

FILE 6427

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 462-30 (LS), "AN ACT TO ADD NEW SECTIONS 9 AND 10 TO CHAPTER VIII OF PUBLIC LAW 30-196, RELATIVE TO PROVIDING TO THE MAYORS COUNCIL OF GUAM A CONTINUING APPROPRIATION AND AN AUTHORIZATION FOR PAYMENTS OF PRIOR YEAR OBLIGATIONS; AND TO MAKE TECHNICAL CHANGES TO THE GENERAL APPROPRIATIONS ACT OF 2011," was on the 22nd day of December, 2010, duly and regularly passed.



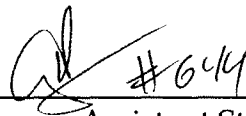
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 23 day of Dec., 2010, at 8:02 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 462-30 (LS)

As substituted by the Committee on Appropriations,
Taxation, Banking, Insurance, Retirement, and Land,
and amended on the Floor.

Introduced by:

T.R. Muña Barnes

Judith T. Won Pat, Ed.D.

T. C. Ada

V. Anthony Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

Adolpho B. Palacios, Sr.

v. c. pangelinan

R. J. Respicio

Telo Taitague

Ray Tenorio

**AN ACT TO *ADD* NEW SECTIONS 9 AND 10 TO CHAPTER VIII OF
PUBLIC LAW 30-196, RELATIVE TO PROVIDING TO THE MAYORS
COUNCIL OF GUAM A CONTINUING APPROPRIATION AND AN
AUTHORIZATION FOR PAYMENTS OF PRIOR YEAR OBLIGATIONS;
AND TO MAKE TECHNICAL CHANGES TO THE GENERAL
APPROPRIATIONS ACT OF 2011.**

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

2 **Section 1.** A new Section 9 is hereby *added* to Chapter VIII of Public Law 30-196 to
3 read as follows:

4 **“Section 9. Continuing Appropriation to the Mayors Council.** The
5 unexpended balance of the funds appropriated to the Mayors Council for Fiscal Year
6 2010 *shall not* lapse and is available to the Mayors Council for expenditures in Fiscal
7 Year 2011.”

8 **Section 2.** A new Section 10 is hereby *added* to Chapter VIII of Public Law 30-196
9 to read as follows:

10 **“Section 10. Authority to Make Payments on Prior Year Obligations.**
11 Notwithstanding any other provision of Law, the Mayors Council of Guam (MCOG) is
12 hereby authorized to utilize unexpended funds appropriated to the MCOG for Fiscal Year
13 2010 and carried over to Fiscal Year 2011 as mandated in Public Law 30-196, Chapter
14 VIII, Section 9, to pay for obligations incurred and to carry over any remaining
15 unencumbered Fiscal Year 2010 funds appropriated to the MCOG.”

16 **Section 3. General Appropriations Act of 2011 Technical Changes.** Upon further
17 review of the General Appropriations Act of 2011 by the Bureau of Budget and Management
18 Research and the Office of Finance and Budget, technical errors were identified that require
19 amendments for further clarification or resolution of conflicting language within and without
20 said Act and other existing public law.

21 (a) In specific sections in the General Appropriations Act of 2011 funding sources were
22 omitted and must be identified in order for proper budgeting and allocation
23 implementation.

24 (1) Chapter III, Part III, Section 3 and Section 5 of Public Law 30-196 are
25 *amended* to read:

26 **“Section 3. Increments and Promotions.** The amount below in this
27 Subsection is appropriated from the General Fund and Healthy Futures Fund
28 to Object Category 111 for the DMHSA and *shall* be used to fund all
29 increments and promotions in Fiscal Year 2011 for eligible classified
30 employees funded within this Subsection for satisfactory performance
31 pursuant to §6202, Chapter 6 of Title 4, Guam Code Annotated.

1 INCREMENTS AND PROMOTIONS 111 Total \$61,802
 2 **Healthy Futures Fund-\$7,309; General Fund-\$54,493”**

3 **“Section 5. Agency Expenses Appropriated to Central Cost**
 4 **Accounts Administered by the Department of Administration.** The
 5 amounts below are appropriated from the General Fund and Healthy Futures
 6 Fund to the Cost Account identified in this Subsection and *shall* be used to
 7 fund power, water/sewer, medical and dental insurance in Fiscal Year 2011
 8 for the DMHSA.

| 9 | APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|----|----------------------|------------------------|-----------|
| 10 | POWER | Utility Cost Account | \$514,607 |
| 11 | WATER/SEWER | Utility Cost Account | \$17,566 |
| 12 | MED/DENTAL INSURANCE | Health Benefit Account | \$213,406 |
| 13 | TOTAL | | \$745,579 |

14 **Health Benefits: \$30,400-Healthy Futures Fund; \$183,006-General Fund”**

15 (2) Chapter V, Section 2(e)(3) of Public Law 30-196 is *amended* to read:

16 **“(3) Agency Expenses Appropriated to Central Cost Accounts**
 17 **Administered by the Department of Administration.** The amounts below
 18 are appropriated from the General Fund and Indirect Cost Fund to the Cost
 19 Account identified in this Subsection and *shall* be used to fund Power,
 20 Water/Sewer, Medical and Dental Insurance and Vacancies in Fiscal Year
 21 2011 for the Department of Administration.

| 22 | APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|----|----------------------|---------------------|-----------|
| 23 | POWER | Utility Bank Fund | \$168,061 |
| 24 | WATER/SEWER | Utility Bank Fund | \$40,476 |
| 25 | MED/DENTAL INSURANCE | Health Benefit Fund | \$179,708 |
| 26 | VACANCIES | Vacancy Pool Fund | \$0 |
| 27 | TOTAL | | \$388,245 |

