


FILE COPY

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

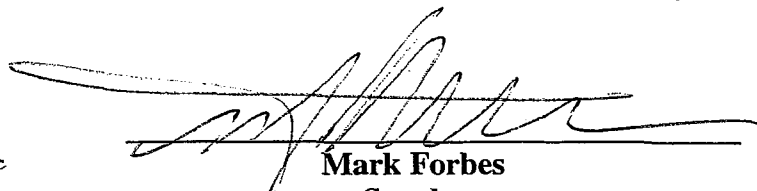
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 74(EC), "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," was on the 4th day of May, 2007, duly and regularly passed.

Attested:

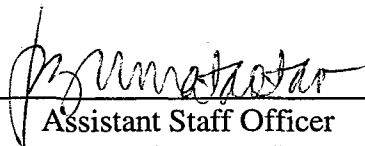


Ray Tenorio
Senator and Secretary of the Legislature



Mark Forbes
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 7 day of May, 2007, at
11:30 o'clock AM.M.
12



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

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.

Introduced by:

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

AN ACT TO AMEND PUBLIC LAW 28-149 AND PUBLIC LAW 28-150, RELATIVE TO MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2007; TO AMEND THE 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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

- | | | |
|----|---------------------|---|
| 1 | Chapter I. | Short Title. |
| 2 | | |
| 3 | Chapter II. | Amended Revenue Estimate for Fiscal Year |
| 4 | | 2007. |
| 5 | Chapter III. | Modifications to Public Law 28-149, |
| 6 | | “Educational Appropriations Act of 2007”. |
| 7 | Chapter IV. | Modifications to Public Law 28-150, “General |
| 8 | | Appropriations Act of 2007”. |
| 9 | Chapter V. | Amendments to Certain Fees, Charges and |
| 10 | | Penalties of the Government of Guam. |
| 11 | Chapter VI. | Miscellaneous Provisions. |

- 1 **Chapter VII. Supplemental Funding.**
- 2 **Chapter VIII. Severability.**

1 **CHAPTER II**

2 **AMENDED REVENUE ESTIMATE FOR FISCAL YEAR 2007**

3 **Section 1. Amended Revenue Estimate for Fiscal Year 2007.** Section 2
4 of Chapter 1 of Public Law 28-149 is hereby *amended* to read:

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

9 I. GENERAL FUND REVENUES	<u>AMOUNT</u>
10 A. TAXES	
11 Income Tax	
12 Corporate	61,491,271
13 Corporate Income Tax Amnesty	1,000,000
14 Individual	60,863,748
15 Individual Income Tax Amnesty	9,000,000
16 Withholding Taxes, Interest and Penalties	155,143,393
17 Withholding Tax Amnesty	3,000,000
18 Provision for Tax Refund and EITC	<u>(75,600,000)</u>
19 TOTAL INCOME TAXES	\$214,898,412
20 Gross Receipts Tax	159,541,059
21 Dave Santos Act Amendment	2,333,333
22 Gross Receipts Tax Amnesty	12,000,000
23 Other Taxes	<u>2,511,215</u>
24 TOTAL TAXES	\$391,284,019
25	
26 B. FEDERAL SOURCES	59,329,029
27 C. USE OF MONEY AND PROPERTY	2,788,805
28 D. LICENSES, FEES AND PERMITS	4,152,186
29 E. DEPARTMENT CHARGES	1,213,013
30	
31 F. ADDITIONAL REVENUES	
32 Deposit into the General Fund	
33 1. GTA Cushion Account/Inactive Funds	
34 and Accounts	1,450,995
35 2. Balance from Dormant/Inactive Funds	
36 and Accounts	1,666,537

1	3. Alien Labor Fees	500,000
2	4. Guam Police Department Fees	182,571
3	5. Department of Land Management Fees	1,779,192
4	6. Real Property Amnesty	<u>5,000,000</u>
5	TOTAL GENERAL FUND REVENUE	\$469,346,347

6
7 **II. SPECIAL FUND REVENUES**

8	A. Air Pollution Control Special Fund	221,182
9	B. Chamorro Land Trust Operations Fund	492,266
10	C. Corrections Revolving Fund	1,539,134
11	D. Customs, Agriculture and Quarantine Inspection	
12	Fund	8,167,484
13	E. Enhanced 911 Emergency Reporting System Fund	2,082,787
14	F. Environmental Health Fund	497,710
15	G. Guam Board of Accountancy Fund	425,029
16	H. Guam Contractors License Board Fund	334,901
17	I. Guam Environmental Trust Fund	191,812
18	J. Guam Highway Fund	15,324,872
19	K. Guam Plant Inspection and Permit Fund	44,507
20	L. Healthy Futures Fund	10,665,466
21	M. Judiciary Building Fund	20,000
22	N. Land Survey Revolving Fund	950,000
23	O. Manpower Development Fund	548,485
24	P. Police Services Fund	370,084
25	Q. Professional Engineers, Architects and	
26	Land Surveyors Board Fund	201,825
27	R. Public Recreation Services Fund	154,717
28	S. Safe Streets Fund	236,000
29	T. School Lunch/SAE/Child Nutritional Meal	
30	Reimbursement Fund	6,500,000
31	U. Solid Waste Operations Fund (Tipping Fees)	5,822,582
32	V. Street Light Fund	3,912,927
33	W. Territorial Education Facilities Fund	20,280,840
34	X. Tourist Attraction Fund	23,100,000
35	Y. Water Protection Fund	54,242
36	Z. Water Research and Development Fund	<u>79,518</u>
37	TOTAL SPECIAL FUND REVENUE	\$102,218,370

38
39 **III. FEDERAL MATCHING GRANTS-IN-AID**
40 **Federal Grants-In-Aid Requiring Local Match:**

1	A. Agriculture	\$ 560,565
2	B. Guam Council on the Arts and Humanities Agency	237,600
3	C. Guam Police Department	546,918
4	D. Integrated Services for Individuals	
5	with Disabilities	2,052,208
6	E. Judiciary of Guam	311,926
7	F. Labor	33,100
8	G. Law (AG)	4,205,679
9	H. Military Affairs	839,150
10	I. Public Health and Social Services	22,346,660
11	J. University of Guam	<u>1,508,000</u>
12	TOTAL FEDERAL MATCHING GRANTS-IN-AID	\$32,641,806
13		
14	REVENUE SUMMARY:	
15	TOTAL GENERAL FUND REVENUE	469,346,347
16	TOTAL SPECIAL FUND REVENUE	102,218,370
17	TOTAL FEDERAL MATCHING	
18	 GRANTS-IN-AID	<u>32,641,806</u>
19	GRAND TOTAL	\$604,206,523

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,

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.”

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:

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)*.”

1 **CHAPTER IV**

2 **MODIFICATIONS TO PUBLIC LAW 28-150:**

3 **“GENERAL APPROPRIATIONS ACT OF 2007”**

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

5 **General Fund Appropriations.** The first paragraph of Section 1 and Section
6 1(a), Part I, Chapter II of Public Law 28-150 are hereby specifically *amended* to
7 read:

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

9 **General Fund Appropriations.** The following appropriations totaling Fifty
10 Million Twenty-three Thousand Eight Hundred Forty-four Dollars
11 **(\$50,023,844)** are from the General Fund to the Department of Public Health
12 and Social Services (DPHSS) for Fiscal Year 2007 as follows:

13 **(a) DPHSS Operations and Community Health Centers.** The sum
14 of Eighteen Million Two Hundred Eighty-two Thousand Twenty-two Dollars
15 **(\$18,282,022)** is appropriated from the General Fund to the Department of
16 Public Health and Social Services for its operations, which includes the
17 operations of the Community Health Centers, in Fiscal Year 2007.”

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

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

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

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

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

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

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

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

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

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

21 “**Section 3. Guam Memorial Hospital Authority Operations**
22 **Appropriation.** The sum of Three Million Six Hundred One Thousand Six
23 Hundred Sixty Dollars (**\$3,601,660**) is appropriated from the General Fund
24 to the Guam Memorial Hospital Authority for its operations in Fiscal Year
25 2007.

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

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.

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.”

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:

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.

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.

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

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:

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-

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).

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).

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).

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

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).

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

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

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

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

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

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

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

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

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

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

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

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

5 (y) Board of Professional Engineers, Architects and Land
6 Surveyors (Professional Engineers, Architects and Land Surveyors Board
7 Fund - \$201,825).”

8 **Section 14. TEFF Fund Debt Service Fund Savings Appropriation**
9 **Repeal.** Subsection (d) of Section 2, Part I of Chapter IV, Public Law 28-150 is
10 hereby *repealed* in its entirety.

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

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

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

19 **Section 17. Appropriation to the Office of Finance and Budget.** Section
20 17, Part II, Chapter IV of Public Law 28-150 is hereby *amended* to read:

21 “Section 17. Appropriation to the Office of Finance and Budget.
22 The sum of Four Hundred Fifty-five Thousand Seventy-one Dollars
23 (\$455,071) is appropriated from the General Fund to *I Liheslaturan Guåhan*,
24 specifically for the operations of the Office of Finance and Budget (OFB),
25 including personnel services.”

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

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.

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:

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:

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:

15 (1) the maintenance and cleaning of the public restrooms at the
16 following parks: the Talofofa Beach Park; Inarajan Pool; *Malesso* 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.

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'lahañ 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

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

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

5 “**Section 22. Public Defender Services Corporation.** The sum
6 of Two Million Eight Hundred Forty-five Thousand One Hundred Forty-
7 nine Dollars (\$2,845,149) is appropriated from the General Fund to the
8 Public Defender Services Corporation for its operations in Fiscal Year
9 2007. This appropriation is inclusive of the amount contained in Section
10 23 of this Chapter relative to the amendment to Section 2 of P.L. 28-150
11 to the Public Defender Services Corporation.”

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

15 “**Section 28. Appropriations made to the Office of *I Segundu Na***
16 ***Maga’lahen Guåhan* and the Guam State Clearinghouse.** From the sums
17 appropriated from the General Fund pursuant to Section 1 of Chapter IV,
18 Part I of this Act, *I Maga’lahen Guåhan shall* expend the sum of One
19 Million Four Hundred Fifteen Thousand Three Hundred Ninety-four Dollars
20 (\$1,415,394) as follows:

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

1 (b) The sum of Three Hundred Fourteen Thousand Eight Hundred
2 Fifty-nine Dollars (\$314,859) shall be used for the operations of
3 the Guam State Clearinghouse, of which one quarter, or the sum
4 of Seventy-eight Thousand Seven Hundred Fifteen Dollars
5 (\$78,715) shall be released for the period beginning October 1,
6 2006 to December 31, 2006.”

7 **Section 23. Executive Branch Appropriations from other Sources.** P.L.
8 28-150, Chapter IV, Part I, Section 2 is hereby *amended* to read as follows:

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

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

17 are hereby appropriated to the following entities:

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

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

4 (6) Guam Memorial Hospital Authority Pharmaceuticals Fund -
5 \$185,659 pursuant to Section 2, Part IV, Chapter II of Public Law 28-150.

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

9 (7) Notwithstanding any provision of law, the sum of One Million
10 Six Hundred Sixty-six Thousand Five Hundred Thirty-seven Dollars
11 (\$1,666,537) from the balances held in dormant or inactive funds and
12 accounts, as described by the Office of the Public Auditor in OPA Report
13 No. 06-03, is hereby transferred to the General Fund and is hereby
14 appropriated from the General Fund to *I Maga'lahañ Guåhan* for Executive
15 Branch FY 2007 operations, including personnel costs. Upon such transfer,
16 the said dormant funds and accounts *shall* be closed and all further receipts
17 from such funds *shall* be deposited in the General Fund. The Director of
18 Administration *shall* report to *I Maga'lahañ Guåhan* and *I Liheslaturan*
19 *Guåhan* on the final closure of said funds and the amounts transferred to the
20 General Fund."

21 **Section 24. Appropriation for Conservation Officers.** Section 1, Part IX,
22 Chapter III of Public Law 28-150 is hereby *amended* to read:

23 "Section 1. **Appropriation for Conservation Officers.** There is hereby
24 appropriated from the General Fund to the Department of Agriculture the sum of
25 Five Hundred Ninety-one Thousand Eight Hundred Seventy-nine Dollars
26 (\$591,879) for the compensation and benefits of Conservation Officers in the

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

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

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:

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.”

