuance. Such fees *shall* be deposited in the General  
4 Fund.”

5 Section 4. 11 GCA §3207 is *amended* to read as follows:

6 “§3207. Licenses: Classes and Fees. The Board is authorized to issue the following classes and kinds of  
7 licenses at the following fees:

8 Class 1. Manufacturer’s license \$100.00 per year

9 Class 2. Agent’s license \$250.00 per year

10 Class 3. Wholesale dealer’s license ~~\$500.00~~ \$1000.00 per year

11 Class 4. Retail dealer’s on-sale license:

12 Beer ~~\$150.00~~ \$300.00 per year

13 General ~~\$500.00~~ \$1000.00 per year

14 Wine ~~\$150.00~~ \$300.00 per year

15 Waiter/Waitress ~~\$5.00~~ \$15.00 per year

16 Manager/Assistant Manager ~~\$5.00~~ \$25.00 per year

17 Class 5. Retail dealer’s off-sale license:

18 Beer ~~\$50.00~~ \$200.00 per year

19 General ~~\$500.00~~ \$1000.00 per year

20 Class 6. Special alcoholic license \$25.00 per year

21 Class 7. Temporary beer license ~~\$10.00~~ ~~\$100.00~~ \$20.00 per day not to exceed \$100.00 per  
22 event

23 Class 8. Public warehousemen’s license ~~\$25.00~~ \$50.00 per year

24 Class 9. Club license ~~\$250.00~~ \$500.00 per year

25 Class 10. Temporary general license ~~\$10.00~~ ~~\$100.00~~ \$50.00 per day not to exceed \$100.00 per  
26 event

27 Class 11. Microbrewery-pub restaurant license \$1000.00 per year

28 Class 12. Mobile License:

29 (a) Limousine Service – per vehicle \$750.00 per year

30 (b) Charter Vehicle (Vans) – per vehicle

31 Up to ten (10) passengers \$500.00 per year

32 (c) Charter Vehicle (Vans) - per vehicle

1	More than ten (10) passengers	\$750.00	per year
2	(d) Buses - per vehicle	\$1000.00	per year”

3 Section 5. 11 GCA § 3613 is hereby *amended* to read as follows:

4 “§3613. Same: Hearing. The Board upon receipt of the report required in §3612 shall, as soon as  
5 practicable, hold a hearing on such report. The Board *shall* impose a penalty on a licensee found guilty  
6 of violating any of the provisions of this Chapter amounting to Seven Hundred Fifty Dollars (\$750.00) for  
7 the first offense; a penalty of One Thousand Five Hundred Dollars (\$1,500.00) for the second offense; a  
8 penalty of Two Thousand Five Hundred Dollars (\$2,500.00) for the third offense; and a penalty of Three  
9 Thousand Five Hundred Dollars (\$3,500.00) for the fourth offense. After the fourth offense, the Board  
10 may impose a penalty of Four Thousand Five Hundred Dollars (\$4,500.00) and a forty-eight (48) hour  
11 suspension. Contingent on the severity of violation, the Board may use its discretion and suspend or  
12 revoke the license of any licensee found guilty of violating any of the provisions of this Chapter.”

13 Section 6. 3 GAR §7103 is *repealed* and *reenacted* to read as follows:

14 “§7103. Occupational Licenses. (a) It *shall* be the duty of the association to ensure that every owner,  
15 trainer, groom, exercise boy, association employee, association official, and to ensure that  
16 concessionaires require their employees, have in their possession a current valid license issued by the  
17 Commission designating the position for which said license has been issued. The cost for each  
18 occupational license *shall* be Fifteen Dollars (\$15.00) annually and *shall* be deposited in the General  
19 Fund.”

20 Section 7. 13 GCA §9403 (5) is *repealed* and *reenacted* to read as follows:

21 “§9403(5). The uniform fee for filing, indexing and furnishing filing data (subdivision 1 of §9407) for an  
22 original financing statement, an amendment or a continuation statement shall be Ten Dollars (\$10.00). “

23 Section 8. 13 GCA §9404 (3) is *repealed* and *reenacted* to read as follows:

24 “§9404(3). The uniform fee for filing, indexing and furnishing filing data (subdivision 1 of §9407) for a  
25 termination statement, *shall* be Ten Dollars (\$10.00).”

26 Section 9. 13 GCA §9405(3) is *repealed* and *reenacted* to read as follows:

27 “§9405(3). The uniform fee for filing, indexing and furnishing filing data (subdivision 1 of §9407) for a  
28 statement of release *shall* be Ten Dollars (\$10.00).”

29 Section 10. 13 GCA §9406(4) is *repealed* and *reenacted* to read as follows:

30 “§9406(4). The uniform fee for filing, indexing and furnishing filing data (subdivision 1 of §9407) for a  
31 separate statement of assignment *shall* be Ten Dollars (\$10.00).”

32 Section 11. 13 GCA §9407(2) is *repealed* and *reenacted* to read as follows:

1 “§9407(2). Upon request of any person, the filing officer shall issue his certificate showing whether  
2 there is on file on the date and time stated therein, any presently effective financing statement naming  
3 a particular debtor and any statement of assignment thereof and *if* there is, giving the date and time of  
4 filing of each such statement and the names and addresses of each secured party therein. The  
5 certificate shall *not* include any statement as to the possibility of insolvency proceedings which might  
6 have the effect of preventing the lapse of effectiveness of a filed financing statement pursuant to §9403  
7 whether actual insolvency proceedings are known or unknown to the filing officer. The uniform fee for  
8 such a certificate shall be Ten Dollars (\$10.00). Upon request the filing officer shall furnish a copy of any  
9 filed financing statement or related filings for a uniform fee of One Dollar (\$1.00) for the first page and  
10 Fifty Cents (\$0.50) for each page thereafter.”

11 Section 12. 11 GCA §6201 is *amended* to read as follows:

12 “§6201. Same: Fees. The Director is authorized to issue the following classes of licenses at the following  
13 fees, which *shall* be paid by the applicant at the time of application:

14 Annual Retail License: ~~\$40.00~~ \$100.00;

15 Annual Vending Machine Retail License: ~~\$20.00~~ \$40.00;

16 Annual Wholesaler License: ~~\$500.00~~ \$1,000.00.”

17 Section 13. 11GCA §6203 is *amended* to read as follows:

18 “§6203. Same: Renewal. A licensee may renew his license at the expiration thereof by the payment of  
19 the annual license fee set forth in this Chapter and by filing a renewal application. A licensee who fails  
20 to renew his license on or before the ~~thirty-first (31<sup>st</sup>)~~ thirtieth (30<sup>th</sup>) day of ~~March~~ June of each year  
21 shall be assessed a late fee of ~~Twenty Dollars (\$20.00)~~ Fifty Dollars (\$50.00) and a penalty of One Dollar  
22 (\$1.00) per each calendar day he is delinquent, which penalty shall become part of the renewal fee and  
23 the license is automatically suspended, unless all payments for annual fee, late fee and the daily penalty  
24 are paid in full on or before the ~~April 30<sup>th</sup>~~ thirty-first (31<sup>st</sup>) day of July of that year, in which case the  
25 license may be reinstated by the Director immediately. Unless the license is so reinstated, it is  
26 automatically revoked and the Director *shall not* issue a license except upon a new original application.  
27 Any licensee who fails to renew his or her license on or before the ~~thirtieth (30<sup>th</sup>)~~ thirty-first (31<sup>st</sup>) day of  
28 ~~April~~ July shall be required to discontinue the sales of tobacco products.

29 Additionally, any licensee who fails to renew his or her license on or before the ~~thirtieth (30<sup>th</sup>)~~ thirty-first  
30 (31<sup>st</sup>) day of ~~April~~ July *shall* be subject to an injunction issued by the Superior Court of Guam and to  
31 prosecution under Title 11 G.C.A. §70119. Such failure to renew while continuing the operation of the

1 business *shall* constitute refusal and failure to obtain a license under the provisions of Division 3 of this  
2 Title.”

3 Section 14. 11 GCA §6402, new subsection (d) is *added* as follows:

4 “(d) All tobacco products sold over the counter must be displayed or located where the access of the  
5 tobacco inventory *shall* be inaccessible to minors. Any vendor who violates this provision *shall* be  
6 required to pay a penalty of Two Hundred Fifty Dollars (\$250.00).”

7 Section 15. 11GCA §22202 is hereby *amended* to read as follows:

8 “§22202. Imposition. A license fee is imposed on each of the following amusement devices which are  
9 operating to produce revenue in Guam on the effective date of this Chapter (apportioned in accordance  
10 with §22207 of this Chapter), or thereafter manufactured or constructed in, imported into Guam,  
11 maintained or permitted in Guam, and operated to produce revenue in Guam, and annually thereafter  
12 on July 1, at the rate stated:

13 (a) on each pinball machine, including pachinko or similar type of machines, ~~Twenty-Five Dollars~~  
14 ~~(\$25.00)~~ One Hundred Dollars (\$100.00);

15 (b) on each multiple coin pinball machine, ~~Two Hundred Fifty Dollars (\$250.00)~~ Five Hundred Dollars  
16 (\$500.00);

17 (c) on each coin-activated phonograph or other coin-activated music producing machine,  
18 ~~Twenty-Five Dollars (\$25.00)~~ Forty Dollars (\$40.00) plus Fifteen Dollars (\$15.00) for each coin slot in  
19 excess of one (1);

20 (d) on each coin-activated kiddies ride, designed for the use of children, ~~Twenty-Five Dollars~~  
21 ~~(\$25.00)~~ Fifty Dollars (\$50.00);

22 (e) on each video horse or greyhound race machine, ~~Six Hundred Dollars (\$600.00)~~ One  
23 Thousand Two Hundred Fifty Dollars(\$1,250.00);

24 (f) on each video type symbolic gaming machine, or liberty type gaming machine or any  
25 substantially similar gaming machine; or, any other amusement device that does not fall into any of the  
26 classifications listed within this Section, Five Hundred Dollars (\$500.00);

27 (g) on any amusement device that allows for more than one (1) person to participate, either by  
28 use of an additional coin slot, table, box, video screen, chair with screen monitor or other means  
29 allowing multiple concurrent participation, an additional license fee of Twenty-five Dollars (\$25.00) *shall*  
30 be imposed for each coin slot in excess of one (1); and

31 (h) on each coin-activated kiddies video amusement device, designed for the use of children,  
32 ~~Twenty-Five Dollars (\$25.00)~~ Fifty Dollars (\$50.00).

1 No slot machine or amusement device set to make progressive or automatic payouts *shall* be licensed  
2 under this Section. *Slot machine* has the same meaning in this Section as in Subsection (c) of 11 GCA  
3 §22208(c).”

4 Section 16. 11 GCA §22211 is hereby *added* to read as follows:

5 “§22211. Penalty. Any amusement device found on the premises to be revenue producing or revenue  
6 generating that is *not* registered and licensed in accordance with this Chapter, *shall* be subject to seizure  
7 and confiscation. The owner of such device *shall* be fined ~~Five Hundred Dollars (\$500.00)~~ Five Thousand  
8 Dollars (\$5,000.00) for each confiscated amusement device and such amusement device *shall* be duly  
9 registered and licensed prior to release.”

10 Section 17. 11 GCA §22212 is hereby *added* to read as follows:

11 “§22212. Illegal Amusement Devices. Any amusement device *not* permitted by law to be registered  
12 and/or licensed found on the premises *shall* be immediately seized and confiscated. The owner of such  
13 device *shall* be fined ~~Five Hundred Dollars (\$500.00)~~ Five Thousand Dollars (\$5,000.00) and *shall* bear all  
14 costs associated with the storage, handling, destruction and disposal of such device.”

15 Section 18. 11GCA Article 4 §22401 is *amended* to read as follows:

16 “§22401. Imposition. An excise tax is hereby imposed on each of the following recreation facilities in  
17 Guam on the effective date of this Chapter (apportioned in accordance with §22404), or thereafter  
18 manufactured or constructed in Guam, imported into Guam, maintained or permitted in Guam, and  
19 used in connection with any commercial business enterprise engaged in for profit wherein such facility is  
20 offered for patronage, and annually thereafter on July 1, at the rate stated:

21 (a) on each regulation bowling alley or regulation ten (10)-pin alley, ~~Ten Dollars (\$10.00)~~ Fifty  
22 Dollars (\$50.00) for each individual alley;

23 (b) on each regulation golf course, ~~One Hundred Dollars (\$100.00)~~ Five Hundred Dollars (\$500.00)  
24 for each nine (9)-holes or fraction thereof;

25 (c) on each golf driving range, or miniature golf course, ~~One Hundred (\$100.00) Dollars~~  
26 Two Hundred Dollars (\$200.00);

27 (d) on each pool or billiard table, ~~Five Dollars (\$5.00)~~ Twenty-five Dollars (\$25.00);

28 (e) ~~on each dance hall, or~~ on each shooting range/gallery, ~~One Hundred Dollars (\$100.00)~~ Two  
29 Hundred Fifty Dollars (\$250.00);

30 (f) on each game room, Two Hundred Dollars (\$200.00);

31 (g) on each go-cart facility, Two Hundred Dollars (\$200.00);

32 (h) on each off-track racing park, Two Hundred Fifty Dollars (\$250.00);

- 1 (i) on each paint ball gun range/gallery, One Hundred Dollars (\$100.00);  
2 (j) on each shuffle board, One Hundred Dollars (\$100.00);  
3 (k) on each billiard pool hall, One Hundred Dollars (\$100.00);  
4 (l) on each pool table, coin operated, Fifty Dollars (\$50.00);  
5 (m) on each mahjong table, One Hundred Dollars (\$100.00);  
6 (n) on each baseball batting cage, Fifty Dollars (\$50.00);  
7 (o) on each water park, Two Hundred Dollars (\$200.00);  
8 (p) on each sling shot bungy, Two Hundred Dollars (\$200.00); and  
9 (q) any recreational facility that is not substantially similar to any activity or facility categorized within  
10 Subsection (a) through (p) *supra*, must first obtain a business license prior to the conduct of business.  
11 The license fee for such activity *shall* be Two Hundred Dollars (\$200.00).”

