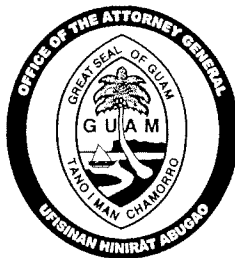


ALICIA G. LIMTIACO  
Attorney General



PHILLIP J. TYDINGCO  
Chief Deputy Attorney General

*Speaker*

## OFFICE OF THE ATTORNEY GENERAL

June 11, 2010

2010 JUN 14 AM 10:00  
*mm*

*30-10-546*

Honorable Felix P. Camacho, Governor of Guam  
Ricardo J. Bordallo Governor's Complex, Adelup  
P.O. Box 2950  
Hagatna, Guam 96910

Office of the Speaker  
**Judith T. Won Pat, Ed. D.**  
Date 6/10/10  
Time 10:10  
Received by [Signature]

Honorable Judith T. Won Pat  
Speaker, 30<sup>th</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96910

Re: **Public Law 30-55 (FY2010 Budget Act)**  
**Transfer Authority for the Office of the Attorney General**  
**(Modification No. AG10-015, AG10-016 and AG10-020)**

OFFICE OF THE GOVERNOR  
*Julio 9:44*  
DATE [Signature]  
LEGAL OFFICE

Dear Governor Camacho and Speaker Won Pat:

Public Law 30-55 permits the Office of the Attorney General to transfer between object class allocations provided notification to the Governor and Speaker of the Guam Legislature is made at least fifteen (15) days prior to such modification.

This modification is vitally important to address the anticipated shortfall of our personnel costs. Indeed, this shortfall had been anticipated early on as noted in our letter dated October 14, 2009 regarding our first notification of exercising the transfer authority given to the Office of the Attorney General under P.L. 30-55. We noted then that our administrative staff had reported that there will likely be a shortfall even before commencement of the Fiscal Year 2010. During our budget hearing held on May 11, 2010, Senator Vicente (Ben) C. Pangelinan, Chairman of the Committee on Appropriations, et al. had indicated that we were headed for a shortfall insofar as our current expenditures were concerned. In addition to unanticipated operational costs that occurred during the year, we had informed the Chairman and other Senators present that it was made known back in 2009 through our proposed FY2010 budget that the personnel costs for actual or warm bodies for FY2010 was approximately \$5,200,000.00. We were informed by the Chairman that the appropriation for personnel salaries was \$6,342,754 for FY2010, which impliedly should have been sufficient to cover the personnel costs. However, the \$6,342,754

2014

*Letter to The Honorable Felix P. Camacho and Honorable Judith T. Won Pat  
Re: Transfer Authority for the Office of the Attorney General (Mod#AG10-015 and AG10-016)  
Page 2*

noted in that appropriation bill for personnel salaries and costs was determined to be an error as it was not consistent with the total amount of monies appropriated to the Office of the Attorney General for FY2010. In fact, the amount of \$4,650,732 noted in the general fund column of that same bill was the only number or amount of local general fund monies appropriated to cover personnel salaries and cost that was accepted for that object category by the Department of Administration (clearly lower than \$5,200,000 projected as the costs for actual number of personnel working prior to October 2009). Please see attachment. Thus, we have had to exercise our transfer authority within object categories.

In an effort to cover this shortfall, our financial strategy includes but is not limited to implementing a freeze on recruitment and replacement of local general funded attorneys and support staff who have resigned or will be resigning in the next month or two unless other funding sources becomes available; transferring our available balances from other object categories of our local general fund accounts of certain divisions to cover the shortfalls in personnel and other object categories that has and will negatively impact on the operations of those divisions; liquidate unused accounts; and transfer available balances from the Child Support Enforcement Division's local fund match accounts because federal child support incentive grant monies are available. For example, we are now charging the labor or personnel costs of four (4) newly hired Child Support employees to federal incentive grant accounts.

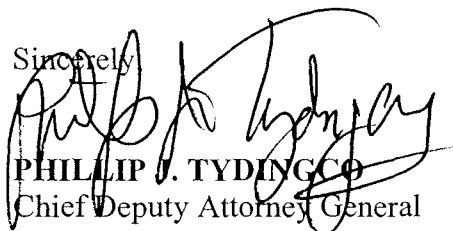
Therefore, the modification of our object categories will occur as prepared in the attachment.

Attached is our modification request that will be submitted.

If you have any questions, please do not hesitate to contact me or Terry Ascura, Management Analyst or myself at 475-3324 ext. 716.

Thank you.

