

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

NOV 07 2014

Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

32-14-2240
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 11-07-14
Time: 9:15am
Received By:

Dear Madame Speaker:

Attached is Bill No. 415-32 (COR), entitled, "***An act to appropriate funds form the Supplemental Appropriations Revenue (SAR) Fund for the payment of Government of Guam employee and law enforcement personnel unpaid overtime costs; and for other purposes,***" which I have **VETOED**.

Bill 415 is unnecessary because its measures were fully enacted through Bill 417-32, which was signed into law on October 31 as Public Law 32-207. As in Bill 415, new Public Law 32-207 provides overtime to our law enforcement and public safety professionals, including members of the Department of Corrections and the Judiciary of Guam. Public Law 32-207 goes even further than Bill 415 in that it also recognizes the contributions and sacrifices made by the GPD members assigned to the Governor's executive security detail.

I want to thank the Guam Legislature for standing behind and supporting Guam's finest. These men and women face difficulties and dangers everyday on the job, yet their bravery, sense of duty, and dedication to public service never waivers. They are our heroes.

Senseramente,

RAY TENORIO
Acting Governor of Guam

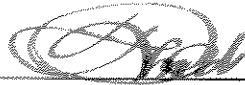
2014 NOV -7 AM 9:26 AM

2240

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 415-32 (LS), "AN ACT TO APPROPRIATE FUNDS FROM THE SUPPLEMENTAL APPROPRIATIONS REVENUE (SAR) FUND FOR THE PAYMENT OF GOVERNMENT OF GUAM EMPLOYEE AND LAW ENFORCEMENT PERSONNEL UNPAID OVERTIME COSTS; AND FOR OTHER PURPOSES,"** was on the 24th day of October, 2014, 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'lahren Guåhan* this 27th day of Oct.,
2014, at 11:00 o'clock A..M.

VETO


Assistant Staff Officer
Maga'lahi's Office
RAYLOND S. TENGORIO
Acting Governor of Guam

Date: _____
Public Law No. _____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 415-32 (LS)

As substituted by the Committee on Appropriations,
Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation,
and Land; and amended in the Committee of the Whole.

Introduced by:

Committee on Rules, Federal,
Foreign, & Micronesian
Affairs, Human & Natural
Resources, and Election
Reform

by request of *I Maga'laha*
Guåhan, the Governor of
Guam, in accordance with the
Organic Act of Guam.

**AN ACT TO APPROPRIATE FUNDS FROM THE
SUPPLEMENTAL APPROPRIATIONS REVENUE (SAR)
FUND FOR THE PAYMENT OF GOVERNMENT OF
GUAM EMPLOYEE AND LAW ENFORCEMENT
PERSONNEL UNPAID OVERTIME COSTS; AND FOR
OTHER PURPOSES.**

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

2 **Section 1. Transfer to the Supplemental Appropriations Revenue**
3 **(SAR) Fund.**

4 (a) The sum of One Million Seven Hundred Thousand Dollars
5 (\$1,700,000) from the surplus balance of the 2007 General Obligation Bonds
6 Series A *shall* be transferred to the Supplemental Appropriations Revenue
7 (SAR) Fund upon the enactment of this Act.

1 (b) The sum of Four Million Dollars (**\$4,000,000**) from the
2 unappropriated, unallocated fund balance of the Tourist Attraction Fund
3 (TAF) *shall* be transferred to the SAR Fund upon the enactment of this Act.
4 The transfer in this Subsection (b) *shall* be considered an inter-fund
5 borrowing and/or loan from the TAF to the SAR Fund and, notwithstanding
6 the provisions in Chapters XIV and XV of Public Law 32-181, the amount
7 of funds transferred from the TAF to the SAR Fund *shall* be repaid and/or
8 transferred back to the TAF from the unexpended balance of the Classified
9 Vacancies for Executive Branch Agencies and Departments Cost Pool
10 Account and the Public Safety Vacancy Pool Cost Account to the Tourist
11 Attraction Fund. The amount of funds transferred from the TAF to the SAR
12 Fund *shall* be fully repaid and/or transferred back to the TAF from any
13 sources derived within three (3) fiscal years from the date of transfer.

14 *I Maga'lahaen Guåhan* and the Guam Visitors Bureau *shall* enter into a
15 Memorandum of Agreement to establish a schedule of repayment to the
16 Tourist Attraction Fund to restore Four Million Dollars (**\$4,000,000**) to the
17 balance of the Fund within three (3) fiscal years of the passage of this Act.