28 **Indirect Cost Fund \$50,516 (Power)”**

29 (3) Chapter V, Sections 2(g) and 2(g)(3) of Public Law 30-196 are *amended* to
 30 read:

31 **“(g) DEPARTMENT OF REVENUE AND TAXATION**

SUMMARY OF BASE OPERATIONAL APPROPRIATION

| APPROP. CLASS | OBJECT CLASS | GENERAL FUND | SPECIAL FUND | TOTAL |
|---------------|--------------|--------------|--------------|-------------|
| TRAVEL/MILE | 220 | \$0 | \$8,500 | \$8,500 |
| CONT. SERV. | 230 | \$0 | \$1,465,392 | \$1,465,392 |
| PHONE/TOLL | 363 | \$0 | \$113,764 | \$113,764 |

Better Public Service Fund \$1,585,109 (220-\$8,500; 230-\$1,438,879; 240-\$137,730)

Tax Collection Enhancement Fund \$790,976 (111-\$501,592; 112-\$11,370; 113-\$137,737; 230-\$26,513; 363-\$113,714)

SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING SOURCE

| | |
|--------------------------------|----------------------|
| GENERAL FUND | \$9,036,483 |
| FEDERAL MATCHING GRANTS-IN-AID | \$0 |
| SPECIAL FUNDS | \$2,376,035 |
| TOTAL | \$11,412,518" |

“(3) Agency Expenses Appropriated to Central Cost Accounts Administered by the Department of Administration. The amounts below are appropriated from the General Fund and the Tax Collection Enhancement Fund to the Cost Account identified in this Subsection and *shall* be used to fund Power, Water/Sewer, Medical and Dental Insurance and Vacancies in Fiscal Year 2011 for the Department of Revenue and Taxation.

| APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|--|---------------------|------------------|
| POWER | Utility Bank Fund | \$0 |
| WATER/SEWER | Utility Bank Fund | \$0 |
| MED/DENTAL INSURANCE | Health Benefit Fund | \$272,737 |
| VACANCY POOL | Vacancy Pool Fund | \$0 |
| TOTAL | | \$272,737 |
| Tax Collection Enhancement Fund (Health Benefits-\$23,990 | | |
| General Fund (Health Benefits-\$248,747)” | | |

(4) Chapter V, Sections 2(i)(2) and 2(i)(3) of Public Law 30-196 are *amended* to read:

“(2) Increments and Promotions. The amount below in this Subsection is appropriated from the General Fund, Guam Highway Fund, Solid Waste Operations Fund and the DPW Building and Design Fund to Object Category 111 to the Department of Public Works and *shall* be used to fund all increments and promotions in Fiscal Year 2011 for eligible classified employees funded within this Subsection for satisfactory performance pursuant to §6202, Chapter 6 of Title 4, Guam Code Annotated.

INCREMENTS AND PROMOTIONS111 Total \$224,717
General Fund-\$100,543; Guam Highway Fund-\$100,133; Solid Waste Operations Fund-\$18,533; DPW Building and Design Fund-\$5,508

(3) Agency Expenses Appropriated to Central Cost Accounts Administered by the Department of Administration. The amounts below are appropriated from the General Fund, the Guam Highway Fund, DPW Building and Design Fund and the Solid Waste Operations Fund to the Cost Account identified in this Subsection and *shall* be used to fund Power, Water/Sewer, Medical and Dental Insurance and Vacancies in Fiscal Year 2011 for the Department of Public Works.

| APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|---|---------------------|-------------|
| POWER | Utility Bank Fund | \$943,688 |
| WATER/SEWER | Utility Bank Fund | \$162,300 |
| MEDICAL & DENTAL INSURANCE | Health Benefit Fund | \$610,157 |
| VACANCIES | Vacancy Pool Fund | \$0 |
| TOTAL | | \$1,716,145 |
| Power: Solid Waste Operations Fund \$99,000, Guam Highway Fund \$844,688 | | |
| Water: General Fund \$123,300, Solid Waste Operations Fund \$39,000 | | |
| Health Benefits: General Fund \$326,490, Solid Waste Operations Fund \$78,277, Guam Highway Fund \$190,061, DPW Building and Design Fund \$15,329” | | |

(5) Chapter V, Sections 2(p)(1) and 2(p)(3) of Public Law 30-196 are *amended* to read:

1 “(1) **Increments and Promotions.** The amount below in this
 2 Subsection is appropriated from the General Fund and Healthy Futures Fund
 3 to Object Category 111 of the Department of Youth Affairs, and *shall* be used
 4 to fund all increments and promotions in Fiscal Year 2011 for eligible
 5 classified employees funded within this Subsection for satisfactory
 6 performance pursuant to §6202, Chapter 6 of Title 4, Guam Code Annotated.