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:

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.”

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:

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.”

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.

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.”

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

<u>Scales</u>	<u>Fee</u>
01 to 30 lbs	\$4.00
31 to 100 lbs	\$6.00
101 to 501 lbs	\$8.00
501 to 2,000 lbs	\$13.00
2001 to 5,000 lbs	\$25.00
5001 to 10,000 lbs	\$35.00
Over 10,000 lbs	\$40.00
Dry or Liquid Measures	
Less than 1 gallon	\$4.00
1 to 5 gallons	\$10.00
Lineal Measures	
Inspectors	
Salary per hour	\$10.00
Taxi Calibration	
Taximeter	\$20.00”

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	Class 2. Agent's license	\$250.00 per year
2	Class 3. Wholesale dealer's license	\$1,000.00 per year
3	Class 4. Retail dealer's on-sale license:	
4	Beer	\$300.00 per year
5	General	\$1,000.00 per year
6	Wine	\$300.00 per year
7	Waiter/Waitress	\$15.00 per year
8	Manager/Assistant Manager	\$25.00 per year
9	Class 5. Retail dealer's off-sale license:	
10	Beer	\$200.00 per year
11	General	\$1,000.00 per year
12	Class 6. Special Alcoholic license	\$25.00 per year
13	Class 7. Temporary beer license	\$20.00 per day
14		<i>not to exceed \$100.00 per event</i>
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		<i>not to exceed \$100.00 per event</i>
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:

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.”

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. ”

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).”

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:

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 (30th) 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 (31st) 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 (31st) day of July *shall* be required
21 to discontinue sales of tobacco products.

22 Additionally, any licensee who fails to renew his or her license on or
23 before the thirty-first (31st) 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).”

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);

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.”

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 bungee jump, Two Hundred Dollars
27 (\$200.00); and

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

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.

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 31st 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	From \$1.00 to \$100,000.00	\$100.00
27	\$100,001.00 to \$500,000.00	\$200.00

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

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

5 “§72108. **Retail License.** A retail license must be obtained by every
6 person who engages in the business of selling tangible property to others for
7 the consumption or use by the purchaser, and not for resale. The annual fee
8 for a retail license shall be based on annual gross revenue as follows:

9	From \$1.00 to \$250,000.00	\$100.00
10	\$250,001.00 to \$500,000.00	\$200.00
11	\$500,001.00 to \$1,000,000.00	\$400.00
12	\$1,000,001.00 to \$2,000,000.00	\$800.00
13	Exceeding \$2,000,000.00	\$1,000.00.”

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

15 “§72109. **Vending Machine for Printed Materials Fees.** For those
16 licensees engaged in the selling of printed materials, magazines or
17 newspapers in consideration through coin, token, or monetarily operated
18 vending machines, the annual fee is Ten Dollars (\$10.00) for each vending
19 machine so operated, notwithstanding 11 GCA §70121.”

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

21 “§72110. **Manufacturer’s License.** A manufacturer’s license must
22 be obtained by every person who engages in the business of applying labor,
23 by hand or with the aid of machinery, to raw materials or to partially
24 processed materials resulting in substantial transformation of some material
25 into a form capable of use different from that to which it could be put before
26 such substantial transformation. The annual fee for a manufacturer’s license
27 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.”

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

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.

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.”

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 1st 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 1st 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 30th 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 30th 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.

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 30th; 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:

18	(1) Operator’s License	\$25.00
19	(2) Chauffeur’s License Class B	\$25.00
20	(3) Chauffeur’s License Class C	\$25.00
21	(4) Chauffeur’s License Class D	\$25.00
22	(5) Motorcycle Class F	\$25.00
23	(6) Mini Bus Class G	\$25.00
24	(7) Modified Vehicle Class H	\$25.00
25	(8) All other classes	\$25.00
26	(9) Driver’s License Renewal	
27	Fee - Three (3) years	\$25.00

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

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

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

24 “**§3116. Publication.** The Department of Revenue and Taxation is
25 authorized to publish various handbooks, covering the rules and regulations
26 of each class of drivers, and to charge a fee therefore as follows:

- 27 1. Operator's Handbook \$ 5.00

- 2. Chauffeur's Handbook \$ 5.00
- 3. Motorcycle Handbook \$ 5.00"

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

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

- (1) Temporary Permit A \$ 5.00
- (2) Temporary Permit B \$10.00”

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

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

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

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

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

“§7124. **Bicycle Equipped with a Motor: Registration.** The Department of Revenue and Taxation *shall* register and issue to the owner of a bicycle equipped with a motor a license plate. The fee for initial 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.”

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)

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:

Gross Weight of Vehicle in Pounds	License and Registration Fees
Under 1000	\$20.00

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

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:

Model Year	Percent of Fee as
------------	-------------------

	Shown on Table
1949 and earlier	50%
1950 through 1953	75%
1954 and subsequent	100%

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:

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:

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

14 **Section 47.** A new §7176 is *added* to Chapter 7 of 16 GCA to read as
15 follows:

16 “§7176. **Certification Fee.** The Director of Revenue and Taxation is
17 authorized to provide documentation at the request of the registered or legal owner
18 of a vehicle as proof of the ownership or status of said vehicle at a fee of Ten
19 Dollars (\$10.00).”

20 **Section 48.** Subsection (d) of §11101 of 16 GCA is *amended* to read as
21 follows:

22 “(d) Upon the approval of an application for a taxicab driver’s license,
23 the applicant *shall* be required to pay the license fee of Seven Dollars
24 (\$7.00) to the Treasurer of Guam prior to receiving the license. This fee is in
25 addition to the Chauffeur’s License fee.”

26 **Section 49.** A new subsection (d) is *added* to §11102 of 16 GCA to read as
27 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 <i>bonafide</i> 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

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

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)."

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.”

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.”

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.”

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

1	of certificate after revocation	
2	or expiration	\$900.00
3	Filing of application for withdrawal	\$200.00
4	Furnishing copies of papers filed,	
5	per page	\$1.00
6	Certifying copies of paper filed,	
7	per document	\$25.00

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

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

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

14 “**§15114. Penalty.** Any person violating any provision of this Article
15 *shall* be fined *no more than* Five Thousand Dollars (\$5,000.00).”

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

18 “(f) **Filing Fee for Annual Statement: Penalty.** The filing fee
19 for an annual financial statement *shall* be Fifty Dollars (\$50.00). Any
20 domestic insurer that fails to file an annual financial statement on or
21 before April 1st of each year as required by subsection (a) hereof,
22 *shall* pay a penalty of Five Hundred Dollars (\$500.00). After May
23 15th the domestic insurer *shall* pay an additional late filing fee of One
24 Hundred Dollars (\$100.00) per day. The failure of a domestic insurer
25 or company to file the required annual financial statement *shall*
26 compel the automatic suspension or revocation of the domestic
27 insurer’s or company’s certificate of authority. ”

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).”

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 1st of each year as required in §15404 *shall* pay a penalty of Five
11 Hundred Dollars (\$500.00). After May 15th, 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.”

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 1st of each
21 year as required in §15504 *shall* pay a penalty of Five Hundred Dollars
22 (\$500.00). After May 15th, 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.”

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 1st day of July
8 occurring after issuance. The fee for each type of license and the renewal
9 thereof *shall* be as follows:

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

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).”

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.”

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).”

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 (AQB) 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.”

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.”

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.

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.

1 CHAPTER V

2 PART II

3 FEES AND CHARGES ASSESSED BY THE
4 GUAM FIRE DEPARTMENT

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.

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.

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.

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CHAPTER V

PART III

**FEES AND CHARGES ASSESSED BY THE
DEPARTMENT OF LAND MANAGEMENT**

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

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

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

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

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

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.

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.”

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:

- 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).
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

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.”

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”

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

8 **Hard Copy Maps:**

9 (a) **Published Hard Copy Map Fees**

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

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

20 **Specialty Maps**

<u>Map Name</u>	<u>Price</u>
21 Department of Land Management	\$95.00
22 1967 Official Zoning Map 18 Sheet Set	
23 Department of Land Management	
24 Zoning Map	\$110.00
25 21 Sheet Set (including zoning map disclaimer)	
26 Ground Water Protection Zone Map	\$25.00

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.

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>
1993 Digital Ortho Photos	\$4,000

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>
20 GIS Parcel Footprint Panel	\$500	\$600
21 GIS Contour Panel	\$500	\$800
22 Other GIS Map Layer	\$2,500	\$3,000

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:

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

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

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

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

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

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

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

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

(plus 15% contingency fee)

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

(A) Up to 1 ream \$25.00

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

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

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

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

(plus 15% contingency fee)

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

(A) Maximum of 25 property owners \$8.00

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

6 (4) Man-hours to complete research:

7 8 hours x \$13.00 \$104.00

8 (5) Equipment Use \$75.00”

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	(1) Appeals	\$50.00
17	(2) Conditional Use Permit	\$50.00
18	(3) Zone Change	\$50.00
19	(4) Zone Variance (Use, Sign, Density,	
20	Height, Parking)	\$75.00
21	(5) Zone Variance – Setback	\$75.00
22	(6) Subdivision Variance	\$50.00
23	(7) Tentative Development Plans	\$50.00
24	<u>SERVICES BY THE GUAM LAND USE COMMISSION:</u>	
25	(8) Summary Zone Change	\$25.00
26	(9) Split Zone Change	\$25.00
27	(10) Zone Variance – Setback Non-	

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

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

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

10 (1) Public Hearing (Ad size 2" x 2" = 4 (x): the current rate
11 charged by a newspaper of general circulation.

12 (2) GLUC Hearing (Ad size 2" x 2" = 4 (x): the current rate
13 charged by a newspaper of general circulation.

14 (3) HPR Final and Preliminary Public Report Hearing (Ad size
15 2" x 2" = 4 (x): the current rate charged by a newspaper of
16 general circulation.

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

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

21 “§63112. **Fees.** The following fee schedule is established:

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

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

26 **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)."

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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CHAPTER V
PART IV
FEES AND CHARGES ASSESSED BY THE
DEPARTMENT OF LABOR

Section 1. Registration Fee. §7119 of Article 1, Chapter 7 of Title 22 GCA is hereby *amended* to read:

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

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

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CHAPTER V

PART V

**FEES AND CHARGES ASSESSED BY THE BOARD OF
PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS
(PEALS)**

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

CHAPTER V
PART VI
FEES AND CHARGES ASSESSED BY THE
CONTRACTORS LICENSE BOARD

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

“§70114. Fees; Annual.

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

(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**

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.

1 **CHAPTER V**

2 **PART VIII**

3 **FEEES AND CHARGES ASSESSED BY THE**
4 **GUAM POLICE DEPARTMENT**

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

8 **GPD Services and Fees**

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

Trainer Certification \$500.00

Highway Permits \$50.00

Firearm Registrations \$40.00

(Permanent)

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

Firearm Identifications \$25.00

Tri-annual

Fees for copies of firearm identifications are the same.

Concealed Firearm ID \$60.00

Tri-annual renewal

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

Temporary Firearm ID \$25.00

GPD Boating Services and Fees

Boating Services

Fees

New Application \$20.00 annual

Transfer \$20.00 annual

Renewal \$20.00 annual

1 **CHAPTER VI**

2 **MISCELLANEOUS PROVISIONS**

3 **Section 1. Autonomous Agencies COLA Annuity Share.** (a) The A.
4 B. Won Pat International Airport Authority, Guam, the Guam Economic
5 Development and Commerce Authority, the Guam Housing Corporation, and the
6 Government of Guam Retirement Fund *shall* pay a “Cost of Living Allowance”
7 (COLA) of One Thousand One Hundred Dollars (\$1,100) to the annuitants who
8 retired from every respective aforementioned agency who were receiving COLA as
9 of September 30, 2006 and their survivors.

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

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

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

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

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 *Lihselaturan 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.”

1 **Section 5. Guam Community College Budget.** §33101 of Chapter 33 of
2 17 GCA is hereby *amended* to read:

3 **“§33101. Submission of Budget.**

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

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

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

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

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

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

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

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

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.

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.

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.

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

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

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

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

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

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.

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.

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

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

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.

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.”

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

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.

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.

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.

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

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.

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.

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.

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

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.

11 **§12107. Recommendation to I Maga'lahi and I Liheslaturan**

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

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

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

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

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

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."*

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

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

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

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

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

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

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

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'lahaen 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.”