18 **Section 2. Guam Police Department Unpaid FY 2014 Overtime.**

19 (a) The sum of Two Million Seventy One Thousand One Hundred
20 Eighty One Dollars (**\$2,071,181**) is hereby appropriated from the SAR Fund
21 to the Guam Police Department for the sole purpose of paying unpaid
22 overtime incurred by the Department in Fiscal Year 2014, with the exception
23 of the FY 2014 overtime incurred in FY 2014 by Guam Police Department
24 employees assigned to *I Maga'lahaen Guåhan's* Executive Security Detail in
25 FY 2014. Any funds not expended for the sole purpose herein *shall* remain
26 in the SAR Fund. This appropriation *shall not* be subject to any transfer
27 authority of *I Maga'lahaen Guåhan*.

1 (b) Section 1 of Public Law 32-168, as amended by Section 2 of
2 Public Law 32-170, is hereby further *amended* to read:

3 “**Section 1. Appropriation.** Notwithstanding any other
4 provision of law, the sum of Four Hundred Thirty Nine Thousand One
5 Hundred Eighty One Dollars (**\$439,181**) is hereby appropriated from
6 Fiscal Year 2014 General Fund revenues to the Guam Police
7 Department for the purpose of paying prior years overtime incurred by
8 the Department. The sum of Two Hundred Twenty Eight Thousand
9 Eight Hundred Nineteen Dollars (**\$228,819**) is hereby appropriated
10 from Fiscal Year 2014 General Fund revenues to the Guam Police
11 Department for the purpose of paying FY 2014 overtime incurred by
12 the Department.”

13 **Section 3. Guam Police Department FY 2015 Overtime Prioritization**
14 **and Appropriation.**

15 (a) A new Section 1(m)(5) is hereby *added* to Chapter V of Public
16 Law 32-181 to read:

17 “(5) The sum of *not less than* One Million Dollars
18 (**\$1,000,000**) *shall* be allocated from the General Fund appropriation
19 in Subsection (m)(1) to the Guam Police Department for the sole
20 purpose of paying FY 2015 overtime incurred by the Department. The
21 appropriation and allocation in this Subsection (5) *shall not* be subject
22 to *I Maga'lahaen Guåhan's* transfer authority.”

23 (b) The sum of One Million Five Hundred Thousand Dollars
24 (**\$1,500,000**) is hereby appropriated from the SAR Fund to the Guam Police
25 Department for the sole purpose of paying FY 2015 overtime incurred by the
26 Department. The appropriation in this Section 3(b) *shall not* be subject to *I*
27 *Maga'lahaen Guåhan's* transfer authority.

1 **Section 4. Department of Corrections Unpaid Prior Years Overtime.**

2 The sum of One Million Dollars (**\$1,000,000**) is hereby appropriated from the SAR
3 Fund to the Department of Corrections for the sole purpose of paying unpaid
4 overtime incurred by the Department in prior years. Any funds not expended for
5 the sole purpose herein *shall* remain in the SAR Fund. This appropriation *shall not*
6 be subject to any transfer authority of *I Maga'lahren Guåhan*.

7 **Section 5. Unified Judiciary of Guam Unpaid Prior Years Overtime.**

8 The sum of Four Hundred One Thousand Three Hundred Ten Dollars (**\$401,310**)
9 is hereby appropriated from the SAR Fund to the Unified Judiciary of Guam for
10 the sole purpose of paying unpaid prior years law enforcement personnel overtime
11 incurred by the Unified Judiciary of Guam. This appropriation *shall not* be subject
12 to any transfer authority of *I Maga'lahren Guåhan*, or any inter-fund borrowing or
13 use for any other purpose. § 1303, Chapter 1, Article 3, Title 5 GCA *shall not*
14 apply to the appropriation herein.

15 **Section 6. Customs and Quarantine Agency Unpaid Prior Years**
16 **Overtime.** The sum of One Hundred Ten Thousand Dollars (**\$110,000**) is hereby
17 appropriated from the SAR Fund to the Customs and Quarantine Agency for the
18 sole purpose of paying unpaid prior years law enforcement personnel overtime
19 incurred by the Customs and Quarantine Agency. This appropriation *shall not* be
20 subject to any transfer authority of *I Maga'lahren Guåhan*, or any inter-fund
21 borrowing or use for any other purpose. § 1303, Chapter 1, Article 3, Title 5 GCA
22 *shall not* apply to the appropriation herein.

23 **Section 7.** Section 3 of Chapter XIV of Public Law 32-181 is hereby
24 *repealed*.