7 INCREMENTS AND PROMOTIONS 111 Total \$32,834

8 **Healthy Futures Fund-\$1,916 General Fund-\$30,918”**

9 “(3) **Agency Expenses Appropriated to Central Cost Accounts**
 10 **Administered by the Department of Administration.** The amounts below
 11 are appropriated from the General Fund and Healthy Futures Fund to the Cost
 12 Account identified in this Subsection and *shall* be used to fund Power,
 13 Water/Sewer, Medical and Dental Insurance and Vacancies in Fiscal Year
 14 2011 for the Department of Youth Affairs.

| APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|----------------------|---------------------|-----------|
| POWER | Utility Bank Fund | \$95,943 |
| WATER/SEWER | Utility Bank Fund | \$15,780 |
| MED/DENTAL INSURANCE | Health Benefit Fund | \$137,358 |
| VACANCIES | Vacancy Pool Fund | \$0 |
| TOTAL | | \$249,081 |

21 **Health Benefits - Healthy Futures Fund \$6,712; General Fund \$130,646”**

22 (6) Chapter V, Section 2(q)(3) of Public Law 30-196 is *amended* to read:

23 “(3) **Agency Expenses Appropriated to Central Cost Accounts**
 24 **Administered by the Department of Administration.** The amounts below
 25 are appropriated from the Air Pollution Control Fund, the Guam
 26 Environmental Trust Fund, the Water Protection Fund, and the Water
 27 Research and Development Fund to the Cost Account identified in this
 28 Subsection and *shall* be used to fund Power, Water/Sewer, Medical and
 29 Dental Insurance and Vacancies in Fiscal Year 2011 for the Guam
 30 Environmental Protection Agency, and *shall* be funded from Object
 31 Categories 111 and 113 in Chapter V, Section 2(q).

| APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|----------------------|---------------------|----------|
| POWER | Utility Bank Fund | \$81,406 |
| WATER/SEWER | Utility Bank Fund | \$2,770 |
| MED/DENTAL INSURANCE | Health Benefit Fund | \$0 |
| VACANCIES | Vacancy Pool Fund | \$0 |
| TOTAL | | \$84,176 |

Power: Air Pollution Control Fund-\$20,000; Environmental Trust Fund-\$24,230; Water Protection Fund-\$19,620; Water Research and Development Fund-\$17,556

Water: Air Pollution Control Fund-\$1,000; Environmental Trust Fund-\$1,770”

(7) Chapter V, Sections 2(r)(2) and 2(r)(3) of Public Law 30-196 are *amended* to read:

“(2) Increments and Promotions. The amount below in this Subsection is appropriated from the General Fund and Manpower Development Fund to Object Category 111 for the Department of Labor/AHRD, and *shall* be used to fund all increments and promotions in Fiscal Year 2011 for eligible classified employees funded within this Subsection for satisfactory performance pursuant to §6202, Chapter 6 of Title 4, Guam Code Annotated.

INCREMENTS AND PROMOTIONS 111 Total \$12,241
 General Fund: \$10,596; Manpower Development Fund: \$1,645

(3) Agency Expenses Appropriated to Central Cost Accounts Administered by the Department of Administration. The amounts below are appropriated from the General Fund and Manpower Development Fund to the Cost Account identified in this Subsection, and *shall* be used to fund Power, Water/Sewer, Medical and Dental Insurance and Vacancies in Fiscal Year 2011 for the Department of Labor/AHRD.

| APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|---------------------|-------------------|--------|
| POWER | Utility Bank Fund | \$0 |
| WATER/SEWER | Utility Bank Fund | \$0 |

| | | | |
|---|----------------------|---------------------|-----------|
| 1 | MED/DENTAL INSURANCE | Health Benefit Fund | \$26,278 |
| 2 | VACANCIES | Vacancy Pool Fund | \$238,541 |
| 3 | TOTAL | | \$264,819 |

4 Health Benefits Account: General Fund-\$19,774; Manpower Development Fund-
5 \$6,504

6 Vacancies: Manpower Development Fund-\$238,541”

7 (8) Chapter V, Sections 2(z)(1) and 2(z)(2) of Public Law 30-196 are *amended* to
8 read:

9 “(1) **Increments and Promotions.** The amount below in this
10 Subsection is appropriated from the General Fund to Object Category 111 for
11 the Guam Council on the Arts and Humanities Agency, and *shall* be used to
12 fund all increments and promotions in Fiscal Year 2011 for eligible classified
13 employees funded within this Subsection for satisfactory performance
14 pursuant to §6202, Chapter 6 of Title 4, Guam Code Annotated.

15 INCREMENTS AND PROMOTIONS 111 Total \$0

16 (2) **Agency Expenses Appropriated to Central Cost Accounts**
17 **Administered by the Department of Administration.** The amounts below
18 are appropriated to the Cost Account identified in this Subsection and *shall* be
19 used to fund Power, Water/Sewer, Medical and Dental Insurance and
20 Vacancies in Fiscal Year 2011 for the Guam Council on the Arts and
21 Humanities Agency.

| 22 | APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|----|----------------------|---------------------|-----------|
| 23 | POWER | Utility Bank Fund | \$12,000 |
| 24 | WATER/SEWER | Utility Bank Fund | \$0 |
| 25 | MED/DENTAL INSURANCE | Health Benefit Fund | \$0 |
| 26 | VACANCIES | Vacancy Pool Fund | \$0 |
| 27 | TOTAL | | \$12,000” |

28 (b) In specific sections in the General Appropriations Act of 2011 double appropriations
29 appear as a result of miscellaneous appropriations in the Base Operational
30 Appropriation table and following subsections. The following changes shall result in
31 a reduction to appropriations however the outcome is consistent with the intent of a

1 balanced budget.(1) Chapter V, Sections 2(f) and 2(f)(1) of Public Law 30-196 are
 2 amended to read:

3 “(f) **GUAM ELECTION COMMISSION SUMMARY OF**
 4 **BASE OPERATIONAL APPROPRIATION**

| | | | | | |
|----|--------------------|------------|--------------------|------------|--------------------|
| 5 | MISC | 290 | \$258,400 | \$0 | \$258,400 |
| 6 | POWER | 361 | \$0 | \$0 | \$0 |
| 7 | WATER/SEWER | 362 | \$0 | \$0 | \$0 |
| 8 | PHONE/TOLL | 363 | \$12,850 | \$0 | \$12,850 |
| 9 | CAP. OTLY. | 450 | \$0 | \$0 | \$0 |
| 10 | GR. TOTAL | | \$1,142,688 | \$0 | \$1,142,688 |