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.

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:

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

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.”

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

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.”

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.

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.

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 (15th) 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 Liheslaturan 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 21st Century and Beyond (COM-21).**

27 **§13103. Duties of the Commission.**

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 (21st) 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 (21st) Century and Beyond” (COM-21).

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 *Lihe slaturan Guåhan*, who may appoint himself;

9 (3) One (1) member *shall* be appointed by the Minority
10 Leader of *I Lihe slaturan 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

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

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.

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.

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

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

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.

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*

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

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.

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;

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:

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'lahaen Guåhan* no later than November 1st, 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*:

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

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;

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

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

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

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;

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;

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

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

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

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.

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:

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**

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

13 **§13108. Modernization and Streamlining Panels and Committees. (a)**

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

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

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

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

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

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.

11 (e) Panel reports *shall* be completed and submitted by June 1st, 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.

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.

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.”

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.

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'lahaen 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

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

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.

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.

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.

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;

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;

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

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.

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.

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

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

5 **§13109. Executive Branch Accounting, Financial, and Economic**
6 **Services.** *I Maga'lahaen Guåhan shall* provide the Office of Finance and
7 Budget with any and all information and services it requires to fully execute
8 this Chapter.

9 (a) Reports. *I Maga'lahaen Guåhan shall* report to *I Liheslaturan*
10 *Guåhan* as follows:

11 (1) *No later than* thirty (30) days *after* the end of each month of
12 a fiscal year, the revenue tracking for the General Fund, the Tourist
13 Attraction Fund, Solid Waste Operations Fund (Tipping Fees),
14 Territorial Education Facilities Fund, and the Guam Highway Fund
15 for the balance of the fiscal year, based upon the actual collections of
16 the preceding month, and prepare a comparative statement of “actual”
17 and “projected” revenues. Such information *shall* be compiled in a
18 report, in collaboration with the Director of Revenue and Taxation
19 and the Director of Administration, certified by the Director of the
20 Bureau of Budget and Management Research, and submitted to the
21 Speaker of *I Liheslaturan Guåhan no later than* thirty (30) days *after*
22 the end of each month of the fiscal year;

23 (2) On July 1, 2007, and on a semiannual basis thereafter, the
24 impact of federal expenditures, including projections of federal
25 expenditures on Guam, on Guam’s economic growth, employment,
26 tax revenues, and other variables, for the next year compared with the
27 previous five (5) years; identify significant federal expenditures *or*

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*;

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

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.”

1 **Section 35. Executive Branch Travel Restrictions.** Funds appropriated
2 by this Act, *shall not* be used for off-island travel *or* per diem by executive branch
3 employees and officials except for:

- 4 (a) Travel that is federally funded;
- 5 (b) Travel that is specifically required to administer *or* secure federal
6 grant programs;
- 7 (c) Travel by *I Maga'lahen Guåhan, I Segundu Na Maga'lahen Guåhan,*
8 Mayors and Vice-Mayors, and other officials to represent the people
9 of Guam at meetings and functions deemed critical to the well-being
10 of the people of Guam by *I Maga'lahen Guåhan,* provided that the
11 Director of Administration *shall* provide a monthly report to the
12 Speaker of *I Liheslaturan Guåhan* on such travel expenses by the 5th
13 day of each subsequent month thereafter;
- 14 (d) Travel to promote tourism on Guam, provided that such travel is paid
15 for by the Tourist Attraction Fund and is restricted to the General
16 Manager *or* his designee, Board Members, professional staff of the
17 Guam Visitors Bureau, and those individuals required for promotional
18 activities;
- 19 (e) Travel by law enforcement personnel providing escort services for
20 criminal suspects, detainees, and convicted felons being returned to
21 Guam for judicial proceedings *or* being transferred to off-island
22 correctional facilities;
- 23 (f) Travel by medical personnel providing escort services for patients
24 requiring off-island medical treatment, and other escorts as
25 specifically authorized by the Department of Public Health and Social
26 Services pursuant to Guam law;
- 27 (g) Travel necessary for the enforcement of court orders;

- 1 (h) Travel under the Residential Treatment Fund;
- 2 (i) Travel required for employees requiring professional certification and
- 3 training.

4 **Section 36. Wireless Communications Restrictions.** Notwithstanding any

5 other provision of law, no government of Guam funds *shall* be expended for the

6 use of cellular telephones, cellular telephone service and other wireless telephone

7 service. This Section *shall* apply to the expenditure of any *or* all government of

8 Guam funds, *regardless* of source and inclusive of all funds expended by

9 autonomous agencies. Government of Guam funds may be spent on wireless

10 telephone service if the government of Guam will be reimbursed from Federal

11 funds or other grants. This Section *shall not* apply to *I Maga'lahaen Guåhan, I*

12 *Segundu Na Maga'lahaen Guåhan*, the Speaker of *I Liheslaturan Guåhan*, the Chief

13 Justice of the Supreme Court of Guam, the Presiding Judge of the Superior Court

14 of Guam, the Crisis Hotline Program of the Department of Mental Health and

15 Substance Abuse (for official use only), law enforcement officials, and on-call

16 health professionals at the Guam Memorial Hospital Authority, the Department of

17 Mental Health and Substance Abuse, the Department of Public Health and Social

18 Services, the Village Mayors and Vice Mayors, GFD and EMS officials, on-call

19 emergency management personnel and the Guam Medical Examiner.”

20 **Section 37. Restriction on the Home Use of Government of Guam**

21 **Vehicles.** Except where *expressly* permitted by 4 GCA, §1103(c), no government

22 of Guam owned, leased *or* rented vehicles may be driven home by an employee

23 unless such employee is on call as an emergency first responder.

24 **Section 38.** §3111 of Chapter 3, Title 2 GCA is *amended* to read:

25 “§3111. **Oaths and Affirmations.** The Speaker of *I Liheslaturan Guåhan*,

26 *or* the Chairperson of a Committee, *or* their designee, including the legislative

27 Sergeant-at-Arms *or* Assistant Sergeant-at-Arms, may administer oaths *or*

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.

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’lahen Guahan*.** *I Maga’lahen*
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

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 *Lihaslaturan 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 20th 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:

- 1 (a) teachers, guidance counselors, school librarians,
2 school health counselors, one-to-one school aides
3 for children with special needs, special education
4 professionals;
- 5 (b) attorneys; investigators and legal support
6 personnel;
- 7 (c) nurses and doctors;
- 8 (d) temporary survey workers employed by the
9 Department of Labor for the purpose of conducting
10 employment surveys;
- 11 (e) licensed health care professional ancillary service
12 positions at the Guam Memorial Hospital
13 Authority, the Department of Mental Health and
14 Substance Abuse, and the Department of Public
15 Health and Social Services;
- 16 (f) faculty positions of the University of Guam and
17 the Guam Community College;
- 18 (g) youth service workers and youth service worker
19 assistants; and
- 20 (h) uniformed police, fire, corrections and related
21 public safety positions;
- 22 (i) positions within the Mayors Council of Guam;
- 23 (j) positions appointed directly by *I Maga'laha*
24 *Guåhan*;
- 25 (k) revenue agents and other positions within the
26 Department of Revenue and Taxation related to the

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.

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

1 Board to adopt *or* disapprove proposals of the subcommittees, and state the
2 reasons therefore;

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

8 (5) Ensure that the textbook adoption calendar and the textbook
9 ordering calendar established by the Board are adhered to.

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.

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.

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.

26 **Section 48.** Pursuant to the Personnel Rules and Regulation of the
27 Department of Administration, no permanent classified employee of any

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'lahañ Guåhan* and *I*
17 *Liheslatura* no later than September 1, 2007.

1 **Chapter VII**

2 **Supplemental Funding**

3 **Section 1. Repeal of §26201(b), (c) and (d) of 11 GCA.** (a) Legislative
4 Intent. *I Liheslaturan Guahan* finds that §26201(b), (c) and (d) of Title 11 of the
5 Guam Code Annotated were enacted to provide an incentive to retailers who
6 choose to make the Business Privilege Tax (formerly known as the Gross Receipts
7 Tax) visible to its customers as a result of the temporary increase of the said tax
8 pursuant to Public Law 27-05. *I Liheslaturan Guahan* finds that the
9 aforementioned Subsections should be repealed since the temporary increase of tax
10 has been repealed. *I Liheslaturan Guahan* finds that it is in the best interest of the
11 people of Guam to repeal the incentive contained herein, and that the revenues
12 generated from the repeal of this Section *should* be appropriated to fund critical
13 public services of the government of Guam.

14 (b) **Repeal.** §26201(b), (c) and (d) of Chapter 26 of 11 GCA are hereby
15 *repealed.*

16 (c) **Notification.** The Director of Revenue and Taxation *shall* notify in
17 writing all persons who have previously used §26201(b), (c) and (d)
18 of their repeal.

19 **Section 2. Revenues Realized.** Notwithstanding the adopted revised
20 revenue estimate for Fiscal Year 2007 contained in Chapter 2 of this Act, *I*
21 *Liheslaturan Guahan*, the Guam Legislature, adopts the sum of Two Million
22 Dollars (\$2,000,000) as additional revenue for the government of Guam resulting
23 from the repeal of §26201(b), (c) and (d) of Title 11 of the Guam Code Annotated.

24 **Section 3. Appropriations.** In addition to the appropriations contained in
25 the other Chapters of this Act and Public Law 28-149 and Public Law 28-150, the
26 sum of Two Million Dollars (\$2,000,000) is hereby appropriated from the General

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:

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;

7 (b) Guam Community College - \$250,000;

8 (c) Department of Revenue and Taxation - \$500,000;

9 (d) Public Defender Service Corporation - \$150,000;

10 (e) Department of Public Health and Social Services - \$600,000.”

1 **Chapter VIII**

2 **Section 1. Severability.** *If* any provision of this Act or its application to
3 any person or circumstances is held invalid, the invalidity shall *not* affect other
4 provisions or applications of this Act which can be given effect without the invalid
5 provision or application, and to this end the provisions of this Act are severable.

APPENDIX

	Department / Agency	Reduction
1	University of Guam	2,969,897
2	Guam Community College	448,382
3	Guam Educational Telecommunications Corp. (KGTF)	62,069
4	Guam Public Library System	142,887
5	Department of Public Health and Social Services	2,222,931
6	Department of Integrated Services for Individuals with Disabilities	318,944
7	Department of Mental Health and Social Services	541,921
8	Guam Fire Department	2,545,570
9	Department of Corrections	1,679,904
10	Department of Youth Affairs	404,949
11	Office of the Chief Medical Examiners	49,290
12	Department of Parks and Recreation - Park Patrol Officers	25,997
13	Department of Agriculture - Conservation Officers	72,153
14	Department of Administration	956,704
15	Department of Revenue and Taxation	973,928
16	Bureau of Budget and Management Research	158,444
17	Civil Service Commission	54,902
18	Bureau of Statistics and Plans	128,954
19	Military Affairs (includes Civil Defense)	53,448
20	Department of Public Works	932,525
21	Department of Labor	199,886
22	Agriculture	257,189
23	Land Management	257,712
24	Parks and Recreation	415,485
25	Guam Council on the Arts and Humanities Agency	30,641
26	Chamorro Affairs (Guam Museum, etc)	79,035
27	Guam Election Commission	39,860
28	Commission on Decolonization	17,241
29	Guam Ancestral Lands Commission	22,758
30	Office of I Maga'lahren Guahan	452,789
31	Office I Segundo Na Maga'lahren Guahan	130,571
32	GU State Clearinghouse	37,356
33	Veteran's Affairs Office	30,998
34	Medical Referral Office	74,712
35	Office of the Public Auditor	133,038
36	Procurement Appeals	16,168
37	Public Defender Services Corp.	346,903
38	<i>I Liheslaturan Guåhan</i>	824,429
	TOTAL	18,110,570

Exempted: GPSS, GMHA, Judiciary, GPD, Mayors, Law

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ARTICLE I

AMBULANCE SERVICES (NON-EMERGENCY)

CHAPTER 1 - GENERAL PROVISIONS

1
2
3
4
5 **A. SCOPE.** To establish the Guam Fire Department's policy, rules or
6 regulations, and fee Schedule for the **non-emergency** use of Ambulance Services.

