


ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session


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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 441, "An Act to add new Sections 10351 and 10352 to Chapter VI of Title XI of the Government Code of Guam relative to earmarking the liquid fuel tax for the highway fund, creating a Highway Commission, and authorizing the Governor to execute an agreement under the Federal Highway Program", was on the 9th day of July, 1971, duly and regularly passed.


F. T. RAMIREZ
Speaker


ATTESTED:


G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 16th day
of July, 1971 at 11:50 o'clock A. M.


VINCENT T. PEREZ
Attorney General of Guam

APPROVED:


CARLOS G. CAMACHO
Governor of Guam

DATED: JUL 28 1971
11:00 A.M.

Public Law
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ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

Bill No. 441
Substitute Bill

Introduced by _____
Committee on Rules, by
request of the Governor.

AN ACT TO ADD NEW SECTIONS 10351 AND 10352
TO CHAPTER VI OF TITLE XI OF THE GOVERNMENT
CODE OF GUAM RELATIVE TO EARMARKING THE
LIQUID FUEL TAX FOR THE HIGHWAY FUND, CREAT-
ING A HIGHWAY COMMISSION, AND AUTHORIZING
THE GOVERNOR TO EXECUTE AN AGREEMENT UNDER
THE FEDERAL HIGHWAY PROGRAM.

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

2 Section 1. Sections 10351 and 10352 are hereby added to
3 Chapter VI of Title XI of the Government Code of Guam to read
4 as follows:

5 "Section 10351. Highway Commission. (a) There is
6 created a Highway Commission.

7 (b) Membership. The Commission shall consist of
8 the Director of Public Works, ex officio, who shall be
9 chairman, and four members appointed by the Governor by
10 and with the advice and consent of the Legislature.
11 The appointed members shall serve for terms of three
12 years, except that of the first appointed Commission
13 one member shall be appointed for a term of one year
14 and two members shall be appointed for terms of two
15 years. The Chief Engineer for Highways, Department
16 of Public Works, shall act as the Executive Secretary
17 to the Commission.

18 (c) Duties and responsibilities. The Highway
19 Commission shall review proposed short and long range
20 public highway programs, specifications and standards,
21 and refer same to the Territorial Planning Commission.

22 Section 10352. Territorial Highway Fund. (a) For
23 the purpose of securing for the entire territory proper

amended
by PL.
13-29

1 maintenance and construction of existing public
2 highways, including roads and city and village
3 streets, and construction of needed new public
4 highways, including roads and city and village
5 streets, there is hereby established a fund to be
6 known as the 'Territorial Highway Fund', which fund
7 shall be maintained separate and apart from any other
8 funds of the government of Guam, and independent
9 records shall be kept in connection therewith.

10 (b) For the period beginning July 1, 1971, and
11 ending July 31, 1973, all monies received under Sub-
12 chapter D, Chapter 6, Title XX and Section 23354,
13 Chapter 3, Title XXIV, Government Code of Guam and
14 monies and revenue made available from the Federal
15 government for public highway purposes shall be
16 deposited with the Treasurer of Guam, and credited
17 to the Territorial Highway Fund. Accounting pro-
18 cedures for the funds shall be prescribed by the
19 Director of Administration and suitable reserves
20 shall be maintained for tax drawbacks under this
21 Subchapter which shall be paid from the Fund.

22 (c) Monies deposited in the Territorial High-
23 way Fund shall be expended only after appropriation
24 thereof are made by the Legislature and upon vouchers
25 properly certified by the Director of Public Works
26 for the purposes of acquisition of rights-of-way,
27 planning, designing, constructing, reconstructing,
28 improving, repairing, and maintaining of public high-
29 ways, including roads and city and village streets.
30 The Director of Public Works shall quarterly render
31 an accounting of transaction of the Fund to the
32 Governor and the Legislature. Accounting procedures

1 for the Fund shall be prescribed by the Director of
2 Administration.

3 (d) Monies deposited in the Territorial Highway
4 Fund shall also be used to implement Title 23, United
5 States Code, as it applies to Guam and the provisions
6 of Public Law 10-109, Tenth Guam Legislature."

7 Section 2. The Governor of Guam is hereby authorized to
8 enter into an agreement with the Secretary of Transportation,
9 providing that the government of Guam (1) will design and con-
10 struct a system of arterial and collector highways, including
11 necessary interisland connectors, built in accordance with
12 standards approved by the Secretary of Transportation; (2) will
13 not impose any toll, or permit any such toll to be charged, for
14 use by vehicles or persons of any portion of the facilities con-
15 structed or operated under the provisions of the Territorial
16 Highway Program (23 U.S.C. Section 215); (3) will provide for the
17 maintenance of such facilities in a condition to adequately serve
18 the needs of present and future traffic; (4) will implement
19 standards for traffic operations and uniform traffic control
20 devices which are approved by the Secretary of Transportation.

21 Section 3. References to the General Fund in Bill 529 and
22 Bill 71, Eleventh Guam Legislature on the effective date of this
23 Act shall refer to the Territorial Highway Fund established by
24 Section 1 of this Act.

25 Section 4. The appropriations "For Highways", Items III, A,
26 1, and III, A, 2, and III, B, of Section 1 of Bill 159 shall be
27 made from the Territorial Highway Fund on the effective date of
28 this Act.

29 Section 5. This Act shall become effective July 1, 1971.