11
 12 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING SOURCE**

| | | |
|----|---------------------------------|-------------|
| 13 | GENERAL FUND | \$1,142,688 |
| 14 | FEDERAL MATCHING GRANTS -IN-AID | \$0 |
| 15 | SPECIAL FUNDS | \$0 |
| 16 | TOTAL | \$1,142,688 |

17 (1) **Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* to
 18 allocate the sum of One Hundred Twenty-Four Thousand Five Hundred
 19 Ninety-Two Dollars (**\$124,592**) in the Base Operational Appropriation in this
 20 Section 2(f) from the General Fund to the Guam Election Commission to
 21 cover the shortfall from the Special Election held in March of 2010, in
 22 addition to their initial request in the following Object Classes:

23 Object Class 230: One Hundred Thousand Dollars (**\$100,000**); and

24 Object Class 233: Twenty-four Thousand Five Hundred Ninety-two
 25 Dollars (**\$24,592**).

26 The sum of Two Hundred Fifty Thousand Dollars (**\$250,000**) shall be
 27 allocated in the Base Operational Appropriation in this Section 2(f) from the
 28 General Fund to the Guam Election Commission in Object Category 290
 29 pursuant to Title 3, Guam Code Annotated, Chapter 21 the Guam
 30 Decolonization Registry. Pursuant to Guam law, *at least* seventy percent
 31 (70%) of those eligible to vote pursuant to Title 1, Guam Code Annotated,

1 Chapter 21 must be registered in the Decolonization Registry before a
2 plebiscite can be scheduled. *I Liheslaturan Guåhan* intends that the GEC
3 efforts to update the Decolonization Registry be prioritized and expedited,
4 toward the goal of obtaining registrations of approximately seventy percent
5 (70%) of those persons eligible to vote in the plebiscite in the next fiscal
6 year.”

7 (2) Chapter V, Section 2(p)(4) of Public Law 30-196 is *amended* to read:

8 “(4) **Youth Program Appropriation.** The sum of Three Hundred
9 Seventy-One Thousand Six Hundred Seventy-Seven Dollars (\$371,677) is
10 allocated from the General Fund in the Base Operational Appropriation in
11 this Section 2(p), Object Class 230 for Fiscal Year 2011 to the Department
12 of Youth Affairs (DYA) to fund programs contracted out to non-
13 governmental organizations for youths who are runaways, homeless, or
14 victims of abuse.”

15 (3) Chapter V, Section 2(q)(1) of Public Law 30-196 is *amended* to read:

16 “(1) **Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* for
17 the Guam Environmental Protection Agency to expend their funds in
18 accordance with the object class appropriations. The Guam
19 Environmental Protection Agency *shall not* have the authority to transfer
20 any funds between object classes. Funds *shall only* be transferred to the
21 travel object class in so much as the funds transferred represent the local
22 match to authorized federal travel.

23 It is the intent of *I Liheslaturan Guåhan* to increase the appropriations
24 level of the Guam Environmental Protection Agency (GEPA). The
25 additional funds *shall* be appropriated from the Tourist Attraction Fund
26 and the Solid Waste Operations Fund. The appropriation recognizes the
27 importance of environmental protection to the island’s fragile ecological
28 balance and continued sustainability. Appropriations from these funds
29 recognize that the cost imposed to the Agency *shall* be offset by funds
30 generated related to these activities.

1 The sum of Two Hundred Thousand Dollars (**\$200,000**) *shall* be
2 allocated in the Base Operational Appropriation in this Section 2(q),
3 Object Class 290 from the Solid Waste Operations Fund to the Guam
4 Environmental Protection Agency. The appropriation recognizes the duties
5 and responsibilities of the Agency related to the closure, monitoring, and
6 opening of the island’s landfills. The funds *shall* be re-allocated by the
7 Bureau of Budget and Management Research within Section 2(q) for the Guam
8 Environmental Protection Agency according to a *pro forma* statement by object
9 class as submitted, in writing, by the Director of the Guam Environmental
10 Protection Agency to the Speaker of *I Liheslaturan Guåhan*. The statement of
11 *pro forma* expenditures *shall* only include expenditures related to this Section.”
12 (4) Chapter V, Sections 2(r)(1) and 2(r)(4) of Public Law 30-196 are *amended*
13 to read:

14 “(1) **Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* that
15 One Hundred Fifty Thousand Dollars (**\$150,000**) *shall* be allocated from
16 the Manpower Development Fund in the Base Operational Appropriation
17 in this Section 2(r): Object Classes 111 (\$112,500) and 113 (\$37,500) and
18 *shall* be used exclusively for the *sole* purpose of Alien Labor Processing
19 and Compliance Inspections.”

20 “(4) **Appropriation to the Worker's Compensation Fund.**
21 The sum of Seven Hundred Ninety-Eight Thousand Five Hundred Ninety-
22 Three Dollars (**\$798,593**) is allocated from the General Fund in the Base
23 Operational Appropriation, Object Class 290 in this Section 2(r) to the
24 Department of Labor for the Worker's Compensation Fund for Fiscal Year
25 2011 for Worker’s Compensation payments pursuant to §9144, Title 22,
26 Guam Code Annotated, including, obligations incurred in past years and in
27 the future. Said appropriation may be used to pay for medical, surgical,
28 and other treatment; nurses; hospital services; medical travel and per diem
29 costs; medicine; crutches; and equipment required by a claimant for such
30 period as his injury and the recovery therefrom may require. Said
31 appropriation *shall not* be expended for disability compensation payments
32 for FTE's funded by this Act. The Director of Labor may use *no more*

1 *than* Forty Thousand Dollars (**\$40,000**) from said appropriation to pay for
2 legal services for Worker's Compensation hearings.”