12 Section 19. A new Subsection (h) is *added* to 11 GCA §26102, to read as follows:

13 “(h) Revenue Ruling. The Tax Commissioner *shall* assess a fee of Five Hundred Dollars (\$500.00) for each  
14 request for revenue rulings on the tax laws of Guam except where specifically identified and assessed by  
15 the Internal Revenue Code.”

16 Section 20. Subsection (e) of 11 GCA §40105 is *repealed* and *reenacted* to read as follows:

17 “(e) Examination Fee. A non-refundable examination fee of One Hundred Dollars (\$100.00) *shall* be  
18 collected from each applicant when applying to take the Income Tax Preparer examination. The Director  
19 may increase such fees commensurate with costs incidental to such exam.”

20 Section 21. 11 GCA §40117 is *amended* to read as follows:

21 “§40117. Amount of Annual Fees. The fees prescribed by this Chapter *shall* be set by the Director in the  
22 amount estimated to provide for the administration of this Chapter within the limits of the following  
23 schedule:

24 (a) The tax preparer registration fee *shall* be established by the Director at a sum *not* to exceed ~~Fifty~~  
25 ~~Dollars (\$50.00)~~ One Hundred Dollars (\$100.00).

26 (b) *If* a tax preparer maintains more than one (1) tax preparer location, an additional fee *shall* be  
27 established by the Director at a sum *not* to exceed ~~Fifty Dollars (\$50.00)~~ One Hundred Dollars (\$100.00)  
28 for the principal location and ~~Ten Dollars (\$10.00)~~ Fifty Dollars (\$50.00) for each additional location.

29 (c) *If* a tax preparer has employees, representatives, partners, agents, officers or members who  
30 would be subject to registration under this Chapter but for the exemption provided in §40103, an  
31 additional fee *shall* be established by the Director at a sum *not* to exceed the following:

1 ~~(1) One Hundred Dollars (\$100.00)~~ Two Hundred Dollars (\$200.00) *if* the tax preparer has less than fifty  
2 (50) such persons.

3 ~~(2) Five Hundred Dollars (\$500.00)~~ One Thousand Dollars (\$1,000.00) *if* the tax preparer has fifty (50) or  
4 *more but less than* one hundred (100) persons.

5 ~~(3) One Thousand Dollars (\$1,000.00)~~ Two Thousand Dollars (\$2,000.00) *if* the tax preparer has one  
6 hundred (100) or *more but less than* five hundred (500) such persons.

7 ~~(4) One Thousand Five Hundred Dollars (\$1,500.00)~~ Three Thousands Dollars (\$3,000.00) *if* the tax  
8 preparer has five hundred (500) or more such persons.”

9 Section 22. A new §70133 is hereby *added* to 11 GCA §70133 to read as follows:

10 “§70133. Reproduction; Certified Copies and Authentication: Fees. The costs for the reproduction of  
11 copies, certified copies and authentication for the following documents shall be as follows:

12 (a) Copy of each business license \$ 3.00

13 (b) Certificate of Existence \$10.00

14 (c) Certificate of Good Standing \$25.00

15 (d) Certificate of Exemption \$20.00

16 (e) Fee for any authentication or  
17 certification of any documents that  
18 are filed with the General Licensing

19 Branch \$10.00

20 (f) Copy of each page of any other  
21 document that is filed with the General  
22 Licensing Branch in which the fee for  
23 each copy is not provided by law \$1.00

24 (g) Replacement of Corporate Certificate \$25.00

25 (h) Copy of any other compliance, regulatory,  
26 enforcement, testing or study guide pamphlet. \$5.00”

27 Section 23. 11 GCA §72102 is *amended* to read as follows:

28 “§72102. Banking. Every person engaging in or carrying on business in Guam of banking or receiving  
29 the money of others on deposit *shall* be required annually to obtain a commercial license; provided,  
30 however, that in addition to the requirements of this Subchapter, a license *shall* not be issued to a  
31 foreign banking corporation unless its application has first been approved by the Banking Board  
32 pursuant to 22 GCA §106725 [GC §30924] and the license is in the form prescribed by that Section. The



1 annual fee for such license is ~~Five Hundred Dollars (\$500.00)~~ One Thousand Dollars (\$1,000.00).  
2 Institutions which are members of the Federal Reserve System of the United States *shall* be licensed  
3 upon meeting the general requirements of this Title. Any other persons engaged in the business of  
4 banking or receiving the money of others on deposit, by whatever name said deposit is designated, may  
5 accept agreements for future deposit but *shall not* accept the deposit until the accounts of depositors  
6 have been insured in accordance with the rules and regulations of an appropriate agency of the United  
7 States Government; provided, however, that nothing herein contained *shall* prohibit persons from  
8 engaging in the business of lending money with or without security when such money is the property of  
9 said persons. Every Customer-Bank Communication Terminal (CBCT), an automated teller machine  
10 (ATM), cash dispensing machine ~~or any device that performs the same or having similar functions~~ not  
11 contiguous to a main or branch facility established and operated by a bank, credit union or a non-bank  
12 entity is subject to an annual licensing fee of Five Hundred Dollars (\$500.00).

13 The Banking and Insurance Commissioner or his delegate is hereby authorized to make assessment on  
14 each and every bank licensed in Guam a fee of \$0.022 for every One Thousand Dollars (\$1,000) of the  
15 total assets of such bank. The total assets of each licensed bank *shall* be determined from the audited  
16 financial statement or from the call report or financial statement for the period ending December 31<sup>st</sup> of  
17 each year that is filed with the Banking and Insurance Commissioner. For each national, or state, or  
18 foreign bank that operates a branch bank that is licensed in Guam, the assessment *shall* be computed on  
19 the reported total assets of the branch bank in Guam.”

20 Section 24. §72103 of 11 GCA is hereby *amended* to read as follows:

21 “§72103. Other Lending Institutions. Every person engaging in or carrying on the business in Guam of  
22 lending money with or without security (except banks and others who receive the money of others on  
23 deposit) *shall* be required annually to obtain a commercial license. The annual fee for such license is  
24 ~~\$250~~ Five Hundred Dollars (\$500.00).”

25 Section 25. 11 GCA §72107 is *amended* to read as follows:

26 “§72107. Wholesale License. A wholesale license must be obtained by every person who engages in the  
27 business of selling tangible property for the purpose of resale. The annual fee for a wholesale license is  
28 ~~\$100.00~~ as follows:

29 from \$1.00 to \$100,000.00	\$100.00
30 \$100,001.00 to \$500,000.00	\$200.00
31 \$500,001.00 to \$1,000,000.00	\$400.00
32 \$1,000,001.00 to \$2,000,000.00	\$800.00

1 Exceeding \$2,000,000.00 \$1,000.00”

2 Section 26. 11GCA §72108 is *amended* to read as follows:

3 “§72108. Retail License. A retail license must be obtained by every person who engages in the business  
4 of selling tangible property to others for the consumption or use by the purchaser, and not for resale.

5 The annual fee for a retail license is ~~\$40.00~~ as follows:

6 from \$1.00 to \$250,000.00 \$100.00

7 \$250,001.00 to \$500,000.00 \$200.00

8 \$500,001.00 to \$1,000,000.00 \$400.00

9 \$1,000,000.00 to \$2,000,000.00 \$800.00

10 Exceeding \$2,000,000.00 \$1,000.00.”

11 Section 27. 11GCA §72109 is *amended* to read as follows:

12 “§72109. Vending Machine for Printed Materials Fees. For those licensees engaged in the selling of  
13 ~~property~~ printed materials, magazines or newspapers in consideration through coin, token, or  
14 monetarily ~~currency or by similarly~~ operated vending machines, the annual fee is ~~Five Dollars (\$5.00)~~  
15 Ten Dollars (\$10.00) for each ~~coin-operated~~ vending machine so operated, notwithstanding 11 GCA  
16 §70121, *Two or More Business Locations.*”

17 Section 28. 11 GCA §72110 is *amended* to read as follows:

18 “§72110. Manufacturer’s License. A manufacturer’s license must be obtained by every person who  
19 engages in the business of applying labor, by hand, or with the aid of machinery, to raw materials or to  
20 partially processed materials resulting in substantial transformation of sum material into a form capable  
21 of use different from that to which it could be put before such substantial transformation. The annual  
22 fee for a manufacturer’s license is as follows:

23 (a) For hand manufacturer ~~\$5.00~~ \$25.00

24 (b) For machine manufacturer ~~\$10.00~~ \$80.00”

25 Section 29. Subsection (b) of §72157 of 11 GCA is *amended* to read as follows:

26 “(b) Home Industry License. Any person who does business as a home industry *shall* obtain a home  
27 industry license. The annual fee for a home industry license is Twenty-five Dollars (\$25.00) for each  
28 business license-able activity at location. A person applying for a home industry license shall *not* be  
29 required to receive endorsements from the Department of Land Management, the Department of  
30 Labor, the Department of Revenue and Taxation and from the Department of Public Works. However,  
31 when the license is for food preparation, the health certificate for persons handling food and the health  
32 certificate for the suitability of the place of preparation shall be required. For purposes of this Section,

1 no person may qualify for a home industry license *if* he employs in his business persons other than  
2 family members and *if* such business is not actually conducted in his own home. A person qualifying for  
3 home industry license under this Section may engage in the manufacture of products and wholesale  
4 sales without obtaining any other business licenses.”

5 Section 30. 11 GCA §76101 is *amended* to read as follows:

6 “§76101. License Required. Every person engaged in or carrying on any service business or calling,  
7 which shall include all non-professional activities engaged in for other persons for consideration,  
8 involving the rendering of a service as distinguished from the production or sale of tangible property,  
9 but *not* including the services rendered by an employee to his employer, *shall* be required to obtain a  
10 service license. The annual fee for a service license *shall* be ~~\$25.00~~ Fifty Dollars (\$50.00) except that the  
11 fee *shall* be ~~\$5.00~~ Ten Dollars (\$10.00) for any person who rents or leases *not* more than one family-  
12 residential unit.

13 (a) Any person who rents or leases unimproved real property to another party *shall* be required to  
14 obtain a service license annually. The fee for this license *shall* be One Hundred Dollars (\$100.00).

15 (b) Any person who rents or leases multiple residential rental units *shall* be required to obtain an  
16 annual service license. The fee for this license shall be ~~Ten Dollars (\$10.00)~~ Twenty-five Dollars (\$25.00)  
17 or at Five Dollars (\$5.00) per rental unit whichever is greater.

18 (c) Any person who rents or leases commercial office units *shall* be required to obtain an annual  
19 service license. The fee for this license is ~~Fifty Five Dollars (\$5.00) (\$50.00)~~ for each commercial office  
20 unit.

21 (d) Any person who rents or leases hotel or motel rooms *shall* be required to obtain an annual  
22 service license. The fee for this license is ~~Five Fifty Dollars (\$5.00)(\$50.00)~~ for each unit or room rented  
23 as a hotel or motel.

24 (e) Any person who rents or leases warehouse storage space *shall* be required to obtain an annual  
25 service license. The fee for this license *shall* be Two Hundred Dollars (\$200.00).

26 For the purpose of this Section, person means any person, firm, partnership, association, corporation,  
27 company, syndicate, estate, trust, business trust or organization of any kind, or any branch or division  
28 thereof.”

29 Section 31. A new subsection (e) is *added* to §106601 of 11 GCA to read as follows:

30 “(e) Every application for an additional branch, relocation of a branch or closing of a branch is subject to  
31 a licensing fee of Five Hundred Dollars (\$500.00) which such license may be subject to an annual  
32 renewal.”