Sincerely,



PHILLIP J. TYDINGCO  
Chief Deputy Attorney General

*Attachment*

cc: *Honorable Alicia G. Limtiaco  
Attorney General of Guam*

*Honorable Adolpho B. Palacios, Sr.  
Thirtieth Guam Legislature  
Committee on Public Safety, Law Enforcement and Senior Citizens*

*DOA Accounting Section*



1 Federal Grants-in-Aid not included in Object Class: 111-\$1,692,022; 113-\$561,979;  
 2 220-\$25,572; 230-\$3,045,148; 233-\$313,068; 240-\$15,510; 250-\$30,781; 271-\$619;  
 3 363-\$27,720; 450-\$33,000

4 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING SOURCE**

5 GENERAL FUND	\$8,213,976
6 FEDERAL MATCHING GRANTS –IN-AID	\$5,745,419
7 SPECIAL FUNDS	\$0
8 TOTAL	\$13,959,395

9 **Section 2. Increments and Promotions.** The amount below in this  
 10 Subsection is appropriated from the General Fund to Object Category 111 for the  
 11 Office of the Attorney General and *shall* be used to fund all increments and  
 12 promotions in Fiscal Year 2010 for eligible classified employees funded within this  
 13 Subsection for satisfactory performance pursuant to §6202, Chapter 6 of Title 4,  
 14 Guam Code Annotated.

15 INCREMENTS AND PROMOTIONS	111 Total	\$35,449
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16 **Section 3. Agency Expenses Appropriated to Central Cost Accounts**  
 17 **Administered by the Department of Administration.** The amounts below are  
 18 appropriated from the General Fund to the Cost Account identified in this  
 19 Subsection and *shall* be used to fund power, water/sewer, medical and dental  
 20 insurance in Fiscal Year 2010 for the Office of the Attorney General.

21	APPROPRIATION CLASS	COST ACCOUNT	AMOUNT
22	POWER	Utility Cost Account	\$0
23	WATER/SEWER	Utility Cost Account	\$0
24	MEDICAL & DENTAL INSURANCE	Health Benefit Account	\$196,215
25	TOTAL		\$196,215

URGENT

REQUEST FOR APPROPRIATION / ALLOTMENT MODIFICATION

DEPARTMENT: OFFICE OF THE ATTORNEY GENERAL Request No.: AGO 10-015  
 Division / Section: ADMINISTRATION Date Prepared:

TYPE: APPROPRIATION & ALLOTMENT [X] ALLOTMENT ONLY [ ]

Description of Action: To transfer funds into salaries and benefits to cover anticipated shortfall as indicated by Legislature at budget hearing on May 11, 2010. There appears to be an error in the budget appropriation as indicated on the FY2010 Budget Act (Reference PL30-55) which is resulting in a shortfall for the Office.  
 (\*If any questions, please call Phillip Tydingco at 475-3324 ext. 716, or Terry T. Ascura ext. 12/123/125. Thank you.)

AS 400 Account Number	Qty. / Mo.	CURRENT Approp. / Allot. Level(s):	Requested Modification(s): [ + or - ]	REVISED Approp. / Allot. Level(s):
<b>APPROPRIATIONS</b>				
5100A101100GA001-220		\$24,726.00	(\$11,648.31)	\$13,077.69
5100A101100GA001-230		\$786,938.26	(\$300,000.00)	\$486,938.26
5100A101100GA001-233		\$487,485.04	(\$78,609.00)	\$408,876.04
5100A101100GA001-240		\$56,000.00	(\$7,900.00)	\$48,100.00
5100A101100GA001-250		\$37,240.08	(\$30,942.00)	\$6,298.08
5100A101100GA001-271		\$1,387.08	(\$899.58)	\$487.50
5100A101100GA001-450		\$42,840.00	(\$42,840.00)	\$0.00
5100A101100GA001-111		\$4,206,785.64	\$400,252.89	\$4,607,038.53
5100A101100GA001-113		\$1,136,162.90	\$72,586.00	\$1,208,748.90
	<b>Net</b>	<b>\$6,779,565.00</b>	<b>\$0.00</b>	<b>\$421,953.73</b>
5100A101100GA001-220	Oct. 2009	\$15,810.50	(\$11,648.31)	\$4,162.19
5100A101100GA001-230	Oct. 2009	\$721,360.07	(\$300,000.00)	\$421,360.07
5100A101100GA001-233	Oct. 2009	\$487,485.04	(\$78,609.00)	\$408,876.04
5100A101100GA001-240	June, 2010	\$4,666.66	(\$4,666.66)	\$0.00
5100A101100GA001-240	July 2010	\$4,666.66	(\$3,233.34)	\$1,433.32
5100A101100GA001-271	Oct 09 - April 2010	\$809.13	(\$809.13)	\$0.00
5100A101100GA001-271	May 2010	\$115.59	(\$90.45)	\$25.14
5100A101100GA001-250	Dec. 2009	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	Jan. 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	Feb. 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	March 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	April 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	May 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	June 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	July 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	Aug 2010	\$3,103.34	(\$3,103.34)	\$0.00
5100A101100GA001-250	Sept 2010	\$3,103.34	(\$3,011.94)	\$91.40
5100A101100GA001-450		\$42,840.00	(\$42,840.00)	\$0.00
5100A101100GA001-111	June 2010	\$4,206,785.64	\$400,252.89	\$4,607,038.53
5100A101100GA001-113	June 2010	\$1,136,162.90	\$72,586.00	\$1,208,748.90
	<b>Net</b>	<b>\$6,651,735.59</b>	<b>(\$0.00)</b>	<b>\$6,651,735.59</b>