3 (5) Chapter V, Sections 2(v)(1) of Public Law 30-196 is *amended* to read:

4 “(1) **Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* to allocate the
5 sum of Ninety Thousand Dollars (\$90,000) in the Base Operational Appropriation in this
6 Section 2(v) from the General Fund, to Object Category 230 within the Veterans Affairs
7 Office, to either hire full-time, permanent employee(s) or to contract maintenance
8 services to address the deficiencies of the Veterans Cemetery. The funds *shall* be re-
9 allocated by the Bureau of Budget and Management Research within Section 2(v) for the
10 Veterans Affairs Office according to a *pro forma* statement as submitted by object class,
11 in writing, by the Director or the Administrator of the Veterans Affairs Office to the
12 Speaker of *I Liheslaturan Guåhan*. The statement of *pro forma* expenditures *shall* only
13 include expenditures related to this Section.”

14 (c) In specific sections in the General Appropriations Act of 2011 deletions are required
15 to clarify conflicting legislation in order for proper budgeting and allocation
16 implementation.

17 (1) Chapter III, Part III, Section 7 of Public Law 30-196 is *repealed*.

18 (2) Chapter V, Section 2(x)(1) of Public Law 30-196 is *amended* to read:

19 “(1) **Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* to
20 allocate Seventy-two Thousand Four Hundred Forty-nine Dollars (\$72,449) in
21 the Base Operational Appropriation in this Section 2(x) from the General
22 Fund into Object Category 230 for the purpose of installing a fire alarm
23 system at the *Chamorro Village*.”

24 (3) Chapter V, Sections 2(y)(1) and 2(y)(2) of Public Law 30-196 are *amended*
25 to read:

26 “(1) **Increments and Promotions.** The amounts below are appropriated
27 from the General Fund to Object Category 111 for the Department of Military
28 Affairs, and *shall* be used to fund all increments and promotions in Fiscal
29 Year 2011 for eligible classified employees funded within this Subsection for
30 satisfactory performance pursuant to §6202, Chapter 6 of Title 4, Guam Code
31 Annotated.

32 INCREMENTS AND PROMOTIONS 111 Total \$1,059

(2) **Agency Expenses Appropriated to Central Cost Accounts Administered by the Department of Administration.** The amounts below are appropriated from the General Fund to the Cost Account identified in this Subsection, and *shall* be used to fund Power, Water/Sewer, Medical and Dental Insurance and Vacancies in Fiscal Year 2011 for the Department of Military Affairs.

| APPROPRIATION CLASS | COST ACCOUNT | AMOUNT |
|----------------------|---------------------|------------|
| POWER | Utility Bank Fund | \$278,312 |
| WATER/SEWER | Utility Bank Fund | \$6,083 |
| MED/DENTAL INSURANCE | Health Benefit Fund | \$7,356 |
| VACANCIES | Vacancy Pool Fund | \$0 |
| TOTAL | | \$291,751” |

(4) Chapter V, Section 2(q)(4) of Public Law 30-196 is *repealed*.

(d) Chapter V, Section 2(a), “EXECUTIVE DIRECTION”, of Public Law 30-196 require clarification of legislative intent and reprogramming of funds in order for proper budgeting and allocation implementation.

(1) Chapter V, Section 2(a)(1) of Public Law 30-196 is *amended* to read:

“(1) Legislative **Intent**. It is the intent of *I Liheslaturan Guåhan* that the sum of Four Million Two Hundred Four Thousand Eight Hundred Eighty-Seven Dollars (**\$4,204,887**) be appropriated from the General Fund to the Executive Direction within the Office of *I Maga’låhen Guåhan* for its operations in Fiscal Year 2011. It is the intent of *I Liheslaturan Guåhan* that the sum of Six Hundred Fifty-Eight Thousand Nine Hundred Twenty-Two Dollars (**\$658,922**) be appropriated from the General Fund to the Government House within the Office of *I Maga’låhen Guåhan* for its operations in Fiscal Year 2011. It is the intent of *I Liheslaturan Guåhan* that the sum of One Hundred Eighty-One Thousand Nine Hundred Thirty-Five Dollars (**\$181,935**) be appropriated from the General Fund, and the sum of Two Thousand Five Hundred Dollars (**\$2,500**) be appropriated from the Indirect Cost Fund to the Bureau of Information Technology within the Office of *I Maga’låhen Guåhan* for its operations in Fiscal Year 2011. It is the intent of *I Liheslaturan*

1 *Guåhan* that the sum of Six Hundred Sixty-Three Thousand Four Hundred
 2 Fifty-Eight Dollars (**\$663,458**) be appropriated from the General Fund to the
 3 Medical Referral Office within the Office of *I Maga'låhen Guåhan* for its
 4 operations in Fiscal Year 2011. It is the intent of *I Liheslaturan Guåhan* that
 5 the sum of Three Hundred Thirty-Three Thousand Four Hundred Six Dollars
 6 (**\$333,406**) be appropriated from the General Fund to the Guam Liaison
 7 Office, Washington D.C. within the Office of *I Maga'låhen Guåhan* for its
 8 operations in Fiscal Year 2011. It is the intent of *I Liheslaturan Guåhan* that
 9 the sum One Million Twenty-One Thousand Fifty-Four Dollars (**\$1,021,054**)
 10 be appropriated from the General Fund, and Thirty-Five Thousand Dollars
 11 (**\$35,000**) from the Indirect Cost Fund to the Lt. Governor's Office within the
 12 Office of *I Maga'låhen Guåhan* for its operations in Fiscal Year 2011. It is
 13 the intent of *I Liheslaturan Guåhan* that the sum of Three Hundred Fifty
 14 Thousand Six Hundred Three Dollars (**\$350,603**) be appropriated from the
 15 Indirect Cost to the Guam State Clearinghouse, and Training and Continuing
 16 Education within the Office of *I Maga'låhen Guåhan* for its operations in
 17 Fiscal Year 2011."