1 Section 32. 11 GCA §109103 is *amended* to read as follows:

2 “§109103. Foreign Exchange License Fee. Every licensee *shall* pay annually or before July 1<sup>st</sup> a license  
3 fee of ~~Two Hundred Fifty Dollars (\$250.00)~~ Five Hundred Dollars (\$500.00).”

4 Section 33. 11 GCA §109108 is *amended* to read as follows:

5 “§109108. Registration of Agents. Every agent of a licensee *shall* register with the Commissioner and  
6 *shall* pay annually on or before July 1<sup>st</sup> a registration fee of ~~Twenty Five Dollars (\$25.00)~~ Fifty Dollars  
7 (\$50.00).”

8 Section 34. A new Subsection (6) is *added* to §6102 of 13 GCA to read as follows:

9 “(6) Bulk Transfer Filing Fee. A fee of Twenty Dollars (\$20.00) will be assessed for each bulk transfer  
10 document that is filed with the Department of Revenue and Taxation.

11 Section 35. 14 GCA §6204 is *amended* to read as follows:

12 “§6204. Fees. (1) A person required to file notification *shall* file on or before June 30<sup>th</sup> of each year and  
13 pay an annual fee of ~~Ten Dollars (\$10.00)~~ Twenty Dollars (\$20.00).

14 (2) Persons required to file notification who are sellers, lessors or lenders *shall* pay an additional fee  
15 at the time stated in Subsection (1) of ~~Ten Dollars (\$10.00)~~ Twenty Dollars (\$20.00) for each One  
16 Hundred Thousand Dollars (\$100,000.00) or part thereof, in excess of One Hundred Thousand Dollars  
17 (\$100,000.00) of the original unpaid balances arising from consumer credit sales, consumer leases and  
18 consumer loans, payable in installments, made within the twelve (12) months last preceding June 30<sup>th</sup>  
19 and held by the seller, lessor or lender for more than thirty (30) days after the inception of the sale,  
20 lease or loan giving rise to the obligations. A refinancing of a sale, lease or loan resulting in an increase  
21 in the amount of an obligation is considered a new sale, lease or loan to the extent the amount of the  
22 increase.

23 (3) Persons required to file notification who are assignees *shall* pay an additional fee at the time  
24 stated in Subsection (1) of ~~Ten Dollars (\$10.00)~~ Twenty Dollars (\$20.00) for each One Hundred Thousand  
25 Dollars (\$100,000.00), or a part thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of  
26 the unpaid balances at the time of the assignment of obligations arising from consumer credit sales,  
27 consumer leases and consumer loans, payable in installments taken by assignment within the twelve  
28 (12) months last preceding June 30<sup>th</sup>; provided, that an assignee need *not* pay a fee with respect to an  
29 obligation on which the assignor or other person has already paid a fee.”

30 Section 36. 16 GCA §3102 is *amended* to read as follows:

31 “§3102. Same: Fees. The following fee schedule in items (1) through (8) are valid for a three (3)  
32 year period. The applicant may elect for a license, notwithstanding §3101(m), Chapter 3, Title 16 GCA,

1 which shall be valid for a five (5) year period, however, the fee for such license shall be Forty-five Dollars  
 2 (\$45.00).The fee for an operator’s or chauffeur’s license is Five Dollars (\$5.00), for an instruction permit  
 3 there shall be no fee but said permit shall not be issued for a period to exceed ninety (90) days, and for a  
 4 temporary permit there shall be no fee but said temporary permit shall be issued for a period to exceed  
 5 ~~thirty (30) days~~. The fee for the issuance of a motor vehicle driver’s license is as follows:”

6	(1)	Operator’s License	<del>\$ 5.00</del>	\$25.00
7	(2)	Chauffeur’s License Class B	<del>\$ 5.00</del>	\$25.00
8	(3)	Chauffeur’s License Class C	<del>\$ 5.00</del>	\$25.00
9	(4)	Chauffeur’s License Class D	<del>\$ 5.00</del>	\$25.00
10	(5)	Motorcycle Class F	<del>\$ 5.00</del>	\$25.00
11	(6)	Mini Bus Class G	<del>\$ 5.00</del>	\$25.00
12	(7)	Modified Vehicle Class H	<del>\$ 5.00</del>	\$25.00
13	(8)	All other classes	<del>\$ 5.00</del>	\$25.00
14	(9)	Driver’s License Renewal Fee	<del>\$ 5.00</del> <del>\$20.00</del>	\$25.00 (regardless of three (3) or five
15		(5) years)		
16	(10)	Instruction Permit for 120 days	<del>\$ 5.00</del>	\$10.00
17	(11)	Driver’s License Late Penalty	<del>\$ 0.00</del>	\$5.00/every three (3) months after
18		expiration <i>not</i> to exceed <del>\$20.00</del> <del>—————</del> \$40.00		
19	(12)	Temporary Driver’s License	<del>=0.00</del>	\$10.00
20		valid for one (1) year		
21	(13)	Reinstatement Fee	<del>0.00</del>	\$20.00
22	(14)	Out of Guam processing fee		\$10.00
23	(15)	Certification Fee	<del>\$ 7.00</del>	\$10.00
24	(16)	Written Test Fee (Operator,		
25		Chauffeur & Motorcycle)	<del>\$15.00</del>	\$15.00
26	(17)	Foreign Language Operator		
27		Written Test Fee	<del>\$35.00</del>	\$35.00
28	(18)	Cost of Mailing (The Department		
29		of Revenue and Taxation may adjust the		
30		mailing costs to provide for additional		
31		fees the U.S. Postal Service may charge)	<del>\$ 2.00</del>	\$ 3.00

1 For an instruction permit, this permit shall *not* be issued for a period to exceed ninety (90) days. For a  
2 temporary permit, this permit shall *not* be issued for a period to exceed thirty (30) days.”

3 ~~Section 38. 16 GCA §3102.1 is amended to read as follows:~~

4 ~~“§3102.1. The fee for an operator’s or chauffeur’s license is waived for veterans of the United States  
5 Armed Forces who have reached the age of sixty five (65) years old or who have suffered disability while  
6 in service of the United States Armed Forces. Veterans include persons who served in the Guam  
7 Combat Patrol, the United States Navy Insular Forces, Guam Militia or Civilian Scouts, Philippine Scouts  
8 and the United States Armed Service.~~

9 ~~Any person listed above and whose honorable status can be verified by the Department of Defense 214  
10 Form (DD214), or other forms used to verify membership in the organization listed and certified by the  
11 Government of Guam Veterans Affairs Office, may apply to the License Division of the Department of  
12 Revenue and Taxation for a Driver’s License.”~~

13 Section 37. A new §3114 is *added* to Article 1 of 16 GCA to read as follows:

14 “§3114. Publication. The Department of Revenue and Taxation is authorized to publish various  
15 handbooks, covering the rules and regulations of each class of drivers and to charge a fee as follows:

- 16 1. Operator’s Handbook \$ 5.00  
17 2. Chauffeur’s Handbook \$ 5.00  
18 3. Motorcycle Handbook \$ 5.00”

19 Section 38. A new subsection (a) is *added* to §7104 of Chapter 7 of 16 GCA to read as follows:

20 “(a) Fees. The Department of Revenue and Taxation is authorized to charge temporary permit fees as  
21 follows:

- 22 (1) Temporary Permit A \$ 5.00  
23 (2) Temporary Permit B \$10.00”

24 Section 39. Subsection (g) of §7123 of 16 GCA is *amended* to read as follows:

25 “(g) Additional Fees. In addition to the regular registration fee, the applicant *shall* be charged the cost  
26 of the personalized plate plus an additional ~~Twenty Five Dollars (\$25.00)~~ Fifty Dollars (\$50.00). In  
27 addition to the regular renewal fee, the applicant for a renewal of such plates *shall* be charged an  
28 additional fee of ~~Ten Dollars (\$10.00)~~ Twenty Dollars (\$20.00).”

29 Section 40. Subsection (i) of §7123 of 16 GCA is *amended* to read as follows:

30 “(i) Transfer Fee. Whenever any person who has been issued personalized license plates applies to the  
31 Department for transfer of such plates to another passenger vehicle, commercial vehicle or trailer, a

1 transfer fee of ~~Twelve Dollars (\$12.00)~~ Twenty Five Dollars (\$25.00) shall be charged in addition to all  
2 other appropriate fees.”

3 Section 41. 16 GCA §7124 is *amended* to read as follows:

4 “§7124. Bicycle Equipped with a Motor: Registration. The Department of Revenue and Taxation shall  
5 register and issue to the owner of a bicycle equipped with a motor a license plate. The fee for initial  
6 registration and issuance of the license plate is ~~Ten Dollars (\$10.00)~~ Twenty Dollars (\$20.00). The  
7 vehicle shall be registered annually and the annual registration fee is ~~Ten Dollars (\$10.00)~~ Twenty  
8 Dollars (\$20.00). ~~and in addition the owner shall pay the Five Dollars (\$5.00) Twenty five Dollars (\$25.00)~~  
9 ~~abandoned vehicle fee for a total of Fifteen Dollars (\$15.00) Forty Five Dollars (\$45.00) annually.”~~

10 Section 42. 16 GCA §7133 is *amended* to read as follows:

11 “§7133. Registration: Mail Order Notification. The Department of Revenue and Taxation shall initiate a  
12 Mail Order Vehicle Registration Notification Program, which shall consist of notification annually to all  
13 vehicle owners of Guam of such time an owner shall register and license his vehicle as provided in this  
14 Title. The notification issued by the Department of Revenue and Taxation shall include a breakdown of  
15 all charges to be paid by the owner. Such registration notification form shall have all fees totaled,  
16 except that a subtotal shall be listed prior to the cost of mailing being listed and the final total. Vehicle  
17 owners are required to promptly pay the final total listed by mailing the payment to the Department of  
18 Revenue and Taxation or personally making payment to the Treasurer of Guam. The cost of mailing  
19 shall be ~~One Dollar (\$1.00)~~ Six Dollars (\$6.00) for license plates, ~~Fifty Cents (\$.50)~~ Three Dollars (\$3.00)  
20 for decals and ~~Fifty Cents (\$.50)~~ Three Dollars (\$3.00) for the mailing of the vehicle registration and any  
21 other form, title decal or device provided for in this Act, except that the Department of Revenue and  
22 Taxation may adjust the mailing costs to provide for additional fees the U.S. Postal Service may charge.”

23 Section 43. Subsection (b) of §7146 of 16 GCA is *amended* to read as follows:

24 “(b) New owner must secure new registration. The transferee may operate and permit the operation of  
25 such vehicle upon a highway for ten (10) days after the transfer of such vehicle without the registration  
26 thereof and shall within ten (10) days after the transfer of such vehicle apply for and obtain the  
27 registration thereof, as upon an original registration, except as otherwise provided in (c) or (d) below,  
28 and except that no registration fee other than a ~~Two Dollars (\$2.00)~~ Five Dollars (\$5.00) charge for the  
29 cost of new plates and new registration certificates, shall be imposed for such registration.”

30 Section 44. 16 GCA §7153 is *amended* to read as follows:

31 “§7153. Same: Registered. Upon the deposit of any such chattel mortgage and application for  
32 registration, and upon the payment of the fees as provided by this Title, the Department of Revenue and

1 Taxation *shall* register the mortgagee, his successor or assignee as legal owner in the manner provided  
2 for the registration of motor vehicles under the provisions of this Title. The Director of Revenue and  
3 Taxation *shall* charge a recordation fee of Ten Dollars (\$10.00).

4 Upon notice from the mortgagee, his successor or his assignee, as lien holder, that the lien has been  
5 paid in full, the Department of Revenue and Taxation *shall* record the lien release as part of the  
6 registration process. For this service, the Director of Revenue and Taxation *shall* charge a lien release  
7 fee of Five Dollars (\$5.00).”

8 Section 45. Subsections (a), (b), and (c) of §7160 of 16 GCA are *amended* to read, and a new subsection  
9 (d) is *added* as follows:

10 “§7160. Same: Amount. (a) The amount of the annual license and registration fee *shall* be determined  
11 by the gross weight of the vehicle in accordance with the following table:

Gross Weight of Vehicle in Pounds	License and Registration Fees
Under 1000	<del>\$10.00</del> \$20.00
1,000 to 1,499	<del>\$12.00</del> \$22.00
1,500 to 1,999	<del>\$14.00</del> \$24.00
2,000 to 2,499	<del>\$16.00</del> \$26.00
2,500 to 2,999	<del>\$18.00</del> \$28.00
3,000 to 3,499	<del>\$20.00</del> \$30.00
3,500 to 3,999	<del>\$22.00</del> \$32.00
4,000 to 4,499	<del>\$24.00</del> \$34.00
4,500 to 4,999	<del>\$26.00</del> \$36.00
5,000 to 5,499	<del>\$28.00</del> \$38.00
5,500 to 5,999	<del>\$30.00</del> \$40.00
6,000 to 6,499	<del>\$32.00</del> \$42.00
6,500 to 6,999	<del>\$34.00</del> \$44.00
7,000 to 7,499	<del>\$36.00</del> \$56.00
7,500 to 7,999	<del>\$38.00</del> \$58.00
8,000 and Over	<del>\$38.00</del> \$58.00

12 Plus ~~Two Dollars and Fifty Cents (\$2.50)~~ Three Dollars and Fifty Cents (\$3.50) for each five hundred (500)  
13 pounds or fraction thereof in excess of seven thousand nine hundred ninety-nine (7,999) pounds,  
14 provided that in computing fees, the above table *shall* be applied on a percentage based according to



1 the model year of the vehicle with respect to vehicles whose gross weight is *not* in excess of seven  
2 thousand nine hundred ninety- nine ( 7,999) pounds as follows:

Model Year	Percent of Fee as Shown on Table
1949 and earlier	50%
1950 through 1953	75%
1954 and subsequent	100%

3 (b) Vehicles having a gross weight of one hundred forty thousand (140,000) pounds or more, and which  
4 are used temporarily or intermittently, may be issued a permit, in lieu of the annual license and  
5 registration, for a period *not* to exceed thirty (30) consecutive days or any fraction thereof and *shall* be  
6 charged ~~One Hundred Dollars (\$100.00)~~ Two Hundred Dollars (\$200.00).