7 **B. DEFINITION.** For the purpose of this Chapter, the following
8 definitions apply:

9 1. *Ambulance Services* is the use or temporary deployment of the
10 department's ambulance or it's attending Emergency Medical Technician
11 (EMT), to treat or transport sick or injured persons, ambulatory or non-
12 ambulatory, to or from a medical facility; or remain on alert status at events,
13 concerts, games, races, promotions, functions, or activities requiring the
14 same presence.

15 2. *Non-emergency Service* is that which does not fall under the
16 definition of "Emergency Service" as defined by the American College of
17 Emergency Physicians.

18 The following examples would demonstrate the need for urgent or
19 unscheduled medical care in the prudent layperson's opinion based on an
20 average knowledge of medicine and health. This list is not intended to be all
21 encompassing for all medical conditions or situations that may arise and
22 should be used only to conceptually embrace an unlimited number of
23 medical abnormalities that could constitute an emergent situation based on
24 the person's current physical or mental condition.

25 Examples of these services (Emergency Services) would include the
26 following:

27 Evaluation or management of:

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Schedule Of Fees and Charges with Rules And Regulations

- 1 · Acute or Significant pain.
- 2 · Any trauma (less than seventy-two (72) hours from time of incident)
- 3 and/or complications of trauma (regardless of time).
- 4 · Acute infection or sepsis.
- 5 · Shock or impending shock.
- 6 · Obstetrical crisis and/or labor
- 7 · Bleeding or threats of hemorrhage.
- 8 · Any condition resulting in admission of the patient to a hospital or
- 9 nursing home within twenty-four (24) hours.
- 10 · Suspected abuse or neglect of any person could result in temporary or
- 11 permanent physical or psychological harm.
- 12 · Any illness or injury that would cause loss or impairment of the
- 13 following systems: integumentary, musculoskeletal, HEENT, respiratory,
- 14 gastrointestinal, genitourinary, nervous, or cardiovascular.
- 15 · Congenital defects or abnormalities in an infant.
- 16 · A patient suspected to be suffering from a mental illness and/or
- 17 posing an apparent danger to the safety of him, her and others.
- 18 · Any Acute or significant symptom(s) that might indicate a condition
- 19 that constitutes a threat to the patient's or family's physical or
- 20 psychological well-being requiring prompt medical attention preventing
- 21 possible deterioration, disability or death.

C. SCHEDULING, STAND-BY SERVICES.

- 22 1. Persons requesting for an ambulance stand-by Service must call the
- 23 Emergency Medical Services/Rescue Division Office at the least two (2)
- 24

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1 weeks (fourteen (14) days) in advance for scheduling. The following
2 information must be provided:

- 3 a. Name of person requesting.
- 4 b. Type of Activity being conducted.
- 5 c. Location of "Stand-By Service."
- 6 d. Time and duration of request.
- 7 e. Name of organization requesting.
- 8 f. Name of contact person and telephone number.
- 9 g. Complete mailing address.

10 2. The caller requesting the service will be given a Stand-By Service
11 Request Number which will be used for future reference.

12 3. The Guam Fire Department will contact the person requesting the
13 Stand-By Service at least one (1) week or seven (7) days prior to the activity
14 date for confirmation.

15 4. Stand-By Services may be cancelled by calling the E.M.S./Rescue
16 Division at least twenty-four (24) hours prior to the stand-by. If a service is
17 not cancelled accordingly, the minimum first hour charge will be assessed.

18 See Chapter 2 of Article 1: Fee Schedule for Stand-By Services and
19 Non-Emergency Patient Transport Services.

20 **D. FEES, "STAND-BY SERVICES."**

21 1. A minimum one (1) hour fee will be charged for all Stand-By
22 Services. After the first hour, hourly fees will be charged for each additional
23 hour or each fifteen (15) minutes (one-fourth the hourly rate) portions
24 thereof of ambulance Stand-By Services.

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1 2. Fees will be charged from the time a unit arrives at a stand-by until
2 the time the unit leaves the scene.

3 3. Adjustments will be made to the charges should Guam Fire
4 Department be unable to meet the scheduled time or must remove a unit
5 from a stand-by.

6 4. A Stand-by Service which is not cancelled prior to the required
7 twenty-four (24) hour notice will be billed for one (1) hour of service.

8 See Chapter 2 of Article 1: Fee Schedule for Stand-By Services and
9 Non-Emergency Patient Transport Services.

10 **E. GUAM FIRE DEPARTMENT'S RESPONSIBILITY.**

11 1. The Guam Fire Department's primary medical mission is to
12 emergency patients. Therefore, no ambulance can be said to be dedicated to
13 a Stand-By Service. The Guam Fire Department will do its best to have its
14 unit arrive promptly and remain at the location for the time duration
15 requested. If a unit must be pulled from a Stand-By Service to respond to an
16 Emergency, the Guam Fire Department will do its best to replace that unit
17 within fifteen (15) minutes. If this is not possible, appropriate adjustments
18 will be made to the stand-by charges based on the time a unit returns to the
19 scene.

20 2. The Guam Fire Department will schedule an ambulance for
21 each Stand-By Service Requested, however, at the time of the service, if an
22 ambulance is not immediately available because of an emergency, the
23 department has the option to temporarily replace the unit with another

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1 patient transport. An ambulance will be placed at the scene as soon as
2 possible upon availability.

3 3. Should an ambulance unit not be available at all for the entire
4 duration of the Stand-By Service due to shortage of ambulances, other units
5 manned by Emergency Medical Technicians such as Engine Companies and
6 Rescue Units will be utilized for such Stand-By services.

7 **F. COLLECTION OF FEES.**

8 1. An invoice will be mailed to the requesting organization or
9 individual within fifteen (15) days of the service provided. Payment is due
10 within thirty (30) days of the statement date.

11 2. All payment shall be remitted to the Treasurer of Guam, who
12 shall deposit these collections in the Guam Fire Department's Fire, Life and
13 Medical Emergency Fund ("FLAME").

14 3. Penalty charges will be assessed on delinquent accounts.
15 Subsequent reminder notices shall reflect such charges, which are due within
16 fifteen (15) days of the date of the issuance.

17 See Chapter 2 Article 1: Fee Schedule for Stand-By Services and
18 Non-Emergency Patient Transport Services.

19 **G. SCHEDULING, NON-EMERGENCY PATIENT TRANSPORT**
20 **SERVICES.**

21 1. Requests for non-emergency patient transport services will be
22 categorized as follows:

23 a. Routine Scheduled Transports.

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1 i. This category will include all transports which can be
2 scheduled at east forty-eight (48) hours ahead of time. Examples may
3 be: weekly therapy, doctor's appointments, lab services, etc.

4 ii. An individual may request for a Routine Scheduled
5 Transport by calling the Emergency Medical Services/Rescue
6 Division Office at least twenty-four (24) hours in advance.

 iii. Individuals should schedule the patient transport at the same time
as they are scheduling the appointment with the clinic or lab to ensure that
transport service is available at the proposed appointment time.

 iv. If this coordinated scheduling is not done, and there are multiple
transports and conflicting schedules, a patient may be requested to change
his appointment time or date.

 v. The Guam Fire Department will call the contact person, on the day
of the scheduled transport, to verify and confirm the service requested.

 vi. A person requesting a Routine Scheduled Transport service, who
does not cancel the same before an ambulance checks out to the requested
location, will be charged as provided for in Chapter 2 – Fee Schedule for
Ambulance Stand-by and Non-Emergency Patient Transport Services,
Section(4).

See Chapter 2 Article 1: Fee Schedule for Stand-By Services and Non-Emergency
Patient Transport Service

b. **Unscheduled Transport.**

 i. This category will include all transports which cannot be scheduled
forty-eight (48) hours ahead of time. (Examples may be: transport of

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patients' release from Guam Memorial Hospital, special transports from G.M.H. to lab for inpatients, etc.).

ii. Individuals may request for unscheduled transports by contacting the Guam Fire Department Integrated Emergency Communications Center (E 9-1-1/Fire Dispatch).

iii. Requests received with less than twelve (12) hours notice will be entertained as best as possible by the Guam Fire Department Ambulance service. Emergency responses will take priority and non-emergency services may be delayed.

iv. A person(s) requesting a Routine Schedule Transport Service, who does not cancel the same before an ambulance checks out to the requested location, will be charged as provided in Chapter 2 – Fee Schedule for Ambulance standby and Non-Emergency Patient Transport Services, Section(4).

See Chapter 2 Article 1: Fee Schedule for Stand-By Services and Non-Emergency Patient Transport Services.

2. All requests for transports shall comply with the following procedures.

a. Upon calling the appropriate office to request the transport, the following information must be provided:

- i. Name of person requesting.
- ii. Location/address of patient pick-up.
- iii. Location/address of the destination to transport the patient.
- iv. Time of scheduled appointment (if applicable)
- v. Time of requested pick-up
- vi. Name and phone number of contact person.

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vii. Patients' complete mailing address.

viii. Name of an insurance carrier (if any).

b. Individual requesting services should notify the intended receiving party (doctors' office, clinic, lab, etc.) that appointment times be flexible as the Guam Fire Department cannot guarantee an arrival time at the destination.

c. Patients must be accompanied by an appropriate family member or care giver.

d. If the patient is unaccompanied and staff and facilities (wheelchair, stretcher, etc.) are not available at the receiving facility to monitor the patient, the G.F.D. ambulance crew will remain with the patient, however, additional fees for this service will be charged.

See Chapter 2 of Article I: Fee Schedule for Stand-by Services and Non Emergency Patient Transport Services.

3. The caller requesting the service will be given a Non-Emergency Transport Service number which will be used for future reference to the request.

H. FEES, NON-EMERGENCY TRANSPORT SERVICES.

1. Fees for all non-emergency transports will be charged a flat trip rate, regardless of distance or time required for transport; except that Wait Time Fees will be added to the charge if the allotted time stipulated below is exceeded.

2. The Trip Rate will encompass travel time to the pick-up point, a maximum fifteen (15) minute wait and load time at the pick-up point, travel time from the pick-up point to the delivery point, and a maximum fifteen (15) minute wait and off-load time.

3. If the wait, by the ambulance crew, at the time of pick-up or delivery exceeds fifteen (15) minutes, a fee per each fifteen (15) minutes will be charged.

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4. Any Wait Time will be based on the ambulance crew's arrival at the scene time and en route to location time, or the arrival at location time and ready for service time, as received and recorded by the Guam Fire Department Integrated Emergency Communications Center – E 9-1-1/Fire Dispatch.

See Chapter 2 of Article I: Fee Schedule for Stand-By Services and Non-Emergency Patient Transport Services.

I. COLLECTION OF FEES, NON-EMERGENCY TRANSPORT SERVICES.

1. An invoice will be mailed to the requesting organization or individual within fifteen (15) days of the service provided. Payment is due within thirty (30) days of the statement date.

2. All payment shall be remitted to the Treasurer of Guam, who shall deposit these collections in the Guam Fire Department's Fire, Life and Medical Emergency Fund "FLAME", Title 10 GCA §72106.

3. Penalty charges will be assessed on delinquent accounts. Subsequent reminder notices shall reflect such charges, which are due within fifteen (15) days of the date of issuance.

See Chapter 2 of Article 1: Fee Schedule for Stand-By Services and Non-Emergency Patient Transport Services.

J. COLLECTION OF FEES, EMERGENCY TRANSPORT SERVICES.

1. An invoice will be mailed to the individual or the individual's Health Insurance Company within fifteen (15) days of the service provided. Payment is due within thirty (30) days of the statement date.

2. All payment shall be remitted to the Treasurer of Guam, who shall deposit these collections in the Guam Fire Department's Guam Fire Department's Fire, Life and Medical Emergency Fund "FLAME", Title 10 GCA §72106.

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3. Penalty charges will be assessed on delinquent accounts. Subsequent reminder notices shall reflect such charges, which are due within fifteen (15) days of the date of issuance.

See Chapter 2 of Article 1: Fee Schedule for Stand-By Services and Non-Emergency Patient Transport Services.

K. SERVICES APPEAL.

Any person seeking relief from a decision, action or inaction of a member of the Guam Fire Department, on matters concerning this article, shall present, either verbally or in writing, an appeal and recommended solution to the Fire Chief. The Fire Chief shall investigate the matter, and accordingly, determine the course of action. Written appeals require that the Fire Chief notify the appellant in writing of the Fire Chief's decision. Verbal appeals will require that the appellant make contact with the Fire Chief for notification of the Fire Chief's decision.