25 **Section 8.** § 22435(k)(2) of Article 4, Chapter 22 of Title 5, Guam Code
26 Annotated, is hereby *amended* to read:

1 “(2) Twenty-nine Million Five Hundred Four Thousand Dollars
2 (\$29,504,000) to fund the capital expense items and capital improvement
3 projects of the Department of Education needed to comply with the Every
4 Child is Entitled to an Adequate Public Education Act as listed in
5 Attachments A and A-1. Effective October 23, 2014, the Superintendent of
6 Education is authorized to expend the remaining funds for facilities repair,
7 and air conditioning and equipment repair and replacement for public
8 schools.”

9 **Section 9.** The sum of Six Hundred Thousand Dollars (\$600,000) is
10 hereby appropriated from the SAR Fund to the Guam Economic Development
11 Authority for the Guam Football Association for the development of gymnasium
12 and classroom sports facilities in the northern part of the island.

13 Funding *shall only* be disbursed as a matching grant of private funds secured
14 by the Guam Football Association pursuant to Chapter 77, Article 3, Title 12 GCA.
15 The Guam Football Association *shall* submit to the Guam Economic Development
16 Authority evidence of matching grant funds secured prior to certification of funds
17 for disbursement, project plan(s), and subsequent invoices for project(s) funded by
18 said appropriation.

19 **Section 10. Effective Date.** This Act *shall* be effective upon enactment.

20 **Section 11. Severability.** *If* any provision of this Act or its application to
21 any person or circumstance is held invalid, the invalidity *shall not* affect other
22 provisions or applications of this Act which can be given effect without the invalid
23 provision or application and to this end the provisions of this Act is severable.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
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Senator
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Legislative Secretary
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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member


October 21, 2014

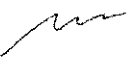
Office of the Speaker
Judith T. Won Pat, Ed.D

MEMORANDUM

Date: 10/21/14

Time: 12:39pm

To: Speaker Judith T. Won Pat, Ed.D. Received By: 

From: Majority Leader Rory J. Respicio 

Subject: Request for Waiver of Public Hearing for Bill No. 415-32 (LS)

Håfa Adai Madam Speaker,

I hereby request for a waiver of the public hearing on the matter of **Bill No. 415-32 (LS) – “AN ACT TO APPROPRIATE THE SUM OF FOUR MILLION DOLLARS FOR THE PAYMENT OF LAW ENFORCEMENT OVERTIME.”**

As such, I respectfully request that a waiver of the public hearing requirement be made pursuant to law.

I look forward to your favorable response.

Si Yu'os ma'åse'!

2014 OCT 21 PM 12:45





OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
 CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
 MUNICIPAL AFFAIRS,
 HOUSING AND
 RECREATION

October 21, 2014

2014 OCT 21 PM 12:45

MEMORANDUM

To: Honorable Rory Respicio
 Chairperson, Committee on Rules

From: Speaker Judith T. Won Pat, Ed.D.

Subject: Waiver of Public Hearing-Bill 415-32(LS)

COMMITTEE ON
 TAXATION,
 APPROPRIATIONS, PUBLIC
 DEBT, BANKING,
 INSURANCE, RETIREMENT
 AND LAND

COMMISSIONER

GUAM COMMISSION ON
 DECOLONIZATION

GUAM FIRST
 COMMISSION

VICE PRESIDENT

ASSOCIATION OF
 PACIFIC ISLAND
 LEGISLATURES
 (APIL)

After carefully evaluating the request to waive the requirement of a public hearing on-
 Bill No. 415-32(LS) "AN ACT TO APPROPRIATE THE SUM OF
**FOUR MILLION DOLLARS FOR THE PAYMENT OF LAW
 ENFORCEMENT OVERTIME.**"

BOARD MEMBER

PACIFIC RESOURCES FOR
 EDUCATION
 AND LEARNING
 (PREL)

I certify that Bill No. 415-32 (LS) meets one of the requirements set forth in
 §2103(a) of Title 2 Guam Code Annotated and the requirement for a public hearing is
 hereby waived.

**LEGISLATIVE
 REPRESENTATIVE**

PACIFIC ISLAND
 DEVELOPMENT BANK
 (PIDB)

Sincerely,

Judith T. Won Pat, Ed.D.

FESTIVAL OF THE
 PACIFIC ARTS
 (FESTPAC)

cc: Clerk of the Legislature

COMMITTEE ON RULES	
Name	
Date/Time	OCT 21 2014 12:43pm