7 (c) in lieu of all other license and registration fees, (1) implements of husbandry and (2) road building  
8 and construction equipment other than motor trucks, trailers, semi-trailers, and pole or pipe dollies,  
9 operated on highways only in moving from one site to another, *shall* be subject to annual registration.  
10 The fee for such registration *shall* be ~~Three Dollars and Fifty Cents (\$3.50)~~ Five Dollars (\$5.00) for each  
11 one thousand (1,000) pounds of gross weight of said vehicles.

12 (d) For the initial registration of the motor vehicle in accordance with this Section, the registrant  
13 *shall* pay an additional fee of Eighteen Dollars (\$18.00) for the costs of license plate and tags.”

14 Section 46. 16 GCA §7170 is *amended* to read as follows:

15 “§7170. Same: Special Plates. For each special plate issued to a dealer or distributor, or renewed for a  
16 dealer or distributor, the Department of Revenue and Taxation *shall* collect a fee of ~~Twenty Dollars~~  
17 ~~(\$20.00)~~ Forty Dollars (\$40.00).”

18 Section 47. 16 GCA §7173 is *amended* to read as follows:

19 “§7173. Same: Duplicate. The fee for any duplicate certificate of ownership, registration card,  
20 equipment identification receipt, duplicate license plate, operator’s or chauffeur’s licenses, is as follows:

<u>Duplicated Documents</u>	<u>Fee</u>
Registration Card	<del>\$1.00</del> \$10.00
Certificate of Ownership	<del>\$1.00</del> \$20.00
Equipment Identification Receipt	<del>\$1.00</del> \$3.00
License Plate	<del>\$1.00</del> \$15.00
Operator’s or Chauffeur’s License	<del>\$1.00</del> \$20.00

Tags	<del>\$2.00</del> \$3.00
<del>Accessible Parking Placard Replacement</del>	<del>\$5.00</del>
Learner's Permit	\$10.00
Intermediate License	\$10.00"

1 Section 48. A new §7176 is *added* to Chapter 7 of 16 GCA to read as follows:

2 “§7176. Certification Fee. The Director of Revenue and Taxation or his delegate is authorized to provide  
3 documentation at the request of the registered or legal owner(s) of a vehicle or vehicles as proof of the  
4 ownership or status of said vehicle(s) at a fee of Ten Dollars (\$10.00).”

5 Section 49. Subsection (d) of §11101 of 16 GCA is *amended* to read as follows:

6 “(d) Upon the approval of an application for a taxicab driver’s license, the applicant *shall* be required to  
7 pay the license fee of ~~Three Dollars and Fifty Cents (\$3.50)~~ Seven Dollars (\$7.00) to the Treasurer of  
8 Guam prior to receiving the license. This fee is in addition to the regular Chauffeur’s License fee.”

9 Section 50. A new subsection (d) is *added* to §11102 of 16 GCA to read as follows:

10 “(d) The Department of Revenue and Taxation is authorized to issue a taxi identification card and to  
11 charge a fee of Twenty-five Dollars (\$25.00) for each identification card issued.”

12 Section 51. A new Subsection (c) is *added* to §25101 of 16 GCA to read as follows:

13 “(c) The Director of Revenue and Taxation or his delegate is authorized to charge fees in relation to  
14 changes in the registration of motor vehicles:

- |  |         |
|--|---------|
| 15 (1) Change in motor vehicle body or engine    | \$10.00 |
| 16 (2) Trailer registration                      | \$10.00 |
| 17 (3) Change in owner status arising from       |         |
| 18 marriage, death, divorce                      | \$10.00 |
| 19 (4) Change in ownership arising               |         |
| 20 from repossession                             | \$10.00 |
| 21 (5) Purchase from <i>bonafide</i> auto dealer | \$10.00 |

22 Section 52. §25102. Rate, Penalty and Interest of 16 GCA is *amended* to read as follows:

23 “The rate of tax is ~~Two~~ Five Dollars (\$5.00) ~~(\$2.00)~~ plus two and one half percent (2.5%) of the actual  
24 market value on Guam of the vehicle, as determined by the Director of Revenue and Taxation or his  
25 delegate, in excess of One Hundred Dollars (\$100.00). Any tax *not* paid within thirty (30) days after  
26 transfer is subject to a delinquency penalty of five percent (5%) of the tax, and in addition, interest  
27 thereafter until paid at one-half percent (1/2%) per month or fraction thereof.”

1 Section 53. 16 GCA §31A08 is *added* to Article 1A, as follows:

2 “§31A08. Fees. The Director of Revenue and Taxation is authorized to assess the following non-  
3 refundable licensing fees for the respective graduated licensing stages:

4 Stage 1 - Learner’s Permit \$10.00, valid for two years

5 Stage 2 – Intermediate License \$10.00, valid for three years

6 Stage 3 – Full Licensure \$10.00, valid for three years”

7 Section 54. 18 GCA §2107 is *amended* to read as follows:

8 “§2107. Fee for Filing Articles. Before filing the articles of incorporation, the Director of Revenue and  
9 Taxation *shall* collect and receive for filing such articles in accordance with provisions of this Part, a fee  
10 of ~~Fifty Dollars (\$50.00)~~ One Hundred Dollars (\$100.00).”

11 Section 55. A new subsection (i) is *added* to §2110 of 18 GCA to read as follows:

12 “(i) The Director of Revenue and Taxation *shall* charge a fee of Twenty-five Dollars (\$25.00) for a name  
13 change resulting ~~through of a completed~~ from and upon a merger between two (2) companies, groups  
14 or associations.”

15 Section 56. 18 GCA §2201 is *amended* to read as follows:

16 “§2201. Bylaws: Adoption. Every corporation formed under this Part must, within one (1) month after  
17 the filing of articles of incorporation with the Director of Revenue and Taxation, adopt a code of bylaws  
18 for its government. These bylaws *shall* be consistent with its articles of incorporation and *shall* not be  
19 inconsistent with the provisions of this Part or other provisions of law. For the adoption of any bylaw or  
20 bylaws by the corporation, the affirmative vote of the stockholders representing a majority of all the  
21 paid-up capital stock, entitled to vote, or a majority of the members if there be no capital stock, is  
22 necessary. The bylaws *shall* be signed by the stockholders or members voting for them and *shall* be kept  
23 in the principal office of the corporation, subject to the inspection of the stockholders or members  
24 during office hours and a copy thereof, duly certified to by a majority of the directors and countersigned  
25 by the secretary of the corporation, *shall* be filed with the Director of the Revenue and Taxation, who  
26 *shall* attach the same to the original articles of incorporation and charge a fee of ~~Ten Dollars (\$10.00)~~  
27 Seventy-five Dollars (\$75.00) for the filing thereof.”

28 Section 57. The second paragraph of §2204 of 18 GCA is specifically *amended* to read as follows:

29 “Whenever any amendment of the articles of incorporation or a new bylaw is adopted such amendment  
30 or bylaw *shall* be attached to the original bylaws in the office of the corporation and copy thereof duly  
31 certified to by a majority of the directors and countersigned by the secretary or clerk of the corporation,  
32 *shall* be filed with the Director of Revenue and Taxation who *shall* attach the same to the original

1 articles of incorporation and original bylaws on file in his office and charge the sum of ~~One Dollar (\$1.00)~~  
2 Twenty Dollars (\$20.00).”

3 Section 58. A new subsection (a) is hereby *added* to §5102 of Chapter 5 of 18 GCA to read as follows:

4 “(a) The Director of Revenue and Taxation *shall* charge a filing fee of Twenty-five Dollars (\$25.00) for  
5 each voluntary corporate dissolution filed with the Department.”

6 Section 59. The second paragraph of §6101 of Chapter 6 of 18 GCA is specifically *amended* to read as  
7 follows:

8 “If such designation has not been filed with the Director of Revenue and Taxation, or if process against  
9 any domestic corporation cannot, with the exercise of due diligence, be served upon the person  
10 designated or in any other manner provided by law, service may be had upon such corporation by  
11 delivering to the Director of Revenue and Taxation, or to any person employed in his office in the  
12 capacity of a deputy, duplicate copies of such process, together with a fee of ~~five dollars (\$5.00)~~ Forty  
13 Dollars (\$40.00), which *shall* be included in the taxable costs of the suit, action, or proceeding. Upon the  
14 receipt of such process and fee, the Director of Revenue and Taxation *shall* forthwith give notice of the  
15 service of such process to the corporation at its principal office in Guam, and *shall* deliver to such office,  
16 a copy of such process. The defendant *shall* appear and answer within thirty (30) days after such service  
17 upon the Director of Revenue and Taxation.”

18 Section 60. Subsections (d) and (e) of §7113 of 18 GCA are hereby *amended* to read as follows:

19 “(d) In addition to Subsection (b), whenever a foreign corporation authorized to transact business on  
20 Guam *shall* fail to appoint or maintain a registered agent on Guam, or whenever any such registered  
21 agent cannot with reasonable diligence be found at the registered office, or whenever the certificate of  
22 authority of a foreign corporation *shall* be suspended or revoked, then the Director of Revenue and  
23 Taxation may be an agent of such corporation upon whom any such process notice, or demand may be  
24 served. The fee for service of process *shall* be Forty Dollars (\$40.00).

25 (e) Every foreign corporation which transacts business on Guam without having been authorized to  
26 transact business on Guam thereby submits itself to the jurisdiction of the courts of Guam, and also  
27 thereby designates the Director of Revenue and Taxation as its agent upon whom any process, notice or  
28 demand upon it may be served in any action or proceeding arising out of or in connection with the  
29 transaction of business on Guam. The fee for service of process *shall* be Forty Dollars (\$40.00).”

30 Section 61. A new §9102.1 of Chapter 9 of 18 GCA is hereby *added* to read as follows:

31 “§9102.1. Articles of Merger Fee. The fee for filing such Articles of Merger of Share Exchange *shall* be  
32 One Hundred Dollars (\$100.00).”

1 Section 62. 18 GCA §10108, subsection (f) is *amended* to read as follows:

2 “(f) The names and residences of the directors or trustees elected by the religious society or order, or  
3 the diocese, synod, or district organization of the church to serve for the first year or such other times as  
4 may be prescribed by the laws of the society or order, or of the diocese, synod or district organization of  
5 the church, the board of directors or trustees to be *not* less than five (5) nor *more* than fifteen (15). For  
6 the filing of such articles of incorporation, the Director of Revenue & Taxation *shall* collect ~~Twelve~~  
7 ~~Dollars and Fifty cents (\$12.50)~~ Twenty-five Dollars (\$25.00).”

8 Section 63. 18 GCA §25601 is *amended* to read as follows:

9 “§25601. Dissolution Defined. The dissolution of a partnership is the change in the relationship of the  
10 partners caused by any partner ceasing to be associated in the carrying on as distinguished from the  
11 winding up of the business. The fee for the filing of each dissolution of a partnership *shall* be Twenty-  
12 five Dollars (\$25.00).”

13 Section 64. Item (4) of §25616(a) of 18 GCA is hereby *amended* to read as follows:

14 “(4) A partnership registered under this Section shall pay, in each year following the year in which its  
15 application is filed, on a date specified by the Department of Revenue and Taxation, an annual fee of  
16 Two Hundred Fifty Dollars (\$250.00) for each partner, but in no event shall the fee payable by a LLP in a  
17 given year be more than One Thousand Dollars (\$1,000.00) regardless of the number of partners. ~~with a~~  
18 ~~reasonable periodic increase at the discretion of the Director of Revenue and Taxation.~~ Payment of the  
19 fee must be accompanied by a notice, on a form provided by the Department of Revenue and Taxation,  
20 of the number of partners currently in the partnership and of any material changes in the information  
21 contained in the partnership’s application for registration.”