AUTHORIZED SIGNATURES:

Requested By: ALICIA G. LIMTIACO, ATTORNEY GENERAL Date \_\_\_\_\_

Approved / Disapproved By: BERTHA M. DUENAS, DIRECTOR OF BBMR Date \_\_\_\_\_  
 NOT REQUIRED PURSUANT TO 5 GCA, SECTION 30118 AND  
 P.L. 30-55

Account Modified By: BERTHA M. DUENAS, ACTING DIRECTOR OF BBMR Date \_\_\_\_\_

\* TOA: Type of Appropriation (Alpha); Act.: Activity (000 only); Acct. Code: Account Code (Object Classes)

User ID. . . . : AGOASCUT  
 To date. . . . : 6/2010  
 Account. . . . : 5100A101100GA001  
 Dept/Division :

Exclude Object Codes:

Account Number	Account Name	YTD Expenditures	O/S Encumbrance	Available Funds	Unallotted Balance
<u>Tot Appropriation</u>	<u>YTD Allotment</u>				
5100A101100GA00111	ATTORNEY GENERAL	3,064,290.29		99,548.92	1,042,946.43
4,206,785.64	3,163,839.21				
5100A101100GA001113	ATTORNEY GENERAL	863,499.29		11,377.13-	284,040.74
1,136,162.90	852,122.16				
5100A101100GA001114	ATTORNEY GENERAL	6.69		6.69-	
5100A101100GA001220	ATTORNEY GENERAL	10,196.37	881.32	11,216.81	2,431.50
24,726.00	22,294.50				
5100A101100GA001230	ATTORNEY GENERAL	332,497.67	89,339.35	299,523.05	65,578.19
786,938.26	721,360.07				
5100A101100GA001233	ATTORNEY GENERAL	203,118.79		284,366.25	
487,485.04	487,485.04				
5100A101100GA001240	ATTORNEY GENERAL	24,306.04	2,398.97	15,295.01	13,999.98
56,000.00	42,000.02				
5100A101100GA001250	ATTORNEY GENERAL	5,269.00	724.00	21,937.06	9,310.02
37,240.08	27,930.06				
5100A101100GA001271	ATTORNEY GENERAL	450.00		590.31	346.77
1,387.08	1,040.31				
5100A101100GA001363	ATTORNEY GENERAL	20,591.31	3,003.69	18,405.00	
42,000.00	42,000.00				
5100A101100GA001450	ATTORNEY GENERAL			42,840.00	
42,840.00	42,840.00				
-----					
GA001 PROGRAM TOTALS	Count:	11			
6,821,565.00	5,402,911.37	4,524,225.45	96,347.33	782,338.59	1,418,653.63
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00 DIVISION TOTALS	Count:	11			
6,821,565.00	5,402,911.37	4,524,225.45	96,347.33	782,338.59	1,418,653.63
-----					
11 DEPARTMENT TOTALS:	Count:	11			
6,821,565.00	5,402,911.37	4,524,225.45	96,347.33	782,338.59	1,418,653.63
-----					
A10 APTYP+FY TOTALS:	Count:	11			
6,821,565.00	5,402,911.37	4,524,225.45	96,347.33	782,338.59	1,418,653.63
-----					
100 FUND TOTALS:	Count:	11			
6,821,565.00	5,402,911.37	4,524,225.45	96,347.33	782,338.59	1,418,653.63
-----					
FINAL TOTALS	Count:	11			
6,821,565.00	5,402,911.37	4,524,225.45	96,347.33	782,338.59	1,418,653.63

