

ELEVENTH GUAM LEGISLATURE
1972 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

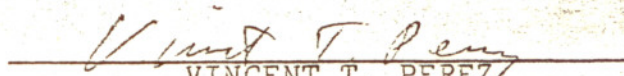
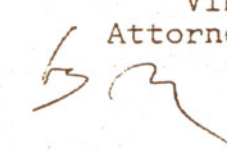
This is to certify that Bill No. 952, "An Act to amend Title VII of the Government Code of Guam, to repeal Chapter I of said Title, to renumber Chapter I of Title LVIII of said Code, to repeal Title LVIII of said Code in its entirety, to amend Sections 6003 and 6004 of said Code, and to add a new Chapter III to Title VII of said Code, to reorganize certain Code provisions relating to the Department of Administration, and to designate the Department of Administration as the Territorial Agency for surplus property, and to authorize an appropriation of funds therefor", was on the 21st day of December, 1972, duly and regularly passed.


F. T. RAMIREZ
Speaker

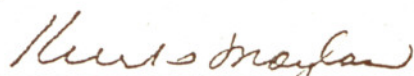
ATTESTED:


G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 5th day
of January, 1972 at 3:30 o'clock P.M.


VINCENT T. PEREZ
Attorney General of Guam


APPROVED:


KURT S. MOYLAN, Acting
Governor of Guam

DATED: JAN 17 1973
10:20 a.m.

Public Law
11-219

RECEIVED

MAR 16 1986

ELEVENTH GUAM LEGISLATURE
1972 (SECOND) Regular Session

Bill No. 952
Substitute Bill by
Committee on General
Governmental Operations

Introduced by F. T. Ramirez

AN ACT TO AMEND TITLE VII OF THE
GOVERNMENT CODE OF GUAM, TO REPEAL
CHAPTER I OF SAID TITLE, TO RENUMBER
CHAPTER I OF TITLE LVIII OF SAID
CODE, TO REPEAL TITLE LVIII OF SAID
CODE IN ITS ENTIRETY, TO AMEND
SECTIONS 6003 AND 6004 OF SAID CODE,
AND TO ADD A NEW CHAPTER III TO TITLE
VII OF SAID CODE, TO REORGANIZE CERTAIN
CODE PROVISIONS RELATING TO THE
DEPARTMENT OF ADMINISTRATION, AND TO
DESIGNATE THE DEPARTMENT OF ADMINISTRATION AS THE TERRITORIAL AGENCY FOR
SURPLUS PROPERTY, AND TO AUTHORIZE AN
APPROPRIATION OF FUNDS THEREFOR.

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

2 Section 1. Title VII of the Government Code of Guam
3 is hereby amended to read as follows:

4 "TITLE VII

5 Department of Administration

6 Chapter I. Administration.

7 II. General.

8 III. Surplus Property.

9 IV. Investments and Deposits.

10 V. Patents, Copyrights, and Trademarks.

11 VI. Claims Against the Government of Guam.

12 VII. Central Procurement and Warehousing.

13 VIII. Government Travel Law.

14 IX. Records Management Act."

15 Section 2. Chapter I of Title VII of the Government
16 Code of Guam is hereby repealed in its entirety.

1 Section 3. Chapter I of Title LVIII of the Government
2 Code of Guam is hereby renumbered Chapter I of Title VII
3 of the Government Code of Guam, and Sections 54150, 54151,
4 54152, 54153, 54154, 54155, 54156, 54157, 54158, and 54159
5 of the former Chapter I of Title LVIII are hereby renumbered
6 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008 and
7 6009 of Chapter I of Title VII of the Government Code
8 of Guam.

9 Section 4. Title LVIII of the Government Code of
10 Guam is hereby repealed in its entirety.

11 Section 5. Section 6003 of the new Chapter I of Title
12 VII of the Government Code of Guam is hereby amended to
13 read as follows:

14 "Section 6003. Transfer of Duties. Except as
15 otherwise specifically provided, the Department does
16 hereby assume all the powers, duties and responsi-
17 bilities of the Department of Finance as set out in
18 Title VII, Government Code of Guam, and the Department
19 of Labor and Personnel as set out in Title V,
20 Government Code of Guam. The Department shall also
21 be responsible for administering the Records Manage-
22 ment Act and the Automatic Data Processing program."

23 Section 6. Section 6004 of the new Chapter I of Title
24 VII of the Government Code of Guam is hereby amended to
25 read as follows:

26 "Section 6004. References. All references in
27 Title VII, Government Code of Guam, to the Department
28 of Finance shall mean and be read as Department of
29 Administration and all references therein to the
30 Director of Finance shall mean and be read as Director
31 of Administration. All References in Title V,
32 Government Code of Guam, to the Department of Labor

1 and Personnel shall mean and be read as Department of
2 Administration and all references therein to the Director
3 of Labor and Personnel shall mean and be read as Director
4 of Administration. All references in any contract, Execu-
5 tive Order, rule, regulation or document to the Depart-
6 ment of Labor and Personnel or Director of Labor and
7 Personnel shall mean and be read as Department of Admin-
8 istration and Director of Administration, respectively.
9 All references to the Department of Finance or Director
10 of Finance in any contract, Executive Order, rule, regu-
11 lation or document dealing with the functions herein
12 transferred shall mean and be read as the Department of
13 Administration and Director of Administration, respect-
14 ively. Unless otherwise provided, every reference in any
15 law, order or regulation to the department or office of
16 Records and Accounts shall be construed to mean the
17 Department of Administration and every reference to the
18 head of the department or office of Records and Accounts
19 shall be construed to mean the Director of Administra-
20 tion."