22 Section 65. A new subsection (a) is hereby *added* to §10101 of 18 GCA as follows:

23 “(a) The fee for the filing of the articles of association or articles of incorporation of a non-profit  
24 association shall be Fifty Dollars (\$50.00).”

25 Section 66. 18 GCA §26108 is *amended* to read as follows:

26 “§26108. Foreign Partnership; Agent. Every co-partnership, other than those mentioned in §26102 of  
27 this Chapter, domiciled outside of Guam, and having no regular place of business within Guam, must  
28 within forty (40) days from the time it commences to do business therein, file in the office of the  
29 Director of Revenue & Taxation of Guam, a designation of some person residing within Guam upon  
30 whom process issued by authority of or under any law of Guam, may be served. A copy of such  
31 designation, duly certified by the Director of Revenue & Taxation, is sufficient evidence of such  
32 appointment. Such process may be served on the person so designated, or, in the event that no such

1 person is designated, then on the Director of Revenue and Taxation, together with a fee of ~~\$20.00~~ Forty  
2 Dollars (\$40.00) which *shall* be included as taxable cost in judicial proceedings, and the service is a valid  
3 service on such partnership.”

4 Section 67. Subsection (c) of §3202 of 19 GCA is hereby *amended* to read as follows:

5 “(c) Applications for a marriage license *shall* be made on a form prescribed by the Director of Public  
6 Health and Social Services and must be sworn to by both applicants before the Director of Public Health  
7 and Social Services or his delegate. No license *shall* be issued until after the expiration of five (5) days  
8 after filing of the application, unless the applicant shall pay a waiver fee of ~~Ten Dollars (\$10.00)~~ Fifty  
9 Dollars (\$50.00). Upon paying the waiver fee, the Director of Public Health and Social Services or his  
10 delegate may authorize the immediate issuance of a marriage license.”

11 Section 68. Subsection (i) of §3202 of 19 GCA is hereby *amended* to read as follows:

12 “(i) A fee of ~~Fifteen Dollars (\$15.00)~~ Thirty Dollars (\$30.00) *shall* accompany each application for a  
13 marriage license and shall *not* be refunded *if* the license is *not* issued or used. *No* marriage license fees  
14 collected by the government of Guam prior to the enactment of this Section, *shall* be refunded.”

15 Section 69. 19 GCA §3205 is hereby *amended* to read as follows:

16 “§3205. Obligatory Upon Judge, the Director of Revenue and Taxation, or the Director of Administration  
17 or Director of Public Health and Social Services. The duty of solemnizing the marriage ceremony on any  
18 day *shall* be obligatory upon all the judges, the Director of Revenue and Taxation, the Director of  
19 Administration or the Director of Public Health and Social Services. The fee *shall* be ~~Ten Dollars (\$10.00)~~  
20 Twenty-five Dollars (\$25.00).”

21 Section 70. 19 GCA §3209 is hereby *amended* to read as follows:

22 “§3209. Issuance of Certified Copies of Certificate and License to Parties. The Office of Vital Statistics,  
23 after the filing of the original license and certificate, shall, upon request of and for either party and after  
24 payment of a fee of ~~One Dollar (\$1.00)~~ Ten Dollars (\$10.00) for each copy, make a certified copy of  
25 license and certificate of marriage.”

26 Section 71. A new §104121 is hereby *added* to Chapter 104 of 21 GCA to read as follows:

27 “§104121. Trust Accounts: Penalty. Each broker, associate broker, or salesman that violates the  
28 provisions of §104120 of this Chapter, or commingles funds that are to be held in trust with operational  
29 funds, or fails to deposit into a trust account any down payment, earnest money deposits, or other  
30 funds that are required to be held within a trust account, *shall* pay a penalty of One Hundred Dollars  
31 (\$100.00) for each violation.”

32 Section 72. §104410 of Chapter 104 of 21 GCA is *amended* to read as follows:

1 “§104410. License Fee. The original real estate broker’s license fee is ~~Twenty Dollars (\$20.00)~~ Two  
2 Hundred Dollars (\$200.00) for a two (2) year period.”

3 Section 73. §104411 of Chapter 104 of 21 GCA is *amended* to read as follows:

4 “§104411. License Fee: When Payable: Failure of Examination: Additional Examination Fee. The original  
5 real estate broker’s license fee is payable at the time of the filing of an application for an original real  
6 estate broker’s license.

7 *If* the applicant fails to pass the required written examination, he may be permitted to take  
8 another examination upon filing a request to the Department and upon the payment of a ~~an additional~~  
9 ~~fee Ten Dollars (\$10.00).~~ which *shall* be determined by the Director consisting of the actual examination  
10 cost including costs to administer the examination. *If* an applicant fails to qualify for an original real  
11 estate broker’s license within three (3) years from the date of filing his application, said application *shall*  
12 thereupon lapse and *no* further proceedings thereon shall be taken.”

13 Section 74. §104412 of Chapter 104 of 21 GCA is *amended* to read as follows:

14 “§104412. Same: Restricted Broker’s License Fee. The restricted broker’s license fee is ~~Fifty Dollars~~  
15 ~~(\$50.00)~~ One Hundred Dollars (\$100.00) for a one (1) year period.”

16 Section 75. §104413 of Chapter 104 of 21 GCA is *amended* to read as follows:

17 “§104413. Renewal Broker’s License Fee. The renewal real estate broker’s license fee is ~~Fifty Dollars~~  
18 ~~(\$50.00)~~ Four Hundred Dollars (\$400.00) for a four (4) year period.”

19 Section 76. §104416 of Chapter 104 of 21 GCA is *amended* to read as follows:

20 “§104416. Original Salesman’s License Fee. The original real estate salesman’s license fee is ~~Ten Dollars~~  
21 ~~(\$10.00)~~ One Hundred Dollars (\$100.00) for a two (2) year period.”

22 Section 77. §104417 of Chapter 104 of 21 GCA is *amended* to read as follows:

23 “§104417. Same: When Payable: Failure of Examination: Additional Fee. An original real estate  
24 salesman’s license fee is payable on filing an application for an original real estate salesman’s license. *If*  
25 the applicant fails to pass the required written examination, he may be permitted to take another  
26 examination upon filing a request to the Department and upon the payment of a ~~an additional~~ ~~fee of~~  
27 ~~Five Dollars (\$5.00)~~ which *shall* be determined by the Director consisting of the actual examination  
28 cost, including other costs to administer the examination. *If* an applicant fails to qualify for an original  
29 real estate salesman’s license within three (3) years from the date of filing his application, said  
30 application *shall* thereupon lapse and no further proceedings thereon shall be taken.”

31 Section 78. §104418 of Chapter 104 of 21 GCA is *amended* to read as follows:

1 “§104418. Same: Restricted License Fee. The restricted salesman’s license fee is ~~Thirty Dollars (\$30.00)~~  
2 Fifty Dollars (\$50.00) for a one (1) year period.”

3 Section 79. §104419 of Chapter 104 of 21 GCA is *amended* to read as follows:

4 “§104419. Renewal Salesman’s License Fee. The renewal real estate salesman’s license fee is ~~Thirty~~  
5 ~~Dollars (\$30.00)~~ Two Hundred Dollars (\$200.00) for a four (4) year period.”

6 Section 80. §104420 of Chapter 104 of 21 GCA is *amended* to read as follows:

7 “§104420. Limited Salesman’s License Fee. The limited real estate salesman’s license fee is ~~Five Dollars~~  
8 ~~(\$5.00)~~ Fifty Dollars (\$50.00) for a one hundred twenty (120) day period.”

9 Section 81. §104421 of Chapter 104 of 21 GCA is *amended* to read as follows:

10 “§104421. Branch Office Broker’s License Fee. For a branch office broker’s license the fee is ~~One Dollar~~  
11 ~~(\$1.00)~~ Fifty Dollars (\$50.00).”

12 Section 82. §104422 of Chapter 104 of 21 GCA is *amended* to read as follows:

13 “§104422. Change of Name or Address Fee. For change of name or of address of license on the records  
14 of the Department, the fee is ~~One Dollar (\$1.00)~~ Twenty-five Dollars (\$25.00).”

15 Section 83. §104423 of Chapter 104 of 21 GCA is *amended* to read as follows:

16 “§104423. Salesman’s License Transfer Fee. For transfer of a salesman’s license on change of employer,  
17 the fee is ~~One Dollar (\$1.00)~~ Twenty-five Dollars (\$25.00).”

18 Section 84. §104424 of Chapter 104 of 21 GCA is *amended* to read as follows:

19 “§104424. Duplicate License Fee. For a duplicate license, the fee is ~~One Dollar (\$1.00)~~ Twenty-five  
20 Dollars (\$25.00).”

21 Section 85. §104425 of Chapter 104 of 21 GCA is *amended* to read as follows:

22 “§104425. Reinstatement of License: Fee. For reinstatement of a license within a licensing period or at  
23 the time of renewal the fee is ~~One Dollar (\$1.00)~~ Twenty-five Dollars (\$25.00).

24 As used in this Section, *reinstatement of a license* means the re-issuance of a canceled or inactivated  
25 real estate broker’s license which was canceled or inactivated during the period for which it was issued  
26 upon the salesman’s withdrawal from the employ of a real estate broker.”

27 Section 86. 21 GCA §104426 is *repealed* in its entirety.

28 ~~“§104426. Fee for examination other than original qualifying examination. For any original~~  
29 ~~examination required, other the original qualifying examination for a license, the fee is ~~Five Dollars~~~~  
30 ~~(\$5.00).”~~

31 Section 87. §15110 of Chapter 15 of 22 GCA is *amended* to read as follows:

32 “§15110. Fees. (a) The Commissioner *shall* require the payment in advance of the following fees:



1 Filing of application for certificate  
 2 of authority ~~\$ 75.00~~\$900.00  
 3 Filing of application for renewal of  
 4 certificate of authority ~~\$ 37.50~~ \$ 500.00  
 5 Filing of any other certificate,  
 6 statement, paper or exhibit  
 7 required by this Title ~~\$ 10.00~~\$ 20.00  
 8 Filing of new application after  
 9 refusal to issue original certificate ~~\$ 75.00~~\$900.00  
 10 Filing of application for issuance  
 11 of certificate after revocation  
 12 or expiration ~~\$250.00~~ \$900.00  
 13 Filing of application for withdrawal ~~\$ 10.00~~\$ 200.00  
 14 Furnishing copies of papers filed,  
 15 per page ~~\$ .50~~ \$ 1.00  
 16 Certifying copies of paper filed,  
 17 per document ~~\$2.00~~\$ 25.00

18 Fees paid in accordance with the provisions of this Section shall *not* be refundable under any  
 19 circumstance.

20 (b) All funds deriving from this Section *shall* be deposited in the Treasury of Guam to the credit of the  
 21 General Fund.”

22 Section 88. A new §15114 is hereby *added* to Article 3 of Chapter 15 of 22 GCA to read as follows:

23 “§15114. Penalty. Any person violating any provision of this Article *shall* be fined *no more* than Five  
 24 Thousand Dollars (\$5,000.00). “

25 Section 89. A new subsection (f) is *added* to §15316 of Article 3 of Chapter 15 of 22 GCA to read as  
 26 follows:

27 "(f) Filing Fee for Annual Statement: Penalty. The filing fee for an annual financial statement *shall* be  
 28 Fifty Dollars (\$50.00). Any domestic insurer that fails or refuses to file an annual financial statement on  
 29 or before April 1<sup>st</sup> of each year as required in §15316(a), *shall* pay a penalty of Five Hundred Dollars  
 30 (\$500.00). After forty-five (45) days the domestic insurer *shall* be assessed an additional late filing fee of  
 31 One Hundred Dollars (\$100.00) per day. The failure or refusal of a domestic insurer or company to file

1 the required annual financial statement shall constitute the suspension or revocation of the domestic  
2 insurer's or company's certificate of authority. "

3 Section 90. A new §15318 is hereby *added* to Article 3 of Chapter 15 of 22 GCA to read as follows:

4 "§15318. Penalty. Any person violating any provision of this Article, *shall* be fined *no more* than Five  
5 Thousand Dollars (\$5,000.00)."

