

THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 332, "An Act to permit the Governor to enter into contracts with the United States Government to provide services to persons evacuated to Guam from Indochina, and to authorize expenditures and the reappropriation of reimbursement received as a result of the providing of such services", was on the 2nd day of May, 1975, duly and regularly passed.

Joseph F. Ada  
JOSEPH F. ADA  
Speaker

ATTESTED:

Conception C. Barrett  
CONCEPTION C. BARRETT  
Legislative Secretary

This Act was received by the Governor this 2nd day of May, 1975 at 5:20 o'clock P.M.

Ruth E. Won-Pat  
RUTH E. WON PAT  
Assistant Staff Officer  
Governor's Office

APPROVED:

/s/ RICARDO J. BORDALLO

RICARDO J. BORDALLO  
Governor of Guam

DATED: MAY 7 1975

11:58 A.M.  
P.L. 13-17

THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

Substitute  
Bill No. 332

Introduced by Committee on Rules  
at the request of  
the Governor

AN ACT TO PERMIT THE GOVERNOR TO ENTER INTO CONTRACTS WITH THE UNITED STATES GOVERNMENT TO PROVIDE SERVICES TO PERSONS EVACUATED TO GUAM FROM INDOCHINA, AND TO AUTHORIZE EXPENDITURES AND THE REAPPROPRIATION OF REIMBURSEMENT RECEIVED AS A RESULT OF THE PROVIDING OF SUCH SERVICES, AND FOR OTHER PURPOSES.

1           WHEREAS, the collapse of South Vietnam appears imminent;  
2           and

3           WHEREAS, reported statements from North Vietnam communists  
4           indicate their intention to massacre large numbers of South  
5           Vietnamese; and

6           WHEREAS, the United States has a moral responsibility to  
7           prevent the wholesale slaughter of South Vietnamese citizens  
8           whose only crime has been to fight for freedom or work for the  
9           United States government or American firms; and

10           WHEREAS, the people of Guam are deeply concerned for the  
11           safety and future of the approximately 200,000 South  
12           Vietnamese whose lives are in danger; and

13           WHEREAS, Guam is the closest American Soil to South  
14           Vietnam with facilities which can be made readily available  
15           to act as the first arrival and temporary "safe haven" area for  
16           such an evacuation; and

17           WHEREAS, the urgency of the situation demands that we  
18           proceed immediately with an offer of assistance; now, therefore  
19           be it

20           RESOLVED, that President Ford and the Congress of the  
21           United States be immediately notified through transmission  
22           of this Resolution via wire that Guam offers assistance to the  
23           United States by acting as an arrival and temporary "safe

1 haven" area for those South Vietnamese facing death as a  
2 result of a communist takeover of South Vietnam; and be it  
3 further

4 RESOLVED, that the Speaker certify to and the Legislative  
5 Secretary attest the adoption hereof and that copies of the  
6 same be thereafter transmitted to the President of the United  
7 States, the President Pro Tem of the United States Senate, the  
8 Speaker of the House of Representatives, to Guam's Delegate  
9 to Congress and to the Governor of Guam; and

10 The Legislature further finds that failure to act at this  
11 time could lead to serious environmental injury to the island  
12 and result in a health hazard of unknown magnitude to Guam's  
13 residents. The subject of this Act is, therefore, a matter of  
14 local application subject to legislative enactment by this body  
15 in accord with Section 11 of the Organic Act.

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

17 Section 1. The Governor, upon receipt of a written  
18 request from the United States government, may contract for  
19 the Executive Branch to provide on Guam during the period  
20 commencing April 30, 1975, and ending June 30, 1975, services  
21 essential to the health, safety and welfare of persons  
22 evacuated from Indochina. Any contract entered shall be only  
23 for services which are to be provided after the effective date  
24 of this Act and such a contract shall not have any retroactive  
25 effect.

26 Section 2. Any contract entered pursuant to Section 1 of  
27 this Act shall provide that the government shall be fully  
28 reimbursed for all expenditures incurred as a result of  
29 services provided at the request of the United States  
30 government. Full reimbursement shall include not only the  
31 actual cost of personnel and materials supplied but also a  
32 reasonable surcharge for administrative overhead and wear and  
33 tear on government equipment.

1           Section 3. There is appropriated from the Tourist  
2 Attraction Fund Two Hundred Fifty Thousand Dollars (\$250,000)  
3 to fund this Act. This appropriation shall be a loan and the  
4 funds received as reimbursement for the services provided are  
5 reappropriated to the Tourist Attraction Fund upon receipt  
6 from the United States government.

7           Section 4. The certifying officer of the Department of  
8 Administration shall be the certifying officer for the  
9 appropriation made by Section 3 of this Act. Any sum required  
10 to be expended pursuant to this Act shall be drawn from the  
11 appropriation made by Section 3 of this Act, provided that in  
12 no case shall the total sum expended exceed Two Hundred Fifty  
13 Thousand Dollars (\$250,000).

14           Section 5. The Director of Administration shall maintain  
15 records of all costs incurred in providing any service for  
16 which a contract has been entered pursuant to this Act. The  
17 Director of Administration shall file with the Legislative  
18 Secretary a complete report of all costs incurred and all  
19 funds received as a result of any contract entered pursuant to  
20 this Act. The report shall be filed within ten days after the  
21 last day of the month in which the cost was incurred or the  
22 funds received.

23           Section 6. The Governor shall file with the Legislative  
24 Secretary a copy of any contract entered pursuant to this Act.  
25 The contract shall be filed within three days of the date it is  
26 executed.

27           Section 7. Within ten days of the effective date of this  
28 Act the Director of Administration shall submit a report to the  
29 Legislative Secretary itemizing any expenditures which may have  
30 been made by any agency of the Executive Branch for the period  
31 commencing April 20, 1975, for any service provided for persons  
32 evacuated to Guam from Indochina.

33           Section 8. During the period commencing April 30, 1975,

1 and ending June 30, 1975, no funds shall be expended pursuant  
2 to Section 6113 of the Government Code for any purpose related  
3 to evacuation of persons from Indochina.