

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

FEB 27 2015

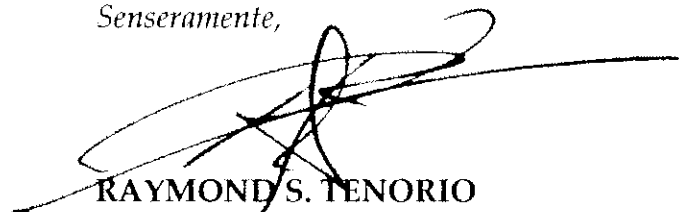
Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

2015 MAR -3 PM 12:55
CJ

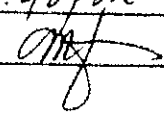
Dear Madame Speaker:

Transmitted herewith is Bill No. 22-33 (COR) "AN ACT TO ADD A NEW SECTION 5 TO CHAPTER XIV OF PUBLIC LAW 32-181, RELATIVE TO AUTHORIZING *I MAGA'LAHEN GUÅHAN'S* TRANSFER AUTHORITY FROM THE PUBLIC SAFETY VACANCY POOL COST ACCOUNT TO COMPLY WITH THE UNITED STATES DISTRICT COURT OF GUAM ORDER DATED JANUARY 16, 2015 IN CIVIL CASE NO. 91-00020; TO AUTHORIZING THE ATTORNEY GENERAL OF GUAM TO PROCURE EXPERTS TO ASSIST IN COMPLYING WITH THE SAME; TO AUTHORIZING THE GENERAL SERVICES AGENCY TO PROCURE DISCOUNTED MEDICINE ON BEHALF OF THE DEPARTMENT OF CORRECTIONS; AND TO REQUIRING THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS TO REPORT TO THE SPEAKER OF *I LIHESLATURAN GUÅHAN* ON MATTERS RELATIVE TO CIVIL CASE NO. 91-00020," which was signed into law on February 25, 2015, as Public Law 33-01.

Senseramente,


RAYMOND S. TENORIO
I Maga'láhen Guåhan, para pa'go
Acting Governor of Guam

33-15-2210
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 02-27-15
Time: 4:40 pm
Received By: 

0210

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governorofguam

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session


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

This is to certify that Substitute Bill No. 22-33 (COR), "AN ACT TO ADD A NEW SECTION 5 TO CHAPTER XIV OF PUBLIC LAW 32-181, RELATIVE TO AUTHORIZING I MAGA'LAHEN GUÁHAN'S TRANSFER AUTHORITY FROM THE PUBLIC SAFETY VACANCY POOL COST ACCOUNT TO COMPLY WITH THE UNITED STATES DISTRICT COURT OF GUAM ORDER DATED JANUARY 16, 2015 IN CIVIL CASE NO. 91-00020; TO AUTHORIZING THE ATTORNEY GENERAL OF GUAM TO PROCURE EXPERTS TO ASSIST IN COMPLYING WITH THE SAME; TO AUTHORIZING THE GENERAL SERVICES AGENCY TO PROCURE DISCOUNTED MEDICINE ON BEHALF OF THE DEPARTMENT OF CORRECTIONS; AND TO REQUIRING THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS TO REPORT TO THE SPEAKER OF I LIHESLATURAN GUÁHAN ON MATTERS RELATIVE TO CIVIL CASE NO. 91-00020," was on the 20th day of February, 2015, 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'lahaen Guáhan* this 20th day of FEB., 2015, at 8:58 o'clock P. .M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


RAYMOND S. TENORIO
Acting Governor of Guam

Date: FEB 25 2015

Public Law No. 33-01

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 22-33 (COR)

As corrected by the Prime Sponsor; substituted by the Committee on Appropriations and Adjudication; further substituted on the Floor; and amended in the Committee of the Whole.

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
James V. Espaldon
Brant T. McCreddie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
M. C. Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW SECTION 5 TO CHAPTER XIV OF PUBLIC LAW 32-181, RELATIVE TO AUTHORIZING *I MAGA'LAHEN GUÅHAN'S* TRANSFER AUTHORITY FROM THE PUBLIC SAFETY VACANCY POOL COST ACCOUNT TO COMPLY WITH THE UNITED STATES DISTRICT COURT OF GUAM ORDER DATED JANUARY 16, 2015 IN CIVIL CASE NO. 91-00020; TO AUTHORIZING THE ATTORNEY GENERAL OF GUAM TO PROCURE EXPERTS TO ASSIST IN COMPLYING WITH THE SAME; TO AUTHORIZING THE GENERAL SERVICES AGENCY TO PROCURE DISCOUNTED MEDICINE ON BEHALF OF THE DEPARTMENT OF CORRECTIONS; AND TO REQUIRING THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS TO REPORT TO THE SPEAKER OF *I LIHESLATURAN GUÅHAN* ON MATTERS RELATIVE TO CIVIL CASE NO. 91-00020.