CHAPTER 2 – FEE SCHEDULE FOR

**AMBULANCE/OTHER UNITS STAND-BY SERVICES, EMERGENCY AND
NON-EMERGENCY PATIENT TRANSPORT SERVICES**

(1) Stand-By Services Fee:

Ambulance

First Hour	\$88 first hour
After the first hour	\$40 per hour after

Other Units

First Hour	\$50 first hour
After the first hour	\$30 per hour after

(2) Cancelled Stand-By Services Charge:

Less than twenty-four (24) hours	
Or no notice of cancelled "Stand-By Service Fee"	\$88 fee

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3) Non-Emergency Patient Transport Services Fee:

Routine Scheduled Transports	\$95 flat rate
Unscheduled Transports	\$95 flat rate
Wait Time Fee	15.00 each additional 15 minutes after the initial allotted 15 minute wait time.

4) Cancelled Non-Emergency Patient Transport Services Charge:

Less than twenty-four (24) hours no

notice cancelled Transport Fee \$45.00 flat rate

(5) Emergency Ambulance Transport \$195.00 flat rate

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ARTICLE II

INSPECTION AND CITATION PROGRAM

CHAPTER 1 – FEE SCHEDULE FOR INSPECTIONS AND STAND-BYS

(Other than Occupancy Clearance Inspection)

1. First Inspection.	<u>Included in permit or renewal fee.</u>
2. Reinspections and Subsequent Reinspections	\$30.00
3. Cancelled or Rescheduled inspection, when notice is given less than twenty-four (24) hours to the Fire Prevention Division.	\$20.00
4. Stand-by Personnel for authorized Guam Fire Department personnel for stand-by services at public assemblies as required by Fire Marshal and authorized by U.F.C. Section 2501.19.	\$19.00 per hour personnel. Minimum two (2) personnel.

CHAPTER 2. (Chapter 2 may be found attached as Appendix A)

CHAPTER 3 – FEE SCHEDULE FOR OCCUPANCY CLEARANCE

FACILITY VALUE FEE

\$1 - \$500	\$5.00 flat rate fee
\$501 –\$2,000	\$5.00 fee for the first \$500.00 of facility value plus \$.50 for each additional \$100.00 facility value.
\$2,001 – \$25,000	\$12.00 fee for the first \$2,000 of facility value, plus \$.50 for each additional \$1,000 facility value.
\$25,001 – \$50,000	\$30.00 fee for the first \$25,000 of facility value, plus \$.75 for each additional 1,000 facility value.

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50,001 – \$100,000	\$80.00 fee for the first \$50,000 of facility value, plus \$.75 for each additional \$1,000 facility value.
100,001 – \$500,000	\$130.00 fee for the first \$100,000 of facility value, plus \$1.00 for each additional \$10,000 facility value.
\$500,001 – \$1,000,000	\$530.00 fee for the first \$500,000 of facility value, plus \$1.00 for each additional \$10,000 facility value.
\$1,000.001 – up	\$1,030.00 fee for the first \$1,000,000 of facility value, plus \$1.00 for each additional \$100,000 facility value.

CHAPTER 4 – COLLECTION OF FEES AND FINES

1. Payment. Permits may be obtained and fees paid at the One-Stop Permit Center. Fines shall be paid at the Traffic Violations Bureau of the Superior Court of Guam.

2. To Schedule inspections contact GFD Fire Prevention Division

3. Information to be provided by applicant.

Please bring with you the following items:

- a. Inspection reports. (if applicable)
- b. Driver's License or an acceptable identification card.

4. Past due fees. The department will take necessary measure to obtain collection of past due fees including the following:

- a. Notification to Business License Branch, Department of Revenue and Taxation.
- b. Non-issuance of permit.
- c. Refer matter for collection to the Office of the Attorney General.

CHAPTER 5 – INSPECTIONS

The Guam Fire Department (G.F.D.) will take reasonable measures to ensure that uniform fire code compliance is continually maintained and not just occasionally on or about

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permit renewal date or on notice of inspection possibility; protect the integrity of its Fire Prevention Program; and address citizen concerns or complaints.

The following provides the procedures for:

- A. Inspections for Occupancy Clearance.
- B. Inspections for New Permits.
- C. Inspections for Permit Renewals
- D. Unannounced Inspections for Existing Permit Holders.
- E. Unannounced Inspections for other regulations by the Uniform Fire Code.

First Inspection. The inspector *shall* conduct the inspection for code compliance. *If* code compliance has not been achieved, except for new permit applicants, the following may result: inspection fee assessed and/or a citation issued. Re-inspections *shall* be made until code compliance has been obtained, providing reasonable time, dependent on the hazard and danger created by the violation and the complexity of the work to be done.

In all cases, an inspection report shall be filled out and a copy given to the responsible person.

Re-inspection(s). The inspector *shall* conduct the inspection for code compliance and assess a re-inspection fee. *If* code compliance has not been achieved, re-inspections will be made after providing reasonable time, dependent on the hazard and danger created by the violation and the complexity of the work to be done, until code compliance has been obtained. A citation may also be issued and/or the establishment closed.

In all cases, an inspection report *shall* be filled out and a copy given to the responsible person.

A. INSPECTIONS FOR OCCUPANCY CLEARANCE

Inspections for Occupancy Clearance will be conducted after completion of construction of new or renovated buildings. This inspection is not considered a First

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Inspection and does not include a permit fee. (See Fee Schedule for Permits). Fees for inspections for Occupancy Clearance include Plan Review and inspections up to issuance of Fire Safety Certificate. (See Fee Schedule for Occupancy Clearance on Chapter 3).

The Uniform Fire Code authorizes the Chief, Fire Prevention Division, hereinafter known as: *Fire Marshal* to issue "Conditional Clearance" for Occupancy Clearance. Conditional Clearances are granted with a specified time frame given for applicant to come into full compliance with the Fire Code. Inspections conducted upon full compliance of the code or expiration of conditional clearance, whichever occurs first, will be assessed a re-inspection fee.

B. INSPECTIONS FOR NEW PERMITS

New permits must be preceded by an inspection for code compliance. There is no charge for this First Inspection; it is included in the permit fee which must be received by the G.F.D. at the One Stop Building Permit/Business Service Center, before a permit is issued. See Fee schedule for Permit.

If code compliance cannot be achieved during this inspection, the Inspector *shall* schedule a re-inspection, providing reasonable time, dependant on the hazard and danger created by the violation and the complexity of the work to be done, until code compliance has been obtained. A fee will be charged for each re-inspection. See Fee Payment Schedule for Inspections.

C. INSPECTIONS FOR PERMIT RENEWALS

All permit renewals must be preceded by an inspection for code compliance. *If* not in compliance, the inspector shall schedule a re-inspection, providing reasonable time, dependant on the hazard and danger created by the violation and the complexity of the work to be done, until code compliance has been obtained. A fee will be charged for each re-inspection. See Fee Payment Schedule for Inspections.

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Citation may also be issued for imminent life hazards and/or repeat violations within the past two (2) years. Citation normally will not be issued on the First Inspection. Citations for violations will generally be issued upon re-inspection(s).

Exception: Citation issued for violations which present imminent life hazards such as trespassing in a closed area, smoking in closed or restricted areas, failure to obey the lawful orders of a fire inspector, faulty equipment or procedures, repeat violations, and violations of a similar nature will not require prior notice.

There is no charge for the First Inspection; it is included in the permit fee, which must be received by the G.F.D. at the One Stop Building Permit/Business License Service Center before a permit is renewed. (See Fee Schedule for Permits).

In all cases, an inspection report *shall* be filled out and a copy given to the responsible person.

D. UNANNOUNCED INSPECTIONS FOR EXISTING PERMIT HOLDERS

Unannounced inspections may be conducted for code compliance by any duly authorized official of the Guam Fire Department on any building and premises, business, activity, engagement, or function regulated by the applicable code at all reasonable times.

If not in compliance, the Inspector *shall* schedule a re-inspection, providing reasonable time, dependent on the hazard and danger created by the violation and the complexity of the work to be done, until code compliance has been obtained. A fee will be charged for this inspection (only if a violation is noted) and each re-inspection. Citation may also be issued for imminent life hazards and/or repeat violations within the past two (2) years.

Citations normally will not be issued on the First Inspection. Citations for violations will generally be issued upon re-inspection(s).

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EXEMPTION: Citations Issued for violations which present imminent life hazards such as trespassing in a closed area, smoking in closed or restricted areas, failure to obey the lawful orders of a fire inspector, faulty equipment or procedures, repeat violations, and violations of a similar nature will not require prior notice.

In all cases, an inspection report *shall* be filled out and a copy given to the responsible person.

E. UNANNOUNCED INSPECTIONS FOR OTHERS REGULATED BY THE UNIFORM FIRE CODE.

Unannounced inspections may be conducted by any duly authorized official of the Guam Fire Department on any building and premises, business, activity, engagement, or function regulated by the applicable code at all reasonable times.

If not in compliance, the inspector *shall* schedule a re-inspection after providing reasonable time, dependent on the hazard and danger created by the violation and the complexity of the work to be done, until code compliance has been obtained. A fee will be charged for this inspection (only if a violation is noted) and each re-inspection. Citation may also be issued for imminent life hazards and/or repeated violations within the past two (2) years.

Citations normally will not be issued on the First Inspection. Citations for violations will generally be issued upon re-inspection(s).

EXCEPTIONS: Citation issued for violations which present imminent life hazards such as trespassing in a closed area, smoking in closed or restricted areas, failure to obey the lawful orders of a fire inspector, faulty equipment or procedures, repeat violations, and violations of a similar nature will not require prior notice.

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In all cases, an inspection report *shall* be filled out and a copy given to the responsible person.

ARTICLE III

CHAPTER 1 – GRACE PERIODS FOR COMPLIANCE WITH THE UFC.

§73112 of 10 Guam Code Annotated authorizes the Guam Fire Department to promulgate rules setting forth grace periods within which parties not in conformance with Uniform Fire Code shall bring their premises up to code. The following grace periods have been established within which existing buildings *shall* be brought to conformance with the Uniform Fire Code.

A. Life-Safety Requirements for Existing Buildings Other Than High Rise.

Within eighteen (18) months after the owner of an existing building other than a high rise has been notified of life-safety violations, plans for compliance shall be submitted and approved, and within eighteen (18) months thereafter the work shall be completed or the building shall be vacated until made to conform.

B. Life-Safety Requirements for Existing High Rise Buildings

Plans and specifications for the necessary alterations *shall* be filed with the Chief within the time periods are not physically practical or pose an undue hardship. The granting of an extension of time for compliance shall be based upon the showing of good cause and subject to the filing of an acceptable systematic progressive plan of correction with the Chief.

C. Appeals

Appeals of the determinations of the Chief in applying the provisions of this code may be made by an appeal directed to the board of appeals as established by Sections 103.4. of the Uniform Fire Code."

Section 2. Severability. *If any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other*

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provisions or applications of this Law which can be given effect without the invalid provisions
or application, and to this end the provisions of this Law are severable.

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APPENDIX A.