URGENT

REQUEST FOR APPROPRIATION / ALLOTMENT MODIFICATION

DEPARTMENT: OFFICE OF THE ATTORNEY GENERAL

Request No.: AGO 10-016

Date Prepared:

Division / Section: CHILD SUPPORT DIVISION

TYPE: APPROPRIATION & ALLOTMENT [X]

ALLOTMENT ONLY [ ]

Description of Action: To transfer funds into salaries and benefits to cover anticipated shortfall as indicated by Legislature at budget hearing on May 11, 2010. There appears to be an error in the budget appropriation as indicated on the FY2010 Budget Act (Reference PL30-55) which is resulting in a shortfall for the Office.  
 ("If any questions, please call Philip Tydingco at 475-3324 ext. 716, or Terry T. Ascura ext. 12/123/125. Thank you.)

AS 400 Account Number	Qtr. / Mo.	CURRENT Approp. / Allot. Level(s):	Requested Modification(s): [ + or - ]	REVISED Approp. / Allot. Level(s):
<b>APPROPRIATIONS</b>				
5101B101170CE101-111		1,954,104.00	(73,478.00)	1,880,626.00
5101B101170CE101-113		617,565.00	(21,804.00)	595,761.00
5101B101170CE101-230		1,539,261.00	(113,449.00)	1,425,812.00
5101B101170CE101-233		474,346.95	(76,000.00)	398,346.95
5101B101170CE101-240		23,500.00	(7,900.00)	15,600.00
5101B101170CE101-250		10,638.00	(7,000.00)	3,638.00
5100B101170MT950-290		1,627,860.00	(101,874.54)	1,525,985.46
5100A101100GA001-111		4,607,038.53	24,982.53	4,632,021.06
5100A101100GA001-113		1,136,162.90	76,892.02	1,213,054.92
	<b>Net</b>	<b>\$11,990,476</b>	<b>(\$299,631)</b>	<b>\$11,690,845</b>
<b>ALLOTMENTS</b>				
5101B101170CE101-111	May	\$162,842.00	(\$73,478.00)	\$89,364.00
5101B101170CE101-113	May	\$51,463.75	(\$21,804.00)	\$29,659.75
5101B101170CE101-230	Oct	\$1,539,261.00	(\$113,449.00)	\$1,425,812.00
5101B101170CE101-233	Oct	\$474,346.95	(\$76,000.00)	\$398,346.95
5101B101170CE101-240	May	\$1,958.33	(\$1,958.33)	\$0.00
5101B101170CE101-240	June	\$1,958.34	(\$1,958.34)	\$0.00
5101B101170CE101-240	July	\$1,958.34	(\$1,958.34)	\$0.00
5101B101170CE101-240	Aug	\$1,958.34	(\$1,958.34)	\$0.00
5101B101170CE101-240	Sept	\$1,958.34	(\$66.65)	\$1,891.69
5101B101170CE101-250	Feb	\$886.50	(\$886.50)	\$0.00
5101B101170CE101-250	March	\$886.50	(\$886.50)	\$0.00
5101B101170CE101-250	April	\$886.50	(\$886.50)	\$0.00
5101B101170CE101-250	May	\$886.50	(\$886.50)	\$0.00
5101B101170CE101-250	June	\$886.50	(\$886.50)	\$0.00
5101B101170CE101-250	July	\$886.50	(\$886.50)	\$0.00
5101B101170CE101-250	Aug	\$886.50	(\$886.50)	\$0.00
5101B101170CE101-250	Sept	\$886.50	(\$794.50)	\$92.00
5100B101170MT950-290	Oct	\$1,627,860.00	(\$101,874.54)	\$1,525,985.46
5100A101100GA001-111	June	\$747,901.69	\$24,982.53	\$772,884.22
5100A101100GA001-113	June	\$167,266.24	\$76,892.02	\$244,158.26
	<b>Net</b>	<b>\$4,787,825.32</b>	<b>(\$299,630.99)</b>	<b>\$4,488,194.33</b>

AUTHORIZED SIGNATURES:

Requested By:

Alicia G. Limtiaco, Attorney General

Date

Approved / Disapproved By:

Bertha M. Duenas, Director of BBMR  
 NOT REQUIRED PURSUANT TO S.G.A. SECTION 30118 AND  
 P.L. 30-55

Date

Account Modified By:

Bertha M. Duenas, Acting Director of BBMR

Date

\* TOA: Type of Appropriation (Alpha); Act: Activity (000 only); Acct. Code: Account Code (Object Classes)