18 (2) Chapter V, Section 2(a)(3) of Public law 30-196 is *amended* to read:

19 **“(3) Agency Expenses Appropriated to Central Cost Accounts**
 20 **Administered by the Department of Administration.** The amounts below
 21 are appropriated from the General Fund to the cost Account identified in this
 22 Subsection and *shall* be used to fund Power, Water/Sewer, Medical and
 23 Dental Insurance and Vacancies in Fiscal Year 2011 for the *Office of I*
 24 *Maga'lahi*. The appropriation for Object Category 113 (Benefits) in Section
 25 2(a) of the Base Operational Appropriation for the *Office of I Maga'lahi* for
 26 General Fund and Special Fund includes Medical and Dental Insurance.”

27 iii. Chapter V, Section 2(a) of Public Law 30-196 is amended to read:

| | | | | | |
|----|-----------------|------------|--------------------|-----------------|---------------------|
| 28 | “OT/SP | 112 | \$0 | \$0 | \$0 |
| 29 | BENEFITS | 113 | \$1,129,736 | \$79,930 | \$1,209,666” |

1 (e) Chapter I, Section 9, “Debt Service Continuing Appropriation”, of Public Law 30-
2 196 require clarification of individual amounts in order for proper budgeting and
3 allocation implementation. Four (4) of the debt service appropriations in this Section
4 carried over the previous fiscal year payment amounts. The following changes reflect the
5 correct amounts required for the FY 2011 payments. Chapter I Section 9 of Public Law
6 30-196 is *amended* to read:

7 **“Section 9. Debt Service Continuing Appropriation.** The following are
8 continuing appropriations for debt service requirements:

9 **A. GENERAL OBLIGATION BONDS, SERIES 1993 A \$2,895,261 1/**

10 (For education capital projects; Real Property Taxes pledged; due FY 2018 as
11 final year; P.L. 29-19 and P.L. 29-21, net of UOG Bond Payment Obligation
12 \$2,027,488)

13 **1/ Territorial Education Facilities Fund**

14 **B. LIMITED OBLIGATION HIGHWAY REFUNDING**

15 **BOND 2001 SERIES A \$6,027,225 2/**

16 (P.L. No. 24-70; due FY 2012 as the final year; source of payment from Liquid
17 Fuel Taxes).

18 **2/ Guam Highway Fund**

19 **C. LIMITED OBLIGATION (SECTION 30) BONDS**

20 **SERIES A, 2001 (SECTION 30 FUNDS) \$9,825,275 3/**

21 (Water System Revenue Bond; P.L. 26-58, amended by P.L. 26-59; Section 30
22 fund pledged; due FY 2012 as final year)

23 **3/ Section 30 Funds (General Fund)**

24 **D. 2002 SHORT TERM FINANCING (SECTION 30 FUNDS) \$1,281,818 4/**

25 (Line of Credit; P.L. 26-84 amended by P.L. 26-122 and P.L. 26-130; due FY
26 2012 as the final year; source of payment Section 30 Funds)

27 **4/ Section 30 Funds (General Fund)**

28 **E. LIMITED OBLIGATION INFRASTRUCTURE**

29 **IMPROVEMENT BONDS, 1997 SERIES A (TAF) \$4,778,016 5/**

30 (Tumon Redevelopment; payment from the Tourist Attraction Fund, pursuant to
31 P.L. 24-111)

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5/ Tourist Attraction Fund

F. 2008 SHORT TERM FINANCING \$4,202,213 6/

(Line of Credit; P.L. 29-69 amended by P.L. 29-82 & P.L. 29-87; due FY 2012 as the final year; source of payment General Fund, secondary Section 30 Funds)

6/ General Fund

G. GENERAL OBLIGATION BONDS, SERIES 2007 A \$7,874,700 7/

(Partial refunding of GOB, 1993 Series A, funding capital projects and certain obligations of the Government of Guam; due FY 2037 as final year; P.L. 29-19, and P.L. 29-21)

7/ Territorial Education Facilities Fund

H. LIMITED OBLIGATION (SECTION 30) BONDS, SERIES 2009A \$7,135,019 8/

(To finance cost for the new landfill and the closure of Ordot Dump; P.L. 30-1 amended by P.L. 30-7; Due FY 2035 as final year).

8/ Solid Waste Operations Fund

I. GENERAL OBLIGATION BONDS, 2009 SERIES A \$23,278,492 9/

(To finance certain expenses affecting General Fund Deficit; P.L. 29-113 amended by P.L. 30-7; Due FY 2040 as final year)

9/ General Fund

GRAND TOTAL DEBT SERVICE \$67,298,019”

(f) Other sections of the General Appropriations Act of 2011 require amendments in order for proper budgeting and allocation implementation. The following changes are unable to be categorized in a specific set of changes and thus represent a miscellaneous group of changes.