21 Section 7. A new Chapter III is hereby added to Title
22 VII of the Government Code of Guam to read as follows:

23 "CHAPTER III

24 Section 6200. Surplus property agency designation.
25 The Department of Administration is hereby designated
26 as the 'State Agency' for the purposes of Section
27 203 (j) of the Federal Property and Administrative
28 Services Act of 1949 as amended, (40 U.S.C. 484 (j))
29 (hereinafter referred to as 'the Federal Act').

30 Section 6201. Functions. The Director is
31 authorized and empowered (1) to acquire from the
32 United States of America such property as is allocated
33 to the Department pursuant to the Federal Act, (2)

1 to warehouse such property, and (3) to distribute such
2 property to those entities and institutions which meet
3 the qualifications for eligibility for such property
4 under the Federal Act, or who may hereafter meet such
5 qualifications.

6 Section 6202. Assistance to applicants. The
7 Director is authorized to disseminate information and
8 assist potential applicants concerning the availability
9 of Federal surplus real property, to otherwise assist in
10 the processing of such applications for acquisition of
11 real and related personal property of the United States
12 under Section 203 (k) of the Federal Act, (40 U.S.C.
13 484 (k)), and to subsequently assist in assuring utiliza-
14 tion of the property.

15 Section 6203. Rules and regulations. Subject to the
16 provisions of the Administrative Adjudication Law, the
17 Director may prescribe such rules and regulations as may
18 be necessary for the efficient administration of this
19 Chapter or as may be required by Federal laws and regula-
20 tions.

21 Section 6204. Certifications, actions and
22 reports. The Director may make the necessary certifi-
23 cations, undertake such action, and make such reports
24 as may be required by Federal law or regulations or
25 which may otherwise be necessary to provide for the
26 efficient administration of this Chapter.

27 Section 6205. Contract and cooperative agree-
28 ments. The Director may enter into contracts, and
29 other agreements for and on behalf of Guam, including
30 the cooperative agreements within the purview of
31 Section 203 (n) of the Federal Act (40 U.S.C. 484 (n))
32 with Federal agencies, as well as agreements with
33 other SASP or groups and associations thereof which

1 will promote the administration of this Chapter.

2 Section 6206. Authority to acquire, hold and
3 improve property. The Director may, subject to the
4 availability of funds in the Special Surplus Property
5 Fund provided for by Section 6211 of this Chapter,
6 acquire and hold title to real property, make capital
7 improvements thereto, and make advance payments of
8 rent for distribution centers, office space, or other
9 facilities required to carry out the functions of the
10 Department as herein provided.

11 Section 6207. Personnel. The Director is
12 authorized and empowered to appoint advisory boards or
13 committees, and to appoint, under the government of
14 Guam Personnel Law and Compensation Law (Chapters I
15 and II of Title V of the Government Code of Guam),
16 subject to such additional standards as may be
17 required by the United States Department of Health,
18 Education and Welfare, such other personnel
19 as deemed necessary and suitable for the adminis-
20 tration of this Chapter.

21 Section 6208. Clearing house. The Director
22 is authorized and empowered to act as a clearing
23 house for information for the entities and institutions
24 which may be eligible to acquire Federal surplus
25 property, and to assist, as necessary, such entities
26 and institutions in obtaining such property.

27 Section 6209. Cooperation with Federal Govern-
28 ment. The Director shall, consistent with the
29 provisions of this Chapter, cooperate to the fullest
30 extent with the departments or agencies of the
31 United States of America, file a territorial
32 plan of operation approved by the Governor,

1 operate in accordance therewith, and take such
2 action as may be necessary to meet the standards
3 prescribed by the Federal Act.

4 Section 6210. Power to delegate authority.
5 The Director may delegate to any employees of the
6 Department such power and authority as he deems
7 reasonably and proper for the effective administra-
8 tion of this Chapter.

9 Section 6211. Transfer charges. The Director
10 may assess a service and handling charge or fee for
11 the acquisition, warehousing, distribution, or trans-
12 fer of any Federal surplus property, within limits
13 established by Federal law, which charge or fee
14 shall be limited to that reasonable related to the
15 costs of care and handling in respect to its
16 acquisition, receipt, warehousing, distribution or
17 transfer by the Department and, in the case of real
18 property, such charges and fees shall be limited to
19 the reasonable administrative costs of the Department
20 incurred in effecting transfer.

21 Section 6212. Special Surplus Property Fund.

22 (a) There is hereby established a fund to be known
23 as 'the Special Surplus Property Fund', which shall
24 be maintained separate and apart from any other
25 funds from the government of Guam and independent
26 records and accounts thereof shall be maintained in
27 connection therewith.

28 (b) All appropriations made for the purpose
29 of implementing this Chapter shall be deposited within
30 the Special Fund. All receipts from charges or
31 fees assessed pursuant to Section 6211 of this
32 Chapter shall additionally be placed in the Special

1 Fund. All debts, liabilities, obligations, and
2 operating expenses incurred pursuant to this
3 Chapter shall be paid by the Director from said
4 funds.

5 (c) The Director shall render quarterly to the
6 Governor and to the Legislature a statement reflecting
7 the financial condition of the Special Fund and a
8 financial statement of operations of the said
9 Special Fund for the period covered.

10 Section 6213. Authorization for appropriation.
11 There is hereby authorized to be appropriated to
12 the Special Fund such sums as may be necessary to
13 carry out the provisions of this Chapter."