6 Section 91. A new §15405 is hereby *added* to Article 4 of Chapter 15 of 22 GCA to read as follows:

7 "§15405. Filing Fee for Annual Statement: Penalty. The filing fee for an annual financial statement shall  
8 be Fifty Dollars (\$50.00). Any foreign insurer that fails or refuses to file an annual financial statement on  
9 or before April 1<sup>st</sup> of each year as required in §15404, *shall* pay a penalty of Five Hundred Dollars  
10 (\$500.00). After forty-five (45) days the foreign insurer *shall* be assessed an additional late filing fee of  
11 One Hundred Dollars (\$100.00) per day. The failure or refusal of the foreign insurer or company to file  
12 the required annual financial statement *shall* constitute the foreign insurer's or company's certificate of  
13 authority to be suspended or revoked. "

14 Section 92. A new §15506 is hereby *added* to Article 5 of Chapter 15 of 22 GCA to read as follows:

15 "§15506. Filing Fee for Annual Statement: Penalty. The filing fee for an annual financial statement *shall*  
16 be Fifty Dollars (\$50.00). Any alien insurer that fails or refuses to file a financial statement on or before  
17 April 1<sup>st</sup> of each year as required in §15504, *shall* pay a penalty of Five Hundred Dollars (\$500.00). After  
18 forty-five (45) days an alien insurer *shall* be assessed an additional late filing fee of One Hundred Dollars  
19 (\$100.00) per day. The failure or refusal of the foreign insurer or company to file the required annual  
20 financial statement *shall* constitute the foreign insurer's or company's certificate of authority to be  
21 suspended or revoked. "

22 Section 93. §15701 of Article 7 of Chapter 15, 22 GCA is *amended* to read as follows:

23 "§15701. License. It *shall* be unlawful for any person to do or perform any act in Guam as an insurance  
24 broker, general agent, sub-agent, or solicitor, or hold himself out as such, for any kind of insurance  
25 without having first obtained a license issued by the Commissioner. Licenses and the renewals thereof  
26 *shall* be for an annual term expiring the 1<sup>st</sup> day of July occurring after issuance. The fee for each type of  
27 license and the renewal thereof *shall* be ~~ten dollars (\$10.00)~~ as follows:

28 Broker	\$ 100.00
29 General Agent	\$ 100.00
30 Sub-agent	\$ 25.00
31 Nonresident producer	\$ 25.00
32 Solicitor	\$ 25.00"

1 Section 94. Subsection (a) of §15710 of Article 7 of Chapter 15 of, 22 GCA is *amended* to read as follows:  
2 "(a) An insurance adjuster's license may be issued by the Commissioner to any person filing an  
3 application on a prescribed form, and upon payment of a license fee of ~~ten dollars (\$10.00)~~ Fifty Dollars  
4 (\$50.00). Licenses and renewals thereof *shall* be for a term expiring one (1) year after date of issue."  
5 Section 95. A new §15712 is hereby *added* to Article 7 of Chapter 15 of 22 GCA to read as follows:  
6 "§15712. Penalty. Any person who is found violating any provision of this Article, *shall* pay a fine of *not*  
7 *more* than Five Thousand Dollars (\$5,000.00)."  
8 Section 96. §15801 of Article 8 of Chapter 15 of 22 GCA is *amended* to read as follows:  
9 "§15801. Issuance of Licenses: Fee: Authority Conferred by License. The Insurance Commissioner, upon  
10 receipt of an application in proper form and a license fee of ~~ten dollars (\$10.00)~~ One Hundred Dollars  
11 (\$100.00), may issue a surplus line license to any duly qualified and licensed insurance broker or agent in  
12 Guam. Such license *shall* permit the broker or agent named therein to act as broker or agent in Guam  
13 for any foreign company or insurer (or alien company or insurer approved by the Commissioner) not  
14 authorized to transact business in Guam in securing, issuing or placing policies of insurance, contracts of  
15 indemnity and/or surety bonds on property located in, or undertakings to be carried out in Guam for  
16 such companies."  
17 Section 97. Subsection (c) of §16117 of 30 GAR of Division 3 of Chapter 16 is hereby *amended* to read as  
18 follows:  
19 "(c) No person *shall* act as insurance manager, broker, agent or reinsurance intermediary for captive  
20 insurance in Guam without the authorization of the Commissioner. An application for such authorization  
21 must be on a form prescribed by the Commissioner. The application fee for an insurance manager,  
22 broker, agent, or reinsurance intermediary for captive business *shall* be ~~\$10.00~~ One Hundred Dollars  
23 (\$100.00)."  
24 Section 98. A new subsection (c) is *added* to §18308 of Chapter 18 of 22 GCA to read as follows:  
25 "(c) Every policy form filed with the Commissioner for approval *shall* be required to pay a filing fee of  
26 Twenty Dollars (\$20.00) for each policy form."  
27 Section 99. A new subsection (d) is *added* to §18501 of 22 GCA to read as follows:  
28 "(d) A filing fee of Two Hundred Dollars (\$200.00) *shall* be paid for every rate plan that is filed with the  
29 Commissioner for approval."  
30 Section 100. A new §18504 is hereby *added* to 22 GCA to read as follows:  
31 "§18504. Penalty. Any person who is found violating any provision of this Article, *shall* pay a fine of *not*  
32 *more* than Five Thousand Dollars (\$5,000.00)."

1 Section 101. Subsection (a) of §30113 of 22 GCA is hereby *repealed* and *reenacted* to read as follows:

2 “(a) Each application for a real estate appraiser certification, real estate appraiser trainee, or for the  
3 renewal therefore, *shall* be accompanied by the appropriate fee, which *shall* be prescribed by the  
4 Director by rule or regulation, but *shall not* be *more than* Two Hundred Dollars (\$200.00).

5 Pursuant to this provision, effective July 1<sup>st</sup>, 2007, each application or renewal fee *shall* be Two Hundred  
6 Dollars (\$200.00).”

7 Section 102. 22 GCA §30125 is *amended* to read:

8 “§30125. The Real Property Appraiser Qualification Criteria set forth throughout this Chapter *shall*  
9 automatically be amended based on any newly-adopted Real Property Appraiser Qualification Criteria  
10 from the ~~Uniform Standards of Professional Appraisal Practice (USPAP)~~ Appraiser Qualification Board  
11 (AQB) of the Appraisal Foundation. “

12 Section 103. Subsection (b) of §46203 of 22 GCA is hereby *amended* to read as follows:

13 “(b) Every applicant for initial or renewal registration *shall* pay a nonrefundable filing fee of ~~twenty-five~~  
14 ~~dollars (25.00)~~ Two Hundred Dollars (\$200.00) in the case of a broker-dealer, ~~ten dollars (\$10.00)~~ Fifty  
15 Dollars (\$50.00) in the case of an agent, and ~~twenty-five dollars (\$25.00)~~ Two Hundred Dollars (\$200.00)  
16 in the case of an investment adviser. ~~When application is denied or withdrawn, the Administrator shall~~  
17 ~~retain one-half (1/2) of the fee.~~”

18 Section 104. §46301 of 22 GCA is hereby *amended* to read as follows:

19 “§46301. Registration Requirement. It is unlawful for any person to offer any security in Guam unless  
20 (1) it is registered under this Act or (2) the security or transaction is exempted under §46402 or (3) the  
21 security is a federal covered security. For the purpose of this Chapter the term "Federal covered  
22 security" means a security that is, or upon completion of a transaction will be, a covered security under  
23 Section 18(b) of the Securities Act of 1933 (15 U.S.C. §77r(b)) or rules and regulations adopted pursuant  
24 to that Provision.”

25 Section 106. ~~A new Subsection (a)(3) is added to §46302 of 22 GCA to read as follows:~~

26 ~~“§46302 (a)(3). With respect to a federal covered security, as defined in §18(b)(2) of the Securities Act~~  
27 ~~of 1933 (15 U.S.C. §77r(b)(2)), that is not otherwise exempt under a rule adopted or order issued~~  
28 ~~pursuant to §§46301 and 46313 of this Chapter, and within this Act that may require the filing of any or~~  
29 ~~all of the following records:~~

30 ~~(A) Before the initial offer of a federal covered security in Guam, all records that are part of a federal~~  
31 ~~registration statement filed with the Securities and Exchange Commission under the Securities Act of~~

1 1933 and a consent to service of process signed by the issuer and the payment of a fee of One Hundred  
2 Dollars (\$100.00);

3 ~~(B) After the initial offer of the federal covered security in Guam, all records that are part of an  
4 amendment to a federal registration statement filed with the Securities and Exchange Commission  
5 under the Securities Act of 1933; and~~

6 ~~(C) To the extent necessary or appropriate to compute fees, a report of the value of the federal covered  
7 securities sold or offered to persons present in Guam, if the sales data are not included in records filed  
8 with the Securities and Exchange Commission and payment of a fee of one fifth of one percent (0.2%) of  
9 the amount of securities sold in this state during that previous fiscal year. In no case shall this fee  
10 exceed Two Thousand Five Hundred Dollars (\$2,500.00).~~

11 ~~(D) A notice filing under Subsection (a) is effective for one (1) year commencing on the later of the  
12 notice filing or the effectiveness of the offering filed with the Securities and Exchange Commission. On  
13 or before expiration, the issuer may renew a notice filing by filing a copy of those records filed by the  
14 issuer with the Securities and Exchange Commission that are required by rule or order under this act to  
15 be filed and by paying a renewal fee of One Hundred Dollars (\$100.00). A previously filed consent to  
16 service of process may be incorporated by reference in a renewal. A renewed notice filing becomes  
17 effective upon the expiration of the filing being renewed.~~

18 ~~(E) With respect to a security that is a federal covered security under Section 18(b)(4)(D) of the  
19 Securities Act of 1933(15 U.S.C. Section 77r(b)(4)(D)), a rule under this Act, may require a notice filing by  
20 or on behalf of an issuer to include a copy of Form D, including the Appendix, as promulgated by the  
21 Securities and Exchange Commission, and a consent to service of process signed by the issuer *not later*  
22 *than* fifteen (15) days after the first sale of the federal covered security in Guam and the payment of a  
23 fee of One Hundred Dollars; and the payment of a fee of Fifty Dollars (\$50.00) for any late filing.~~

24 ~~—(F) Except with respect to a federal security under §18(b)(1) of the Securities Act of 1933 (15 U.S.C.  
25 §77r(b)(1)), if the Commissioner finds that there is a failure to comply with a notice or fee requirement  
26 of this Section, the Commissioner may issue a stop order suspending the offer and sale of a federal  
27 covered security in Guam. If the deficiency is corrected, the stop order is void as of the time of its  
28 issuance and no penalty may be imposed by the Commissioner.”~~

29 Section 105. Subsection (b) of §46305 of 22 GCA is hereby *amended* to read as follows:

30 “(b) Every person filing a registration statement *shall* pay a filing fee of Two Hundred Dollars (\$200.00)  
31 plus ~~five one hundredths (.05% )~~ one-fifth of one percent (0.2%) of the maximum aggregate offering  
32 price at which the registered securities are to be offered in Guam, but the fee *shall* in no case be less

1 ~~than twenty five dollars (\$25.00) or more than five hundred dollars (\$500.00)~~ Two Thousand Five  
2 Hundred Dollars (\$2,500.00). When a registration statement is withdrawn before the effective date of a  
3 pre-effective stop order is entered under §46306, the Administrator shall retain one-half (1/2) of the  
4 additional fee.”

5 Section 106. 22 GCA §49101 is *amended* to read as follows:

6 “§49101. Pawn broking Without a License. It shall be a misdemeanor to carry on the business of a  
7 pawnbroker or to receive goods in pledge for loans upon which interest is charged, without a license as  
8 a pawnbroker. The annual license fee for a pawnbroker *shall* be ~~One Hundred Dollars (\$100.00) Two~~  
9 ~~Hundred Dollars (\$200.00)~~ Five Hundred Dollars (\$500.00). A pawnbroker *shall* pay gross receipts tax  
10 upon its revenues and sales of pawned merchandise as a lending institution, as provided for in §26202,  
11 subsections (f), (f)(1) and (f)(2) of 11 GCA Finance and Taxation.”

12 Section 107. Reduction of Gross Receipt Tax Exemptions. Notwithstanding any other provisions of law,  
13 the Fifty Thousand Dollars (\$50,000.00) exemptions contained in items (9), (28), (29), (30), (31), and (32)  
14 of 11 GCA §26203(k) are reduced to Forty Thousand Dollars (\$40,000.00) effective May 1, 2007. In  
15 addition, recent tax year caps contained in the same items are decreased from Five Hundred Thousand  
16 Dollars (\$500,000.00) to Fifty Thousand Dollars (\$50,000.00) effective May 1, 2007.

17 -----Page Break-----

18 FEES AND CHARGES ASSESSED BY THE  
19 GUAM FIRE DEPARTMENT

20 Section 1. (a) Enabling Authority of the Guam Fire Department. §72106 of Title 10, Guam  
21 Code Annotated authorizes the Guam Fire Department to promulgate a schedule of fees accompanied  
22 by rules and regulations in the orderly implementation of such fees for: (1) Emergency and non-  
23 emergency use of an ambulance primarily for transportation; (2) conducting building inspections,  
24 reviewing building plans; and (3) issuance of permits. §73112 of Title 10, Guam Code Annotated  
25 authorizes the Guam Fire Department to promulgate rules setting forth grace periods within which  
26 parties in violation of the Uniform Fire Code *shall* bring their premises up to code.