(1) Chapter II, Part I, Section 9 of Public Law 30-196 is *amended* to read:

“Section 9. Textbooks and Collateral Materials. The following are appropriations to the GDOE for the purchase of textbooks, e-book readers and collateral materials, to include, software, sheet music and music books, in accordance with the following terms and conditions:

(a) The sum of Two Million Dollars **(\$2,000,000)** is appropriated from the General Fund from Fiscal Year 2014₂ revenues to the GDOE for the purchase of textbooks, e-book readers and related classroom

1 instructional materials, to include software, sheet music and music books.
2 The Superintendent of GDOE may, *if necessary*, through agreements with
3 textbook vendors, defer payment for said materials until after October 1,
4 2011 but *no later than* December 31, 2011, with the full faith and credit of
5 the government of Guam.”

6 (2) Chapter VIII, Sections 4 and 5 of Public Law 30-196 are *amended* to read:

7 “**Section 4. Streets Maintenance and Beautification.** The sum of
8 One Million Thirty-Six Thousand Twenty-Six Dollars (**\$1,036,026**) is
9 appropriated from the Tourist Attraction Fund to the Mayors Council of Guam
10 for Fiscal Year 2011 for the maintenance and beautification of village
11 secondary and tertiary roads, and for the operations of the Mayors’ offices, but
12 *not* for personnel costs. Said funds *shall not* be subject to any transfer
13 authority of *I Maga’låhen Guåhan*, and *shall* be divided among the Village
14 Mayors as follows:

15 (a) Each Mayor *shall* receive the sum of Twenty Thousand
16 Dollars (**\$20,000**); and

17 (b) The remaining balance of the fund *shall* be distributed to
18 each Mayor pro rata based on the total road mileage in his village as a
19 percentage of Guam’s total road mileage in the most current report of
20 Guam Roads Pavement Inventory of the Department of Public Works.

21 **Section 5. Island-wide Village Beautification Projects.** The sum of
22 Four Hundred Seventy Thousand Nine Hundred Twenty-One Dollars
23 (**\$470,921**) is appropriated from the Tourist Attraction Fund to the Mayors
24 Council of Guam for Island-wide Village Beautification Projects to include:

25 (a) the maintenance and repair of the village’s recreational
26 facilities under the jurisdiction of the Mayor;

27 (b) the maintenance and repair of each village’s main roads;
28 and

29 (c) the planting and maintenance of each village’s official
30 flower and other flowering plants, shrubs and trees adjacent to the
31 village’s main roads, public restrooms and recreational facilities. A

1 Mayor may contract with a private entity to provide the services
2 authorized by this Section, subject to the Guam Procurement Law, Chapter
3 5, Title 5, Guam Code Annotated.”

4 (3) A new Subsection 4 is *added* to Chapter V, Section 2(q) of Public Law 30-
5 196:

6 “**Section 4. Beach Monitoring.** The Tourist Attraction Fund *shall*
7 provide resources to the Guam Environmental Protection Agency for tasks
8 performed by the Agency related to the monitoring of the island’s beaches and
9 any other tourist infrastructure. As tourism represents a major contributor to
10 the island’s economy, the following appropriation ensures that the island’s
11 beaches are safe for recreational and commercial use.

12 The sum of One Hundred Thousand Dollars (**\$100,000**) is hereby
13 appropriated from the Tourist Attraction Fund to the Guam Environmental
14 Protection Agency for the *sole* purpose of beach monitoring. This
15 appropriation *shall* continue to be available until expended. This
16 appropriation is *not* subject to transfer or use for any other purpose.”

(4) Chapter V, Section 2(aa) of Public Law 30-196 is *amended* to read:

“(aa) **GUAM FIRE DEPARTMENT**

SUMMARY OF BASE OPERATIONAL APPROPRIATION

| APPROP. CLASS | OBJECT CLASS | GENERAL FUND | SPECIAL FUND | TOTAL |
|---------------|--------------|--------------|--------------|--------------|
| REG SALARIES | 111 | \$12,478,844 | \$1,009,830 | \$13,488,674 |
| OT/SP | 112 | \$1,895,257 | \$56,105 | \$1,951,362 |
| BENEFITS | 113 | \$4,308,092 | \$335,329 | \$4,643,421 |
| TRAVEL/MILE | 220 | \$0 | \$0 | \$0 |
| CONT. SERV. | 230 | \$222,093 | \$160,000 | \$382,093 |
| OFF. RENTAL | 233 | \$115,000 | \$0 | \$115,000 |
| SUP. & MAT. | 240 | \$165,316 | \$92,296 | \$257,612 |
| EQUIPMENT | 250 | \$0 | \$257,024 | \$257,024 |
| WRK. COMP. | 270 | \$8,786 | \$0 | \$8,786 |
| DRUG TEST | 271 | \$0 | \$0 | \$0 |
| SUBGRANT | 280 | \$0 | \$0 | \$0 |
| MISC | 290 | \$96,000 | \$10,050 | \$106,050 |
| POWER | 361 | \$0 | \$0 | \$0 |
| WATER/SEWER | 362 | \$0 | \$0 | \$0 |
| PHONE/TOLL | 363 | \$45,000 | \$48,000 | \$93,000 |
| CAP. OTLY. | 450 | \$0 | \$112,890 | \$112,890 |
| GR. TOTAL | | \$19,334,388 | \$2,081,524 | \$21,415,912 |

Enhanced 911 Emergency Reporting System Fund \$1,634,994 (111-\$547,830; 112-\$56,105; 113-\$197,329; 230-\$150,000; 240-\$82,296; 250-\$224,000; 290-\$216,544-\$10,050; 363-\$48,000; 450-\$112,890)

Fire, Life and Medical Emergency Fund \$653,024 (111-\$462,000; 112 ~~112~~ 113-\$138,000; 230-\$10,000; 240-\$10,000; 250-\$33,024)”

(5) A new Section 8 is *added* to Chapter V, Section 2(aa) of Public Law 30-196 to read:

1 **“Section 8. E911 Dispatchers & Administrator Positions.** The sum
 2 of Two Hundred Six Thousand Four Hundred Ninety-Four Dollars (**\$206,494**)
 3 is appropriated from the Enhanced 911 Emergency Reporting System Fund to
 4 the Guam Fire Department for Fiscal Year 2011 to fund positions of E911
 5 Dispatchers and a E911 Administrator critical to the operations of the
 6 Emergency “911” telephone communication system.”