TYPE OF PERMIT	FEE/DURATION	GOV'T. CODE SECTION
AEROSOL PRODUCTS To store an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 lbs. Net weight.	\$35.00 Annual Renewal	Title 10 GCA §7311 UFC Article 88
AIRCRAFT REFUELING VEHICLES To operate aircraft refueling vehicles (per vehicle)	\$35.00 Annual Renewal	Title 10 GCA §7311 UFC Article 24
AIRCRAFT REPAIR HANGER To use any structure as an aircraft hangar for the purpose of servicing or repairing aircraft	\$35.00 Annual Renewal	Title 10 GCA §7311 UFC Article 24
ASBESTOS REMOVAL To conduct asbestos removal operations regulated by Article 87. Exception: <ol style="list-style-type: none"> 1. Pumps, valves, gaskets and similar equipment 2. Pipes, ducts, girders or beams which have a length less than 21 linear feet. 3. Wall or ceiling panels which have an area of less than 10 square feet or a dimension of less than 10 linear feet. 4. Floor tiles when the duration of work can be completed in less than four hours. 5. Group R, Division 3 Occupancies 	\$35.00 Annual Renewal \$20.00 Each Occurrence	Title 10 GCA §73111 UFC Article 87
AUTOMOBILE WRECKING YARD To operate an automobile wrecking yard.	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 34
BATTERY SYSTEM To install or operate stationary lead-acid battery systems having a liquid capacity of more than 100 gallons. (Plans Required)	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 64
BOWLING PIN OR ALLEY REFINISHING To conduct a bowling pin refinishing or bowling alley resurfacing operation involving use and application of flammable liquids or materials.	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 26

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<p>CARNIVALS AND FAIRS</p> <p>To conduct a carnival fair</p> <p>To conduct a concession booth</p>	<p>\$35.00 Each Occurrence</p> <p>\$20.00 Each Occurrence</p>	<p>Title 10 GCA §73111 UFC Article 25</p>
<p>CELLULOSE NITRATE FILM</p> <p>Exception: Film having a cellulose acetate or other slow-burning base, referred to as "safety film".</p> <p>To store, handle, use or display.</p>	<p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 33</p>
<p>CELLULOSE NITRATE STORAGE OR HANDLING</p> <p>To store or handle more than 25 lbs. Of cellulose nitrate (pyroxylin) for the manufacturing or assembly of articles or parts of articles containing cellulose nitrate plastics (pyroxylin).</p>	<p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 27</p>
<p>COMBUSTIBLE FIBER</p> <p>To store or handle combustible fibers more that 100 cu.ft.</p> <p>Exception: Exterior storage of hay, straw and similar agricultural materials</p>	<p>\$35.00 Until Revoked</p>	<p>Title 10 GCA §73111 UFC Article 28</p>
<p>COMBUSTIBLE MATERIAL</p> <p>To store more than 2,500 cu.ft. gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber or cork, or other similarly combustible material.</p>	<p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 11</p>
<p>COMMERCIAL RUBBISH-HANDLING OPERATION</p> <p>To operate a commercial Rubbish-Handling operations.</p>	<p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 11</p>
<p>COMPRESSED GAS</p> <p>If compressed gas is in excess of amounts listed in UFC Table 105-A</p> <p>Note: Additional requirements and exceptions in UFC Articles 49, 52, 63, 74, 80 and 82. Permit applicant shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of compressed or liquefied gases. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 8001.13.</p> <p>To store, transport on site, dispense, use or handle.</p> <p>To install, repair, abandon, remove, place temporarily out of service, close or substantially modify a compress gas system.</p> <p>CORROSIVE – more than 200 cu. ft.</p> <p>FLAMMABLE – more than 200 cu. ft.</p>	<p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 74, 80 and 82</p>

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<p>Except: cryogenic fluids and liquefied petroleum gases</p> <p>HIGHLY TOXIC – any amount</p> <p>INERT AND SIMPLE ASPHYXIANT – more than 5,000 cu. ft.</p> <p>IRRITANT – more than 200 cu. ft.</p> <p>OTHER HEALTH HAZARDS – more than 650 cu. ft.</p> <p>OXIDIZING (including oxygen) – more than 504 cu. ft.</p> <p>PYROPHORIC – any amount</p> <p>RADIOACTIVE – any amount</p> <p>SENSITIZER – more than 200 cu. ft.</p> <p>TOXIC – any amount</p> <p>UNSTABLE (reactive) – any amount</p>	<p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p>	
<p>CRYOGEN FLUID STORAGE, HANDLING OR TRANSPORT:</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Where Federal or Guam regulations apply. 2. Vehicle fuel systems 3. fluids within an approved closed cycle refrigeration system complying with the Mechanical Code . See UFC Article 63. <p>To produce, store or handle cryogen in excess of the following amounts:</p> <p>CORROSIVE:</p> <p>-Over 1 gallon inside building</p> <p>-Over 1 gallon outside building</p> <p>FLAMMABLE:</p> <p>-Over 1 gallon inside building</p> <p>-Over 60 gallon outside building</p>	<p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 75</p>

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<p>HIGHLY TOXIC: Over 1 gallon inside building</p> <p>Over 1 gallon outside building</p> <p>NONFLAMMABLE: Over 60 gallon inside building</p> <p>Over 500 gallon outside building</p> <p>OXIDIZER: Over 10 gallon inside building</p> <p>Over 50 gallon outside building</p>	<p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p>	
<p>DRY CLEANING PLANT To engage in the business of dry cleaning To change to a more hazardous cleaning solvent</p>	<p>\$35.00 Annual Renewal</p> <p>\$35.00 Each Occurrence</p>	<p>Title 10 GCA §73111 UFC Article 36</p>
<p>DUST PRODUCING OPERATIONS To operate a grain elevator, flour starch mill, or plant pulverizing aluminum, coal, cocoa, magnesium, spices, sugar, or other operation producing combustible dusts as defined in Article 9. See Articles 30 and 76</p>	<p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 30</p>

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<p>EXPLOSIVES OR BLASTING AGENTS (Certificate of Fitness Required)</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. The armed forces of the United States, Coast Guard or National Guard. 2. Explosives in forms prescribed by the official United States Pharmacopoeia. 3. The sale possession or use of fire works 1.4G (Class C Common fireworks). 4. The possession, transportation, storage and use of small arms ammunition when packaged in accordance with DOT packaging requirements. 5. The possession, storage, transportation and use of not more than 5 pound (2.27kg) of commercially manufactured sporting black powder, 20 pounds (9.07 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption. 6. The transportation and use of explosive materials by the United States Bureau of Mines, and federal, state and local law enforcement and fire agencies acting in their official capacities. 7. Special industrial explosive devices which in the aggregate contain less than 50 pounds (22.7kg) of explosive materials. 8. The possession, transportation, storage and use of blank industrial power load cartridges when packaged in accordance with DOT packaging regulations. 9. When preempted by federal regulations. 10. The use and handling of fireworks 1.3G (Class B fireworks) as set forth in Article 78. <p>Note: Additional requirements and exceptions in UFC Article 80</p> <p>PERMIT SHALL BE OBTAINED:</p> <p>To manufacture, possess, store, sell, display or otherwise dispose of explosive materials at any location.</p> <p>To transport explosive materials.</p> <p>To use or handle explosive materials.</p> <p>To operate a terminal for handling explosive materials.</p>		<p>Title 10 GCA §73111 UFC Article 77</p> <p>\$35.00 Each Occurrence</p> <p>\$35.00 Each Occurrence</p> <p>\$35.00 Each Occurrence</p> <p>\$35.00 Annual Renewal</p>
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<p align="center">FIRE HYDRANT AND WATER CONTROL VALVES</p> <p>A permit is required to use or operate fire suppression purposes which are installed on water systems and accessible to public highways, alleys or private ways open to or generally used by the public. (Joint approval with Guam Waterworks Authority)</p> <p>EXCEPTION: Persons employed and authorized by the water company which supplies the system to use or operate fire hydrants and valves.</p>	<p align="center">\$35.00 Each Occurrence</p>	<p align="center">Title 10 GCA §73111 UFC Article 9</p>
<p align="center">FIRE WORKS</p> <p>Bond or certificate of insurance and Pyrotechnic Operator required. Application must be submitted 14 days prior to the scheduled date of event.</p> <p>To conduct fireworks display</p>	<p align="center">\$35.00 Each Occurrence</p>	<p align="center">Title 10 GCA §73111 UFC Article 78</p>
<p align="center">FLAMMABLE AND COMBUSTIBLE LIQUIDS</p> <p>EXCEPTIONS:</p> <ol style="list-style-type: none"> 1. As otherwise provided in other laws or regulations. 2. Alcoholic beverages in retail sales or storage uses, provided the liquids are packaged in individual containers not exceeding 4 liters. 3. Medicines, foodstuffs and cosmetics containing not more than 50 percent by volume of water miscible liquids with the remainder of the solution not being flammable in retail sales or storage uses when packaged in individual containers not exceeding 4 liters. 4. Storage and use of fuel-oil tanks and containers connected to oil-burning equipment. Such storage and use shall be in accordance with Article 61 and the Mechanical Code. For abandonment of tanks, Article 79 shall apply. 5. Refrigerant liquids and refrigerant oils within an approved closed-cycle refrigeration system complying with the Mechanical Code. See Article 63. 6. Storage and display of aerosol products. See Article 88 7. Materials which are solid at 100°F (37.8°C) or above. 8. Storage of liquids that have no fire point when tested in accordance with nationally recognized standards. See Section 9003, Standard a.4.5. 9. Liquids without flash points that can be flammable under some conditions, such as certain halogenated hydrocarbons. 		<p align="center">Title 10 GCA §73111 UFC Article 79</p>

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<p>PERMITS SHALL BE OBTAINED:</p> <p>to use or operate, install, repair or modify a pipeline for the transportation of flammable or combustible liquids.</p>	<p>\$35.00 Annual Renewal</p>	
<p>to store, handle or use Class I Liquids More than 5 gallons in a building.</p>		
<p>I. <u>MINOR HAZARD</u> Liquids: 0 – 54 gals. In excess of permit amount</p>	<p>\$35.00 Annual Renewal</p>	
<p>II. <u>MODERATE HAZARD</u> Liquids: 55-550 gals. In excess of Permit Amount.</p>	<p>\$65.00 Annual Renewal</p>	
<p>III. <u>MAJOR HAZARD</u> Liquids: 551-2,750 gals. In excess of Permit Amount.</p>	<p>\$95.00 Annual Renewal</p>	
<p>IV. <u>EXTREME HAZARD</u> Liquids: 2,751 gals. And over Permit Amount</p>	<p>\$125.00 Annual Renewal</p>	
<p>V. <u>SPECIAL HAZARD</u> Based on type of occupancy, size, location, quantity and degree of hazard.</p>	<p>\$155.00 Annual Renewal</p>	
<p>-More than 10 gallons outside of any building. (Plans required for greater than 5,000 gallons stored in drums and tanks.)</p>		
<p>I. <u>MINOR HAZARD</u> Liquids: 0 – 54 gals. In excess of permit amount</p>	<p>\$35.00 Annual Renewal</p>	
<p>II. <u>MODERATE HAZARD</u> Liquids: 55-550 gals. In excess of Permit Amount.</p>	<p>\$65.00 Annual Renewal</p>	
<p>III. <u>MAJOR HAZARD</u> Liquids: 551-2,750 gals. In excess of Permit Amount.</p>	<p>\$95.00 Annual Renewal</p>	
<p>IV. <u>EXTREME HAZARD</u> Liquids: 2,751 gals. And over Permit Amount</p>	<p>\$125.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC</p>
<p>V. <u>SPECIAL HAZARD</u> Based on type of occupancy, size, location, quantity and degree of hazard.</p>	<p>\$155.00 Annual Renewal</p>	<p>Article 79</p>

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EXCEPTIONS:

- (I) Storage or use of Class I liquids in the fuel tank of motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the Fire Chief would cause an unsafe condition.
- (II) The storage or use of paint, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

To store, handle or use Class II or Class III-A Liquids
 -More than 25 gallons in a building

<p>I. <u>MINOR HAZARD</u> Liquids: 0 – 54 gals. In excess of permit amount</p>	<p>\$35.00 Annual Renewal</p>
<p>II. <u>MODERATE HAZARD</u> Liquids: 55-550 gals. In excess of Permit Amount.</p>	<p>\$65.00 Annual Renewal</p>
<p>III. <u>MAJOR HAZARD</u> Liquids: 551-2,750 gals. In excess of Permit Amount.</p>	<p>\$95.00 Annual Renewal</p>
<p>IV. <u>EXTREME HAZARD</u> Liquids: 2,751 gals. And over Permit Amount</p>	<p>\$125.00 Annual Renewal</p>
<p>V. <u>SPECIAL HAZARD</u> Based on type of occupancy, size, location, quantity and degree of hazard.</p>	<p>\$155.00 Annual Renewal</p>
<p>-More than 60 gallons outside of any building. (Plans required for greater than 5,000 gallons stored in drums and tanks.)</p>	
<p>VI. <u>MINOR HAZARD</u> Liquids: 0 – 54 gals. In excess of permit amount</p>	<p>\$35.00 Annual Renewal</p>
<p>VII. <u>MODERATE HAZARD</u> Liquids: 55-550 gals. In excess of Permit Amount.</p>	<p>\$65.00 Annual Renewal</p>
<p>VIII. <u>MAJOR HAZARD</u> Liquids: 551-2,750 gals. In excess of Permit Amount.</p>	<p>\$95.00 Annual Renewal</p>