27 (b) Approval of Fees for Services Provided by the Guam Fire Department. Notwithstanding any  
28 other law, the following rules and regulations establishing the fees for the services attached as “Exhibit  
29 1” are hereby approved. The foregoing schedule of fees and charges *shall* be made effective on May 1,  
30 2007, provided, however, that the Guam Fire Department *shall* retain authority to adopt additional fees  
31 and may amend the adopted schedule of fees and charges following the Administrative Adjudication  
32 Law *if* such fees are *not* less than those established by this Act.

1 (c) Proceeds of the Guam Fire Department Fees for Services. The proceeds of all fees collected  
2 pursuant to this Act, *shall* be deposited in the Fire, Life and Medical Emergency (FLAME) Fund as  
3 provided in Title 10 GCA §72106.

4 ~~Section 2. Community Public Notification Prior to Effective Date and Effective Date. (a) Public~~  
5 ~~Notification. The Guam Fire Department *shall* provide proper and timely public notification to the~~  
6 ~~business community and the community at large on the newly established fees/fines and penalties~~  
7 ~~pursuant to this Act. The public notification of information shall include, but *not* be limited to, the use~~  
8 ~~of news media sources. Said public notification *shall* be administered *no later than* forty five (45) days~~  
9 ~~from the enactment of this Act.~~

10 ~~(b) Effective Date. The application of the provisions contained herein, to include the imposition of~~  
11 ~~fees/fines and penalties, *shall* be effective *no later than* sixty (60) days upon the enactment of this Act.~~

12 ~~(c) All fee schedules *shall* be posted on the website.~~

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14 PART III

15 FEES AND CHARGES ASSESSED BY THE  
16 GUAM POLICE DEPARTMENT

17 ~~Section 1. Approval of Fees for Services Provided by the Guam Police Department. Notwithstanding any~~  
18 ~~other law, the following fees for the services attached as "Exhibit 2" "Exhibit 1" for services provided by~~  
19 ~~the Guam Police Department are hereby approved. The foregoing schedule of fees and charges *shall* be~~  
20 ~~made effective on May 1, 2007, provided, however, that the Guam Police Department *shall* retain~~  
21 ~~authority to adopt additional fees and may amend the adopted schedule of fees and charges following~~  
22 ~~the Administrative Adjudication Law *if* such fares are *not* less than those established by this Act. The~~  
23 ~~proceeds collected pursuant to this Section *shall* be deposited into the Police Services Fund.~~

24 -----Page Break-----

25 FEES AND CHARGES ASSESSED BY THE  
26 DEPARTMENT OF LAND MANAGEMENT

27 ~~Section 1. The implementation of Part IV of Chapter 6 shall be effective on May 1, 2007.~~

28 Section 1. §60320 of Title 21, Guam Code Annotated, relative to recording of documents at Department  
29 of Land Management, is *amended* to read:

30 "§60320. Fee Schedule. The recorder, notwithstanding any other provisions of law and exclusive of any  
31 documents tax, is authorized and directed to collect the following fees:

- 1 (a) For recording or filing any deed, agreement, assignment, amendment, addendum, lease, contract,  
2 assumption, bill of sale, mortgage, horizontal property regime transfer document, any of the foregoing  
3 covering one specific lot or parcel of land: ~~[\$10.00]~~ Twenty-five Dollars (\$25.00) with ~~Ten Dollars~~  
4 ~~(\$10.00)~~ Five Dollars (\$5.00) for each attachment/exhibit thereof plus ~~Two Dollars (\$2.00)~~ Fifty Cents  
5 (\$0.50) per page on the attached/exhibit thereof.
- 6 (b) For recording or filing of each instrument court order, judgment, stipulation, decree, *lis pendens*,  
7 declaration of taking, abstract of judgment, abstracts, affidavit, bond, bankruptcy, certificates, lien, levy,  
8 order, claim, declaration, power of attorney (general & special), finding of facts, findings, final and  
9 summon: ~~[\$2.00]~~ Twenty-five Dollars (\$25.00) with ~~Ten Dollars (\$10.00)~~ Five Dollars (\$5.00) for each  
10 attachment/exhibit thereof plus ~~Two Dollars (\$2.00)~~ Fifty Cents (\$0.50) per page on the attached/exhibit  
11 thereof.
- 12 (c) For each additional lot or parcel of land involved in any single transaction as listed in paragraphs (a),  
13 or (b), a fee of: ~~[\$5.00]~~ Ten Dollars (\$10.00) per parcel.
- 14 (d) For recording or filing of each cancellation, satisfaction, dismissal, release, termination, waiver,  
15 withdrawal, easement, consent, grant, notices, rights of way, rights of entry, revocation or other lien:  
16 ~~[\$2.00]~~ Fifteen Dollars (\$15.00) with ~~Ten Dollars (\$10.00)~~ Five Dollars (\$5.00) for attachment/exhibit  
17 thereof, plus ~~Two Dollars (\$2.00)~~ Fifty Cents (\$0.50) per page on the attached/exhibit.
- 18 (e) For recording or filing of approved survey map a fee of Twenty-five Dollars (\$25.00) plus Five Dollars  
19 (\$5.00) per additional sheet thereof plus Ten Dollars (\$10.00) per lot created on a subdivision or  
20 parceling survey map and fee *shall* also apply to land registration, re-subdivision, retracement,  
21 recertification, revisions of survey maps.
- 22 (f) For certified or authenticated copy of certificate of title or certificate of guaranteed claim a fee of  
23 Fifteen Dollars (\$15.00) for certificate of title and guaranteed claim, and for certificate of title for bail  
24 bond a fee of Twenty-five Dollars (\$25.00) plus One Dollar (\$1.00) per endorsement on the memorial  
25 estate.
- 26 (g) For furnishing written reports on areas, ownerships, lot numbers, descriptions, or other  
27 recorded information, for each lot or parcel of land: ~~[\$1.00]~~ Ten Dollars (\$10.00).
- 28 (h) For reproducing services costing the government *less* than One Dollar (\$1.00), the Director of Land  
29 Management, ~~with the approval of the Governor,~~ *shall* promulgate a schedule of fees thereof, all such  
30 fees to be under One Dollar (\$1.00) plus Fifty Cents (\$0.50) charge for each additional page over five (5)  
31 pages.



1 (i) For recording or filing any documents required to be recorded by law for which a fee has not been  
2 provided, for each page or fraction thereof: [~~\$2.00~~] Five Dollars (\$5.00).

3 (j) PROCESSING FEE FOR CERTIFICATE OF TITLE:

4 (1) First Issuance of certificate of title on Land Registration Case, a fee of Forty Dollars (\$40.00) ~~Seventy-~~  
5 ~~five Dollars (\$75.00).~~

6 (2) Issuance of certificate of title with one (1) current title cancellation, a fee of ~~One Hundred~~  
7 ~~Twenty-five (\$125.00)~~ Sixty-five Dollars (\$65.00).

8 (3) Issuance of certificate of title with two (2) to five (5) Title cancellations, a fee of ~~Two Hundred Fifty~~  
9 ~~Dollars (\$250.00)~~ One Hundred Twenty-five Dollars (\$125.00).

10 (4) Issuance of certificate of title with six (6) or more Title cancellations, a fee of ~~Three Hundred Seventy-~~  
11 ~~five Dollars (\$375.00)~~ One Hundred Ninety Dollars (\$190.00).

12 (5) Fee of One Dollar (\$1.00) per endorsement on the memorial estate *shall* apply to the processing fee  
13 for certificate of Title under (a), (b), (c) and (d).

14 *Note: Sealed copy of a Certificate of Title will be provided by Deputy Recorder.*

15 ABSTRACT OF TITLE AND RESEARCH PROCESSING

16 FEES:

17 (1) Fee of One Thousand Dollars (\$1000.00) for abstract on unregistered parcel for court action  
18 and/or by order of the court.

19 (2) Fee schedule on the type of research listed below on parcels *shall* be assessed with the  
20 following:

21 (A) Research on one (1) parcel for the most current documented ownership, a Twenty-five Dollar  
22 (\$25.00) fee, plus the required fee schedule pursuant to §60320.

23 (B) Research a parcel less than one (1) acre, from the basic lot to the current parcel description, a fee of  
24 Fifty Dollars (\$50.00) plus the required fee schedule pursuant to §60320.

25 (C) Research a parcel less than one (1) hectare, from the basic lot to the current parcel description, a fee  
26 of Seventy-five Dollars (\$75.00), and a Ten Dollar (\$10.00) fee for each lot description provided, plus the  
27 required fee schedule pursuant to §60320.

28 (D) Research a parcel less than one (1) acre, from the basic lot to the current consolidated parcel  
29 description, a fee of Seventy-five Dollars (\$75.00).

30 (E) Research a parcel less than two (2) acres, from basic lot to the current parceled description less than  
31 six (6) lots, a fee of One Hundred Dollars (\$100.00), and a Ten Dollar (\$10.00) fee for each lot description  
32 provided.

1 (F) Research parcel or lots, from the basic lot to the current tract subdivision description, a fee will  
2 be assessed as follows:

3 - tract subdivision with less than ten (10) Lots: One Hundred Dollars (\$100.00). - tract subdivision with  
4 less than twenty (20) Lots: One Hundred Fifty Dollars (\$150.00).

5 - tract subdivision over twenty (20) Lots, research fee *shall* be One Hundred Fifty Dollars (\$150.00) plus  
6 Two Dollars (\$2.00) per additional lot.

7 (3) Service under this Subsection (k) may be provided only to persons eligible for "public assistance", as  
8 provided in §2905(a) Chapter 2, Title 10 Guam Code Annotated, Program Participation and Eligibility  
9 Standards.

10 *Note: Abstract of Title Report will be provided by the Deputy Recorder.*

11 All monies received *shall* be deposited in the Department of Land Management Land Survey Revolving  
12 Fund (LSRF)."

13 Section 2. §20101 of Title 11, Guam Code Annotated, relative to tax on realty conveyances, is *amended*  
14 to read:

15 "§20101. Realty Conveyance: Amount. A tax is established on all conveyances, deeds, instruments, or  
16 writings whereby any lands, tenements, or other realty shall be sold, granted, transferred, or otherwise  
17 conveyed to the purchaser or purchasers, or to any other person or persons designated by such  
18 purchaser or purchasers, as follows: Five Dollars (\$5.00) for each One Thousand Dollars (\$1,000.00) or  
19 fraction thereof on the true consideration or value received for such realty. Provided, that in sales of  
20 encumbered property, the tax *shall* be collected on the net amount of the consideration after deducting  
21 the amount of the encumbrance."

22 Section 3. §20103 of Title 11, Guam Code Annotated, relative to tax on leases, is *amended* to read:

23 "§20103. Leases, etc.: Amount. The following tax *shall* be paid on each lease, agreement,  
24 memorandum, or contract for the hire, use, or rent of any land or tenements, or portion thereof:

25 (a) *If* for a period of one (1) year or less, [~~Twenty-Five cents (\$-.25)~~] One Dollar (\$1.00).

26 (b) *If* for a period of *more* than one (1) year, and *not* more than three (3) years, [~~Fifty Cents (\$-.50)~~]  
27 Two Dollars (\$2.00).

28 (c) *If* for a period of more than three (3) years, [~~One Dollar (\$1.00)~~] Three Dollars (\$3.00)."

29 Section 4. §20104 of Title 11, Guam Code Annotated, relative to tax on security transactions, is  
30 *amended* to read:

31 "§20104. Security Transactions: Amount. On every mortgage or pledge of lands, estate, or property,  
32 real or personal, whatsoever, where the same shall be made as security for the repayment of any

1 definite and certain sum of money loaned at the time or previously due and owing, or forborne to be  
2 paid, being payable; and on any conveyance of a land, estate, or property whatsoever, to be sold or  
3 otherwise converted into money, which shall be and is intended only as security, either by express  
4 stipulation or otherwise, *shall* be paid a tax [~~One Dollar (\$1.00)~~] of Five Dollars (\$5.00) on each One  
5 Thousand Dollars (\$1,000.00) or fractional part thereof, provided, that upon each and every assignment  
6 or transfer of any mortgage, lease, or renewal or continuance of any agreement or contract by altering  
7 or otherwise, a tax *shall* be collected and paid at the same rate as that imposed on the original  
8 document."

9 Section 5. The existing paragraph constituting §60602 of Title 21, Guam Code Annotated, is designated  
10 as Subsection (a) of that Section, and a new Subsection (b) is *added* to §60602 of Title 21, Guam Code  
11 Annotated to read:

12 "(b) Fee Schedule. The Department of Land Management is authorized and directed to collect the  
13 following fees:

- 14 (1) For reproduction of maps:
  - 15 (A) Bond \$10.00 for 1st copy and \$5.00
  - 16 each additional
  - 17 (B) Vellum \$15.00
  - 18 (C) Mylar \$20.00
  - 19 (2) Survey Manual \$150.00
  - 20 (3) 1963 GGTM Book
  - 21 Horizontal Book \$100.00
  - 22 (4) Horizontal Control Survey
  - 23 by (CGS) \$100.00
  - 24 (5) Vertical Control Data \$70.00"

25 Section 6. GIS/LIS Map and Data Products: The Department of Land Management *shall* charge  
26 such fees for providing electronic maps and enhanced access to the department's databases to add  
27 §27(a) of Public Law 21-42, relative to the Geographic Information Systems and Land Information  
28 System (GIS/LIS). The Department of Land Management will provide hard copy maps produced from its  
29 GIS and digital GIS data for a fee. Fees are based on the costs to produce the requested information.