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

2 **Section 1.** A new Section 5 is hereby *added* to Chapter XIV of Public Law
3 32-181 to read:

4 **“Section 5. Additional Authorization.** Notwithstanding the
5 department and agency appropriation allocations in Section 1 of this Chapter, *I*
6 *Maga’lahen Guåhan*, subject to the requirements of this Section, *may* transfer
7 General Fund appropriations allocated to the Public Safety Vacancy Pool Cost
8 Account to the appropriate department and/or agency for the *sole* purpose of
9 complying with the United States District Court of Guam Order dated January
10 16, 2015 in Civil Case No. 91-00020. *Prior* to the transfer of any
11 appropriations in this Section, the Attorney General of Guam *must* review and
12 concur in writing that such transfer is for the *sole* purpose of complying with
13 the United States District Court of Guam Order dated January 16, 2015 in Civil
14 Case No. 91-00020. No appropriation that is transferred in this Section shall be
15 used for the expenditure of private legal counsel for the government of Guam.
16 No appropriation that is transferred in this Section shall be used for the
17 expenditure of any contract for a term exceeding one (1) year; or for any
18 purpose that may result in the extension, modification, addition, or change
19 order to any existing contracts with the government prior to the enactment of
20 this Act. Nothing in this Section shall constitute an authorization for the
21 government to enter into any long-term contractual arrangement for
22 construction and/or professional services exceeding one (1) year, nor shall any
23 appropriations authorized for transfer herein be for such purpose(s). The
24 Director of the Bureau of Budget and Management Research *shall* provide a
25 notice and amount of each transfer authorized by this Section, including a copy
26 of the written concurrence by the Attorney General of Guam, to the Speaker of

1 *I Liheslaturan Guåhan* no later than five (5) days after such transfer is
2 authorized and/or made.”

3 **Section 2. Carryover of FY 2014 Appropriations for the Office of the**
4 **Attorney General.** Notwithstanding any provision of law, the unexpended balance
5 of appropriations from the General Fund to the Office of the Attorney General for its
6 operations in Fiscal Year 2014 *shall not* lapse and *shall* carry over into Fiscal Year
7 2015. Such funds *shall only* be expended up to Seven Hundred Thousand Dollars
8 (\$700,000) for the purposes described in Section 3 of this Act.

9 **Section 3. Authority of the Attorney General to Procure Experts.**
10 Notwithstanding any other provision of law, the Attorney General is authorized to
11 procure consultants and/or expert witnesses, on a sole source basis, as necessary, to
12 comply with the United States District Court of Guam Order dated January 16, 2015
13 in Civil Case No. 91-00020. No government funds *except* those appropriations
14 described in Section 2 of this Act may be expended for this purpose.

15 **Section 4. General Services Agency Permitted to Procure Medicine.**
16 Notwithstanding any other provision of law, the General Services Agency is
17 authorized to procure medication for the Department of Corrections directly from
18 distributors or manufacturers for the *sole* purpose of complying with the United
19 States District Court of Guam Order dated January 16, 2015 in Civil Case No. 91-
20 00020; and may procure on a sole source basis, as necessary, *provided*, that the total
21 cost savings *must* be more than twenty percent (20%) less than the cost paid by the
22 Guam Memorial Hospital Authority. To the maximum extent possible, procurement
23 *shall* be achieved expeditiously and competitively, as provided in Title 5 GCA
24 Article 3. Sole source procurement *shall* be a method of last resort.

25 **Section 5. Reporting Requirements.** The Director of the Department of
26 Corrections *shall* provide a written report to the Speaker of *I Liheslaturan Guåhan* no
27 *later than* twenty (20) days after the end of each month on all matters agreed upon in

1 the United States District Court of Guam Status Report dated September 26, 2014 in
2 Civil Case No. 91-00020; and matters addressed in the United States District Court of
3 Guam Order dated January 16, 2015 in Civil Case No. 91-00020. The Director of the
4 Department of Corrections *shall* also provide to the Speaker of *I Liheslaturan*
5 *Guåhan* a copy of the weekly reports regarding clinical operations at the Department
6 that are provided to the Monitor of Civil Case No. 91-00020, *no later than* five (5)
7 days after such report is provided to said Monitor. *I Liheslaturan Guåhan* herein
8 recognizes that the reports required under this Section *shall not* be released if such
9 reports are under seal by the courts.

10 **Section 6. Effective Date.** This Act *shall* become effective upon enactment.

11 **Section 7. Severability.** *If* any provision of this Act or its application to any
12 person or circumstance is held invalid, the invalidity *shall not* affect other provisions
13 or applications of this Act which can be given effect without the invalid provision or
14 application and to this end the provisions of this Act are severable.