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<p>IX. EXTREME HAZARD Liquids: 2,751 gals. And over Permit Amount</p>	<p>\$125.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 79</p>
<p>X. SPECIAL HAZARD Based on type of occupancy, size, location, quantity and degree of hazard.</p>	<p>\$155.00 Annual Renewal</p>	
<p>EXCEPTION: (i) Fuel oil used in connection with oil-burning equipment.</p>		
<p>To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved stationary on-site pumps normally used for dispensing purposes (Certificate of Fitness required).</p>	<p>\$35.00 Each Occurrence</p>	
<p>To install, construct, alter or operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed, or used.</p>	<p>\$35.00 Each Occurrence</p>	
<p>To install, alter, remove, abandon, place temporarily out of service or otherwise dispose of a flammable or combustible liquid tank.</p>	<p>\$20.00 Each Occurrence per tank</p>	
<p>Tanks Containing: 0 – 4,999 gallons</p>	<p>\$35.00 Each Occurrence per tank</p>	
<p>Tanks Containing: 5,000 – 9,999 gallons</p>	<p>\$65.00 Each Occurrence per tank</p>	
<p>Tanks Containing: 10,000 gallons and over</p>	<p>\$20.00 Each Occurrence per tank</p>	
<p>To change the type of contents stored in a flammable or combustible liquid tank to a material other than that for which the tank was designed and constructed.</p>	<p>\$35.00 Each Occurrence per tank</p>	
<p>Tanks Containing: 0 – 4,999 gallons</p>	<p>\$65.00 Each Occurrence per tank</p>	
<p>Tanks Containing: 5,000 – 9,999 gallons</p>	<p>\$20.00 Each Occurrence per tank</p>	
<p>Tanks Containing: 10,000 gallons and over</p>	<p>\$35.00 Each Occurrence per tank</p>	

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FRUIT RIPENING PROCESSES In heated rooms and ripening processes where ethylene gas is introduced into the room to assist the ripening process. To operate a fruit ripening process	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 46
FUMIGATION OR THERMAL INSECTICIDAL FOGGING Note: See Article 80 for additional requirements and exceptions. To operate a business of fumigation or thermal insecticidal fogging To maintain a fumigation room, vault or chamber in which a toxic or flammable fumigant is used	\$35.00 Annual Renewal \$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 47
HAZARDOUS FIRE AREAS, SUPPRESSION AND CONTROL OF To enter or occupy hazardous fire areas Exceptions: (I) Resident and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their lands. (II) Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of the G.F.D. and members of the United States Forest Service. NOTE: Permits are suspended when areas are declared “CLOSED FOR ENTRY”.	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Appendix II-A
HAZARDOUS MATERIALS Note: Permittee shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of hazardous materials. PERMIT SHALL BE OBTAINED: To store, dispense, use or handle hazardous material in excess of quantities specified in Section 105. permit h.1 To install, repair, abandon, remove, place temporarily out of service,		Title 10 GCA §73111 UFC Article 80

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<p>lose or substantially modify a storage facility or other are regulated by article 80</p>		
<p>Note: The hazardous material that exceeds the permit amount shall be used in determining the hazard classification. If more than one hazardous material involved, the material that falls within the highest hazard classification described herein shall be used. The measurement method used in the UFC for the respective hazardous material shall be applicable.</p>		
<p>I. MINOR HAZARD</p>		
<p>Solids: 0 – 499 lbs. in excess of Permit Amount</p>	<p>\$35.00 Annual Renewal</p>	
<p>Liquids: 0 – 54 gals. In excess of Permit Amount</p>	<p>\$35.00 Annual Renewal</p>	
<p>Gases: 0 – 199 cu. ft. in excess of Permit Amount</p>	<p>\$35.00 Annual Renewal</p>	
<p>II. MODERATE HAZARD</p>		
<p>Solids: 500 – 5,000 lbs. in excess of Permit Amount</p>	<p>\$65.00 Annual Renewal</p>	
<p>Liquids: 55 – 550 gals. In excess of Permit Amount</p>	<p>\$65.00 Annual Renewal</p>	
<p>Gases: 200 – 2,000 cu. ft. in excess of Permit Amount</p>	<p>\$65.00 Annual Renewal</p>	
<p>III. MAJOR HAZARD</p>		
<p>Solids: 5,000 – 25,000 lbs. in excess of Permit Amount</p>	<p>\$95.00 Annual Renewal</p>	
<p>Liquids: 551 – 2,750 gals. In excess of Permit Amount</p>	<p>\$95.00 Annual Renewal</p>	
<p>Gases: 2,001 – 10,000 cu. ft. in excess of Permit Amount</p>	<p>\$95.00 Annual Renewal</p>	
<p>IV. EXTREME HAZARD</p>		
<p>Solids: 5,000 – 25,000 lbs. in excess of Permit Amount</p>	<p>\$125.00 Annual Renewal</p>	
<p>Liquids: 551 – 2,750 gals. In excess of Permit Amount</p>	<p>\$125.00 Annual Renewal</p>	
<p>Gases: 2,001 – 10,000 cu. ft. in excess of Permit Amount</p>	<p>\$125.00 Annual Renewal</p>	

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<p>HIGH-PILED COMBUSTIBLE STORAGE</p> <p>To use any building or portion thereof as a high-piled storage area exceeding 500 sq. ft. (Plans Required)</p>	<p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 81</p>
<p>HOT-WORK OPERATIONS</p> <p>Permits are required for hot work including, but not limited to:</p> <p>Public exhibitions and demonstrations where hot work is conducted.</p> <p>Use of portable hot-work equipment inside a structure.</p> <p>EXCEPTION: Work that is conducted under a construction permit issued by the building official.</p> <p>Fixed-site hot-work equipment such as welding booths.</p> <p>Hot-work conducted within a Hazardous Fire Area</p>	<p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$20.00 Each Occurrence</p>	<p>Title 10 GCA §73111 UFC Article 49</p> <p>Title 10 GCA §73111 UFC Article 49</p>
<p>LIQUEFIED PETROLEUM GAS</p> <p>To store, use, handle or dispense LP-Gas</p> <p>Portable containers equal to or more than 125 gallon aggregate water capacity but not more than 4,000 gallon aggregate water capacity nor a container more than 2,000 gallon water capacity.</p> <p>Containers over 4,000 gallon aggregate water capacity or a container more than 2,000 gallon water capacity.</p> <p>To install or maintain LP-Gas</p> <p>Portable containers equal to or more than 125 gallon aggregate water capacity but not more than 4,000 gallon aggregate water capacity nor a container more than 2,000 gallon water capacity.</p> <p>Containers over 4,000 gallon aggregate water capacity or a container more than 2,000 gallon water capacity. (PLANS REQUIRED)</p> <p>Note: Distributors shall not fill an LP-Gas container for which a permit is required unless a permit for installation has been issued for that location by the Fire Chief.</p>	<p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p> <p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 82</p>

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<p>NOTE: Installers shall maintain a record of installations for which a permit is required by Section 105 and have such record available for inspection by the Chief.</p> <p>EXCEPTION: Installation of gas-burning appliances and replacement of portable cylinders.</p>		
<p>OVENS, INDUSTRIAL BAKING OR DRYING</p> <p>Industrial baking and drying ovens which are heated with oil or gas fuel or which during operation contain flammable vapors from the products being baked or dried.</p> <p>PERMIT SHALL BE OBTAINED:</p> <p>To operate an industrial baking or drying oven. Plans of details and calculations required.</p>	<p>\$35.00 Annual Renewal</p>	<p>Title 10 GCA §73111 UFC Article 62</p>
<p>PARADE FLOATS</p> <p>To use a parade float for public performance, presentation, spectacle, entertainment, or parade.</p> <p>Each Float</p>	<p>\$10.00 Each Occurrence</p>	<p>Title 10 GCA §73111 UFC Article 80</p>
<p>PLACES OF ASSEMBLY, 50 OR MORE PERSONS</p> <p>Note: May require standby personnel, UFC Section 2501.18</p> <p>Occupant Load 50 – 300</p> <p>Occupant Load 301 – 1,000</p> <p>Occupant Load 1,001 – 5,000</p> <p>Occupant Load Over 5,000</p>	<p>\$20.00 Annual Renewal \$10.00 Each Occurrence</p> <p>\$35.00 Annual Renewal \$18.00 Each Occurrence</p> <p>\$65.00 Annual Renewal \$33.00 Each Occurrence</p> <p>\$95.00 Annual Renewal \$49.00 Each Occurrence</p>	<p>Title 10 GCA §73111 UFC Article 25</p> <p>Title 10 GCA §73111 UFC Article 25</p>
<p>PROTECTED ABOVEGROUND TANKS FOR MOTOR VEHICLE FUEL-DISPENSING STATIONS OUTSIDE BUILDING</p> <p>Note: Such operations shall include both public accessible and private operations, automotive, marine and aircraft motor vehicle fuel-dispensing stations.</p> <p>To install, operate, repair or modify protected aboveground tanks (outside of buildings) used for storage and dispensing of flammable or</p>	<p>\$25.00 Annual Renewal \$35.00 Each Occurrence</p>	<p>Title 10 GCA §73111 UFC Appendix II-F</p>

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combustible liquid motor fuels. Plans and specifications required.		
RADIOACTIVE MATERIALS To store or handle at any installation more than 1 microcurie (37,000 becquerel) of radioactive material not contained in a sealed source or more than 1 millicurie (37,000 becquerel) or radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required. See Article 80	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 80
REFRIGERATION EQUIPMENT Refrigeration unit and system installations having a refrigerant circuit containing more than 220 pounds (100 kg) of Group A1 or 30 pounds (13.6kg) of any other group refrigerant.		Title 10 GCA §73111 UFC Article 63
PERMIT SHALL BE OBTAINED: To install a mechanical refrigeration unit or system. Plans and specifications required.	\$35.00 Each Occurrence	
To operate a mechanical refrigeration unit or system.	\$35.00 Annual Renewal	
REPAIR GARAGES To use a structure as a place of business for servicing or repairing motor vehicles.	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 29
RIFLE RANGES To establish, maintain or operate a rifle range. NOTE: Application must be referred to the Guam Police Department for approval.	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Appendix II-D
SPRAYING OR DIPPING To conduct a spraying or dipping operation utilizing flammable or combustible liquids of the application of combustible powders.	\$35.00 Annual Renewal	Title 10 GCA §73111 UFC Article 45
TIRE STORAGE (outdoor) To use an open are or portion thereof to store tires in excess of 1,000 cu. ft. Plans Required	\$35.00 Annual Renewal \$20.00 Each Occurrence	Title 10 GCA §73111 UFC Article 11
WOOD PRODUCTS To store chips, hogged material, lumber or plywood in excess of 1,200 cu. ft.	\$35.00 Annual Renewal \$20.00 Each Occurrence	Title 10 GCA §73111 UFC Article 30

“EXHIBIT 1”

Guam Fire Department

Schedule Of Fees and Charges with Rules And Regulations

OTHER FEES

Photo copy of Ambulance Report Form	\$7.00 per copy
Fire Certification (Fire Report)	\$7.00 per certification
Rescue Boat towing service	\$50.00 per towing service*
Flushing of Traffic Accident Debris	\$25.00 per incident
Flushing Service Requested by the Public	\$50.00 per hour

*** Towing associated with Rescue Service**

Guam Board of Registration for Professional Engineers, Architects and Land Surveyors

FEE SCHEDULE

1.	APPLICATION FEE	FEES	(% CHANGE)
	A. Individual (all types)	\$120	12
	B. COA	\$150	200
2.	*EXAMINATION AND RE-EXAMINATION		
	A. Fundamentals	\$100	Per NCEES
	B. Principles & Practices	\$200	Per NCEES
	C. SSE, Part I	\$200	Per NCEES
	D. SSE, Part II	\$680	Per NCEES
	E. Special Civil Seismic	\$325	11.60
	F. Guam Land Matters	\$75	15
	G. Proctor exam for other Boards	\$150	15
3.	REGISTRATION (INCLUDES WALL CERTIFICATE AND REGISTRATION CARD)		
	A. Renewal (Annual)		
	1. Registration Card	\$225/discipline	11.25
	2. COA	\$225/type of service or engineering discipline	11.25
	3. Expired registration (For each annual year plus penalty fee \$25/month thereafter the expiration period)	\$225/discipline	11.25

"EXHIBIT 2"

B. Initial Registration					
1.	Initial, 6 months or less from renewal		\$125	12.50	
2.	Initial, 6 months of more from renewal		\$225	11.25	
3.	COA (per type of service provided, if engineering, per engineering discipline		\$225	11.25	
4.	**Intern Certificates	---	\$25		
C. Emeritus Status				\$50	0
4. OTHER FEES					
1.	Temporary Permit (License)		\$1,000	200	
2.	Replacement or Duplication of Certificates		\$150	15	
3.	Annual Roster (non-registrant)		\$25	12.50	
4.	PEALS Board Law (Hard cover)		\$30		
5.	Other public documents (will follow 5 GCA)		\$1 first page and \$0.25 each for the remaining pages		
6.	**Rules and Regulations (Hard cover)	-	\$40		
7.	**Pocket Registration Card (Replacement)		\$30		
5.	**Building Permit Application Clearance	---	\$15/plan checking fee (to be included by BPI automatically to the fees it assessed).		