7 (6) Chapter III, Part II Section 2 of Public Law 30-196 is *amended* to read:

| | | | | | |
|---|-------------------|------------|--------------|------------|--------------|
| 8 | “DRUG TEST | 271 | \$150 | \$0 | \$150 |
| 9 | SUBGRANT | 280 | \$0 | \$0 | \$0” |

10
 11 (7) A new Section 13 of Chapter X of Public Law 30-196 is *added* to read:

12 **“Section 13. Appropriation to GVB for the Traditions Affirming our**
 13 **Seafaring Ancestry (TASA).** The sum of Forty Thousand Dollars (**\$40,000**) is
 14 appropriated from the TAF to the GVB for Fiscal Year 2011.

15 (8) Chapter V, Section 2(e)(11) is hereby *amended* to read as follows:

16 **“(11) Appropriation for Bank Fees and the Department of**
 17 **Administration.** *I Liheslaturan Guåhan* recognizes the benefit of efficient cash
 18 management to the operations of the government of Guam. By accepting various
 19 modes of payments, *I Liheslaturan Guåhan* understands that its constituency *shall*
 20 be provided with options whereby debts owed to the government of Guam can be
 21 satisfied. It is the intent *I Liheslaturan Guåhan* to promote payment of these debts
 22 by accepting various payment options.

23 *I Liheslaturan Guåhan* also recognizes that accepting various payment
 24 options present additional cost to the government of Guam. Whereas, *I*
 25 *Liheslaturan Guåhan* recognizes that use of credit cards and debit cards provide a
 26 convenient method for citizens to pay their liabilities. Fees incurred to the use of
 27 these payment methods represent a convenience to the payer and accordingly
 28 *shall not* be a burden to the government of Guam.

29 The government of Guam through the Department of Administration *shall*
 30 contract with a third party provider whereby collections of non-cash payments
 31 received are processed. The third party service provider *shall* remit the full value

1 of the liability owed by the payer to the government of Guam. The third party
2 service provider *shall* have the ability to accept non-cash payments received and
3 charge necessary fees related to the processing of the payments.

4 The sum of Nine Hundred Thousand Dollars (**\$900,000**) is hereby
5 appropriated from the General Fund for projected first quarter bank fees. The
6 remaining Two Million Seven Hundred Thousand Dollars (**\$2,700,000**) of
7 projected FY 2011 bank fees are embedded as appropriations in the Base
8 Operational Budget in Chapter V Subsection (e).

9 Effective April 1, 2011, the Department of Administration Base
10 Operational Budget *shall* be de-appropriated for all bank fees charged to the
11 government of Guam for payment of taxes, fees or any other payments that result
12 in reduced revenue to the government of Guam. On a monthly basis, all bank fees
13 charged to the government of Guam *shall* be de-appropriated from the Base
14 Operational Budget in Chapter V Subsection (e) and re-appropriated to said bank
15 fees.

16 The Director of the Department of Administration *shall* provide a report to
17 *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* by January 15,
18 2011, on the status of the mandate set forth in this Section and *shall* appear before
19 the Committee on Appropriations and present the findings. In the event that bank
20 fees are still being charged after April 1, 2011, a monthly de-appropriation report
21 *shall* be sent to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*
22 *no later than* the 15th of the following month.”

23 **Section 4.** *I Liheslatura* finds that further public hearings are required for the
24 Northern and Central *Guåhan* Land Use Plan, submitted to the 30th Guam Legislature on October
25 26, 2010, pursuant to Title 5 GCA Article 2. Notwithstanding any other law and in order to
26 allow full consideration by the incoming session of the Guam Legislature, *The Northern and*
27 *Central Guåhan Land Use Plan shall not* be adopted as an element to *Guåhan's* Comprehensive
28 Development Plan by inaction of the Legislature until the 90th day of the term of the 31st Guam
29 Legislature.

1 **Section 5.** Notwithstanding any other provision of law, the Department of Education
2 is authorized to fill the Facilities and Maintenance Manager position from funds allocated in the
3 Base Operational Appropriation to the Department of Education in P.L. 30-196.

4 **Section 6.** Notwithstanding any other provision of law, the Guam Election
5 Commission is authorized to reprogram funds allocated in the Base Operational Appropriation in
6 P.L. 30-196 to the consultants for services rendered relative to the election tabulation machines.

7 **Section 7. Effective Date.** Notwithstanding any other provisions of law, the action
8 requested herein is approved and will be in effect when this Act is signed into law by *I*
9 *Maga'lahi*.

10 **Section 8. Severability.** If any provision of this Act or its application to any person
11 or circumstance is found to be invalid or contrary to law, such invalidity shall *not* affect other
12 provisions or applications of this Act which can be given effect without the invalid provisions or
13 applications, and to this end the provisions of this Act are severable.