- 30 Hard Copy Maps:
- 31 (a) Published Hard Copy Map Fees

1 (1) GIS Map Library. The following fees apply to printing specifically developed user-requested  
 2 cartographic maps. The Department of Land Management GIS Library Map Order Form contains a listing  
 3 of the published GIS maps.

4	Map Size	Type	Price
5	24"x36"	Color Plot	\$25.00
6	36"x 48"	Color Plot	\$30.00
7	11"x17"	Color Plot	\$15.00
8	11"x17"	Black & White	\$14.00
9	CD/RW or Other digital format		\$15.00

10 Specialty Maps

11	<u>Map Name</u>	<u>Price</u>
12	Department of Land Management	\$95.00
13	1967 Official Zoning Map 18 Sheet Set	
14	Department of Land Management	
15	Zoning Map	\$110.00
16	21 Sheet Set (including zoning map disclaimer)	
17	Ground Water Protection Zone Map	\$25.00

18 (2) Black & White Photo Copies  
 19 Large format photo copies of existing hard copy maps for sizes up to 36" x 48" bond will be Ten Dollars  
 20 (\$10.00) for the first sheet and Five Dollars (\$5.00) for each additional sheet.  
 21 11" x 17" size photocopies shall be Two Dollars (\$2.00) per copy for requests.  
 22 Standard letter size photocopies shall be One Dollar (\$1.00) per copy for requests.

23 (3) Aerial Photography Image Data. The following archived image data is available in CD-  
 24 RW Digital format. The digital ortho photos also include coordinate files.

25	<u>Image CD-ROM Data</u>	<u>Price</u>
26	1993 Digital Ortho Photos	\$4,000

27 (4) Custom Digital Map Data. The following fees will apply to custom requests for Department of  
 28 Land Management's digital GIS data. GIS layers are priced per map layer. Building and contour data are  
 29 priced per 2000 x 3000-foot panel grid.

30	<u>Item</u>	<u>DXF Format</u>	<u>Shape Format</u>
31	GIS Parcel Footprint Panel	\$500	\$600

1	GIS Contour Panel	\$500	\$800
2	Other GIS Map Layer	\$2,500	\$3,000

3 All monies received *shall* be deposited in the Land Survey Revolving Fund.

4 Section 7. The third paragraph labeled as Subsection (c) of §61303 of Title 21, Guam Code Annotated,  
5 Chapter 61, Article 3, relative to notifying surrounding property owners of Guam Land Use Commission  
6 public hearings, is hereby *amended* to read:

7 “(c) Charges for Notification of Surrounding Property Owners. That charges apply to all Guam Land Use  
8 Commission public hearings, to include Conditional Uses, Zone Change (Summary and Split Zone  
9 Changes), Zone Variances, Subdivision Variances, Wetlands, or Seashore Clearances. The Department  
10 *shall* charge the applicant with all costs incurred in carrying out the requirements of Subsection (b) of  
11 this Section, and all costs and fees so collected *shall* be deposited in the Department of Land  
12 Management Land Survey Revolving Fund (LSRF) to be expended for the Division of Planning as the  
13 Director of Land Management may determine. The following rates shall be charged, and total charges  
14 are cumulative over the following categories, as applicable:

- 15 (1) CERTIFIED MAIL: Current U. S. Postal Rate as established.
  - 16 (A) Maximum of 25 property owners x current U.S. postal rate
  - 17 (B) Maximum of 50 property owners x current U.S. postal rate
  - 18 (C) Maximum of 75 property owners x current U.S. postal rate
  - 19 (D) Maximum of 100 property owners x current U.S. postal rate
  - 20 (E) Maximum of 125 property owners x current U.S. postal rate
  - 21 (plus 15% contingency fee)
- 22 (2) Paper. Number of reams used x \$25.00/ream:
  - 23 (A) Up to 1 ream \$25.00
  - 24 (B) More than 1 but less than 2 reams \$50.00
  - 25 (C) More than 2 but less than 3 reams \$75.00
  - 26 (D) More than 3 but less than 4 reams \$100.00
  - 27 (E) More than 4 but less than 5 reams \$125.00
  - 28 (plus 15% contingency fee)
- 29 (3) Envelope. Number of envelopes x \$.32:
  - 30 (A) Maximum of 25 property owners \$8.00
  - 31 (B) Maximum of 50 property owners \$16.00
  - 32 (C) Maximum of 75 property owners \$24.00

- 1 (D) Maximum of 100 property owners \$32.00
- 2 (E) Maximum of 125 property owners \$40.00
- 3 (plus 15% contingency fee)
- 4 (4) Man-hours to complete research:
- 5 8 hours x \$13.00 \$104.00
- 6 (5) Equipment Use \$75.00"

7 Section 8. §61660 of Title 21, Guam Code Annotated, relative to services provided by the Guam  
 8 Land Use Commission, is *repealed* and *reenacted* to read:

9 "§61660. Filing Fees. (a) Applications for services. Before accepting any application for  
 10 the following services, the Commission *shall* charge and collect the following filing fees:

11	TYPE OF APPLICATION	AMOUNT
12	(1) Appeals	\$50.00
13	(2) Conditional Use Permit	\$50.00
14	(3) Zone Change	\$50.00
15	(4) Zone Variance (Use, Sign, Density,	
16	Height, Parking)	\$75.00
17	(5) Zone Variance – Setback	\$75.00
18	(6) Subdivision Variance	\$50.00
19	(7) Tentative Development Plans	\$50.00

20 SERVICES TO THE GUAM LAND USE COMMISSION:

21	(8) Summary Zone Change	\$25.00
22	(9) Split Zone Change	\$25.00
23	(10) Zone Variance – Setback Non-	
24	Conforming	\$75.00
25	(11) Certification of Zoning	\$10.00
26	(12) Request for Documents	\$2.00
27	(First 5 pages; \$.25 each additional page)	
28	<del>m. NOA/Minutes/Agenda/Miscellaneous</del>	<del>\$5.00</del>

29 All money received pursuant to this Subsection (a) *shall* be deposited in the Department of Land  
 30 Management Land Survey Revolving Fund (LSRF).

31 (b) Fees. The following fee schedule is established for the purpose of advertisement of  
 32 public hearings, GLUC hearings and HPR Final and Preliminary Public Report.

1 Public Hearing (Ad size 2" x 2" = 4 (x) current rate charge as per print media of general circulation).  
2 GLUC Hearing (Ad size 2" x 2" = 4 (x) current rate charge as per print media of general circulation).  
3 HPR Final and Preliminary Public Report Hearing (Ad size 2" x 2" = 4 (x) current rate charge as per print  
4 media of general circulation). Payment *shall* be made payable to Print media of general circulation.

5  
6 All money received under this Subsection (b) *shall* be made payable to the Print media of general  
7 circulation current rates."

8 Section 9. A new §63112, relative to Guam Seashore Planning Commission permits, is *added* to  
9 Chapter 63, Title 21 Guam Code Annotated, to read:

10 "§63112. Fees. The following fee schedule is established:

- 11 (1) Wetland Permit \$75.00
- 12 (2) Seashore Permit \$75.00

13 All money collected under this Section *shall* be deposited in the Department of Land  
14 Management Land Survey Revolving Fund (LSRF)."

15 Section 10. §45130 of Title 21, Guam Code Annotated, relative to condominium projects, is  
16 *amended* to read:

17 "§45130. Questionnaire and Filing Fee. The notice of intention *shall* be accompanied by a fee of  
18 ~~[Fifty Dollars \$50.00]~~ One Hundred Dollars (\$100.00) and by a verified copy of a questionnaire properly  
19 filled in. The questionnaire will be in such form and content as will require full disclosure of all material  
20 facts reasonably available. All money collected under this Section *shall* be deposited in the Department  
21 of Land Management Land Survey Revolving Fund (LSRF)."

22 Section 11. §45132 of Title 21, Guam Code Annotated, relative to condominium inspection  
23 fees, is *amended* to read:

24 "§45132. Inspection Expenses. When an inspection is to be made of projects, the notice of  
25 intention *shall* be accompanied by the filing fee, together with an amount estimated by the Commission  
26 to be necessary to cover the actual expenses of the inspection, *not* to exceed ~~[Twenty Dollars \$20.00]~~  
27 Forty Dollars (\$40.00) a day for each day consumed in the examination of the project. All money  
28 collected under this Section *shall* be deposited in the Department of Land Management Land Survey  
29 Revolving Fund (LSRF)."

30 Section 12. A new subsection (d) of §61563 of Title 21, Guam Code Annotated, relative to Junk  
31 Yard Permits is *added* to read:





1 (a) The annual fees for each license thereof prescribed by this Chapter shall be as follows:

2 (1) License Fee

3 License to act as specialty contractor .....~~\$200~~ \$400.00

4 License to act as general engineering  
5 contractor ..... ~~\$200~~-\$400.00

6 License to act as general building  
7 contractor.....~~\$200~~ \$400.00

8 (2) License Fee for Responsible

9 Management Employee (RME)

10 License to act as RME in

11 specialty contracting .....~~\$200~~ \$400.00

12 License to act as RME in general  
13 engineering contracting .....~~\$200~~-\$400.00

14 License to act as RME in general building  
15 contracting ..... ~~\$200~~ \$400.00

16 3) Re-issuance of a license or issuance of a  
17 certified copy of license .....~~\$5~~-\$20.00

18 (4) Application: .....~~\$25~~\$50.00

19 (5) Additional Classifications: .....\$50.00

20 (6) Letter of Good Standing.....\$20.00

21 (7) Study Guide .....\$50.00

22 (8) Inactive license fee (in lieu of renewal  
23 fee) ..... ~~\$10~~ \$20.00”

24 Section 2. §70111 (c) of Chapter 70, Title 21 GCA is hereby *amended* as follows:

25 “§70111. (c) Every application for a license hereunder *shall* be accompanied by an application fee of  
26 ~~Twenty Five Dollars (\$25.00)~~ Fifty Dollars (\$50.00).”

27 -----Page Break-----

28 FEES AND CHARGES ASSESSED BY THE  
29 DEPARTMENT OF PARKS AND RECREATION

30 Section 1. Approval of Fees for Services Provided by the Department Of Parks And Recreation.  
31 Notwithstanding any other law, the following fees, attached as “Exhibit 1”, for services provided by the  
32 Department of Parks and Recreation are hereby approved. The foregoing schedule of fees and charges

1 shall be effective on May 1, 2007, provided, however, that the Department of Parks and Recreation shall  
2 retain authority to adopt additional fees and may amend the adopted schedule of fees and charges  
3 following the Administrative Adjudication Law if such fees are not less than those established by this  
4 Act. The proceeds collected pursuant to this Section shall be deposited in the Public Recreation Services  
5 Fund.

6 \_\_\_\_\_Page Break\_\_\_\_\_

7 FEES AND CHARGES ASSESSED BY THE  
8 GUAM POLICE DEPARTMENT

9 Section 1. Notwithstanding the provisions of Article 3 of Chapter 9, Title 5, Guam Code Annotated (Rule-  
10 Making Procedures), the following schedule of fees and charges for services of the Guam Police  
11 Department are hereby approved.

12 GPD Current Services and Fees

Services	Current	Proposed
Gun Dealer – Annual	\$300.00	\$600.00
Guam Identifications	\$10.00	\$25.00 No expiration
Traffic Reports	\$10.00	\$15.00 each
Blotters	\$0.10	\$1.00 first page (per day) \$.10 each following page
Police Clearances (Criminal History Record)	\$5.00	\$7.00
Additional Copies (maximum 3 per day)	\$5.00 each	\$1.00 each
Abstracts of Criminal Reports	\$10.00	\$15.00
Fingerprinting	\$10.00	\$20.00
Private Security Certification	\$50.00	\$75.00
Trainer Certification	\$500.00	\$500.00
Highway Permits	\$25.00	\$50.00
Firearm Registrations (Permanent)	\$20.00	\$40.00
Fees for new, copy and replacement firearm registrations are the same.		
Firearm Identifications	\$15.00	\$25.00

Tri-annual

Fees for copies of firearm  
identifications are the same.

Conceal Firearm ID	\$30.00	\$60.00
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Tri-annual renewal

Fees for copies of conceal  
firearm ID's are the same.

Temporary Firearm ID	\$25.00	\$25.00
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GPD Current Boating Services

Services	Current	Proposed
Boating		
New Application	\$40.00 Tri-annual	\$20.00 annual
Transfer	\$40.00 Tri-annual	\$20.00 annual
Renewal	\$40.00 Tri-annual	\$20.00 annual

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