* Subject to change without prior notice

** New Proposed

“EXHIBIT 3”

DPR PROPOSED FEE SCHEDULE

PARKS RESERVATIONS:

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Shelters	\$15.00	Required
Open space picnicking/ canopy	\$10.00	Required
Pavilions	\$75.00	Required
Amphitheater	\$125.00	Required
Azotea	\$125.00	Required
Kiosko (band stand)	\$75.00	Required
Commercial movie/ ad making	\$75.00/ hour	N/A
Camping (Group)	\$30.00/ night	Required

INTERMENT FEES

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Guam Veteran's Cemetery	\$0	N/A
V.A. Limtiaco Cemetery		
Adults	\$500	N/A
Children (Under 12)	\$500	N/A

PARK VENDOR FEE

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Vendor (Annual)	\$1,500	N/A
Temporary Vendor (Non Profit), 10 3 days Max	.\$50.00	N/A
Temporary Vendor (Profit), 3 days Max	\$100.00	N/A
Agricultural Produce (monthly permit)	\$75.00	N/A

“EXHIBIT 3”

PROPOSED CLEANING DEPOSITS

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
1 to 100 persons	\$75	
101 to 250 persons	\$150	
251 to 500 persons	\$250	
501 to 1000 persons	\$500	
1000 Plus persons	\$1000	

RECREATION ADMINISTRATION

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Paseo Main Parking Lot	Negotiated by DPR (minimum of \$50/hr)	Required
Event Parking Fee	Same	N/A
Advertising/ Billboard	Negotiated by DPR	N/A
Concessions Long Term	Bid	N/A
Concessions Short Term	Negotiated by DPR	N/A
Return Check Fee	\$50	N/A
Movie Making Commercial Shooting	\$75/ Hour	N/A
Bleacher Rental	\$50 FLAT	N/A.

COMMUNITY PROGRAMS

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Class and special activities fee	\$30	

“EXHIBIT 3”

League and Tournament Fee	25% Surcharge
Facility Usage	\$50/hr day/ \$100/hr night
Instructional Class	25% surcharge
Summer Camp	Variable Based on Costs

POOL & BEACH:

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Pool Admission		
Daily	\$2.00	N/A
Weekly	\$7.50	N/A
Monthly	\$25.00	N/A
Annual	\$200.00	N/A
DPR swimming classes (eight sessions)	Variable Based on Costs	N/A
Water Safety Instructor	Variable Based on Costs	N/A
Advanced Life Saving Course		
Life Guarding Course (Incl. a, b)	Variable Based on Costs	N/A
Basic First Aid Course	Variable Based on Costs	N/A
CPR Course	Variable Based on Costs	N/A
Community Water Safety Course	Variable Based on Costs	N/A
Outside Group Teaching		
Swimming Lessons	Variable Based on Costs	
Water Polo Practice	\$25/ hour flat	
Swim Practice/ Meets/ Lessons		
1-3 lanes; pool width 25m	\$25 /hour flat	
Pool Length 50m	\$50/ hour flat	
Total Use of Pool	Negotiable per Event (Minimum of \$750)	Mandatory

“EXHIBIT 3”

Water Polo Game	\$5.00 per game	Mandatory
Morning usage (before normal operation w/ DPR Staffing	\$50/ hour	
Morning Usage (before normal operation w/o DPR Staffing	DISCONTINUE	
Locker/ Lock Rental kickboards/ Life Jackets Pool Playground Park	\$.50 per day \$15 per day	Required
Pool Classroom	\$8 per day/ \$10 per night	
PASEO STADIUM (DPR CONTROL ONLY)		
<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Non Profit (High Use) 15 days min/ year	(20% OFF REGULAR	Required
Non-Profit (Low Use) Less than 15 days/ year	(20% OFF REGULAR	Required
Admission Fee	Determined by event	N/A
Profit Organization		Required
Off-island; international; others	\$100/ hr/ daytime \$150/hr/ nighttime	Required Required
Security Deposit @ \$1000 per event		Required
Concession Vendors (high use),	Bid	Required
GUERRERO STADIUM/ TIYAN FIELDS		
<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Off-island; international; others	\$80/hr. daytime \$125/ hr. night time	Required Required

“EXHIBIT 3”

Sunday's		Add \$20 to fee	
Security Deposit		(per new chart deposits)	Required
Local Rates/ Event Non-Profit		\$15/hr. (day)/ \$20/ hr. (night)	Required
		\$25/ game(day) \$35/ game (night)	
Special Events		Negotiated	Required
		(\$500/ day minimum)	
Practice-	Non Profit	20% Discount	Required
	Profit	\$15/hr (day); \$25 hr (night)	Required

BASEBALL FIELDS: (Ypaopao Field)

<i>Item</i>		<i>FEES</i>	<i>Deposit</i>
Practice-	Non Profit	20% Off Regular Rates	Required
	Profit	\$10/hr (day)	Required
League Games	Non-Profit	20% Off Regular Rates	Required
	Profit	\$20/hr (day)	Required

TIYAN FOOTBALL/ SOCCER FIELD

<i>Item</i>		<i>FEES</i>	<i>Deposit</i>
Practice-	Non Profit	20% Discount	Required
	Profit	\$10/hr (day)/ \$15/hr (night)	Required
League/ Games/ Events-	Non Profit	20% Discount	Required
	Profit	\$20/hr (day); \$30/hr (night)	Required

“EXHIBIT 3”

HAGATNA TENNIS CENTER

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Tennis Lessons (Local)		
Private: 1 student	\$25/hr/ student minimum*	None
2 students	\$15 per student minimum*	None
3 students	\$12 per student minimum*	None
4 plus students	\$30 per student minimum*	None
Tennis Lessons (Tourist)		
Private 1 student	\$30/hr/ student minimum*	None
2 students +	\$20/hr/ student minimum*	None

NOTE: “*” is a MINIMUM charge and subject to be increased/ determined by costs associated with running the program.

<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Tennis Court: Daytime (6am – 6pm)	\$7/hr/ court (6am to 6pm)	N/A
Evening (6pm- 6am)	\$15/hr/ court (6pm to 6am)	N/A
Upstairs Tennis Facility Daytime (6am – 6pm)	\$25 per event	Required
Evening (6pm- 6am)	\$40 per event	Required
Billboards	Negotiated (\$500/ year minimum)	
Vending Machines	Negotiated	
Tournaments	\$300/ day minimum	Required
SPORTS COMPLEX		
<i>Item</i>	<i>FEES</i>	<i>Deposit</i>
Off-Island/ International	\$100/Hr.	Required

“EXHIBIT 3”

		\$150/ Hr. evenings	Required
Gym Usage- Non Game Local		\$100/ hr. evenings	Required
		\$50/ Hr. daytime	Required
Practice	Non Profit	20% discount	Required
	Profit	\$10hr(day); \$20/hr night	Required
League Games	Non Profit	20% discount	Required
	Profit	\$20hr (day); \$30/hr (ni ght)	Required
General Admission (DPR Operate gate fees)		Negotiable-Based upon event	
Concession / Vendor (High Use)		25% of Gross	
Multi-purpose Rooms (Conference, martial arts, And ballroom dance classes)		\$25/ hour	
Multi-purpose Rooms (Non Fee Usage)		\$25/ hour	
Vending Machines		Negotiated	
Special Events		Negotiated (\$500 day minimum)	
PASEO RECREATIONAL CENTER			
<i>Item</i>		<i>FEES</i>	<i>Deposit</i>
Off-Island/ International/ Others		\$50/hr daytime	Required
		\$80/ hr evening	Required
Sunday		\$10 Fee	Required
Weight Room		\$2 Admission/ \$20 month	

“EXHIBIT 3”

Concession / Vendor (high use)	Bidded Negotiated	Required
Multipurpose rooms	\$35 per hour	Required
Vending Machines	Negotiated	

NOTES:

- DPR FEES HAVE NOT BEEN CHANGED SINCE 1987
- Cleaning Deposits now required
- REVISED 04/04/07



I MINA 'BENTE NUEBI NA LIHESLATURAN GUÅHAN

TWENTY-NINTH GUAM LEGISLATURE

155 Hessler Place, Hagåtña, Guam 96910

(671)472-3408

The Honorable Mark Forbes
Speaker

The Honorable Edward J.B. Calvo
Vice Speaker

The Honorable Ray Tenorio
Secretary of the Legislature

March 23, 2007

The Honorable Edward J.B. Calvo
Vice-Speaker and
Chairman, Committee on Finance, Taxation,
Commerce and Economic Development
Mina 'Bente Nuebi na Liheslaturan Guåhan
155 Hessler Street
Hagatna, Guam 91910

Dear Vice-Speaker Calvo:

Hafa Adai! Pursuant to Section 7.01 of Rule VII of *I Mina 'Bente Nuebi na Liheslaturan Guåhan's* Standing Rules, I hereby grant your request that the public hearing requirements and those prescribed under 5 GCA, Sections 8107 and 8108, as exempted by my authority as Speaker of *I Liheslatura* for Bill No. 74(EC), "AN ACT TO AMEND PUBLIC LAW 28-149 AND PUBLIC LAW 28-150 RELATIVE TO MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2007; TO AMEND THE REVENUES ESTIMATE FOR FISCAL YEAR 2007; TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO TAKE OUT A LINE OF CREDIT; AND, FOR OTHER MISCELLANEOUS PROVISIONS," be waived and that said Legislation will be placed on the agenda of this session of *I Liheslatura*.



Speaker Mark Forbes



I Mina' Bente Ñuebe Na Liheslaturan Guåhan
TWENTY-NINTH GUAM LEGISLATURE

Senator Edward J.B. Calvo
VICE SPEAKER

Chairman, Committee on Finance, Taxation, Commerce & Economic Development
OFFICE OF FINANCE AND BUDGET

E-Mail address: sencalvo@gmail.com
Website: www.senatoreddiebazacalvo.com
155 Hesler Place, *Hagåtña*, GU 96910

Telephone: (671) 475-8801
Facsimile: (671)475-8805

March 23, 2007

The Honorable Mark Forbes, Speaker
I Mina' Bente Ñuebe Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, GU 96910

Dear Speaker Forbes:

Hafa Adai! Pursuant to Section 7.01 of Rule VII of *I Mina' Bente Ñuebe Na Liheslaturan Guåhan's* Standing Rules, I respectfully request that the public hearing requirement and those prescribed under 5 GCA, §8107 and §8108, as exempted by your authority as Speaker of *I Liheslatura* and under the emergency requirements issued by Attorney General Opinion 78-02, for Bill No. 74 (EC): "AN ACT TO AMEND PUBLIC LAW 28-149 AND PUBLIC LAW 28-150 RELATIVE TO MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2007; TO AMEND THE REVENUES ESTIMATE FOR FISCAL YEAR 2007; TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO TAKE OUT A LINE OF CREDIT; AND FOR OTHER MISCELLANEOUS PROVISIONS," which was introduced for *I Liheslatura's* immediate consideration, be waived and that this legislation be placed on the agenda of *I Liheslaturan Guåhan's* Regular Session on March 23, 2007. Prompt action by *I Liheslaturan Guåhan* on Bill No. 74 (EC) is essential to ensure the continuation of public services for the island.

Si Yu'os Ma'ase,


Senator Edward J.B. Calvo

Office of the Speaker
MARK FORBES

Date: 3-23-07
Time: 9:14 am
Filed by: Jay
Priority: Joy Jean Madrone