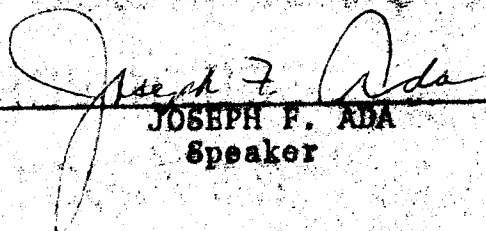


FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session

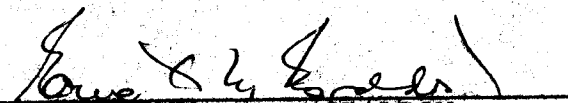
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 307, "An Act to add a new Chapter X to Title VII of the Government Code of Guam to provide for legislative control and appropriation of federal funds", returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration the Legislature did on the 5th day of December, 1977, agree to pass said Bill notwithstanding the objections of the Governor by a vote of two-thirds of all the members thereof, to wit: by a vote of 19 members.




JOSEPH F. ADA
Speaker

ATTESTED:



ERNESTO M. ESPALDON
Legislative Secretary

This Act was received by the Governor this 12th day of
December, 1977 3:50 o'clock P.M.



RUTH F. WON PAT
Assistant Staff Officer
Governor's Office

Public Law No. 14-83

FOURTEENTH GUAM LEGISLATURE
1977 (FIRST) Regular Session

Bill No. 307
(As Substituted by
the Committee on
Finance & Taxation)

Introduced by

T. V. C. Tanaka
J. F. Ada
K. B. Aguon
F. F. Blas
E. T. Charfauros
J. R. Duenas
A. M. Palomo
B. M. Palomo
F. J. Quitugua
J. T. San Agustin
F. R. Santos
R. F. Taitano
J. H. Underwood

AN ACT TO ADD A NEW CHAPTER X TO TITLE VII
OF THE GOVERNMENT CODE OF GUAM TO PROVIDE
FOR LEGISLATIVE CONTROL AND APPROPRIATION
OF FEDERAL FUNDS.

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

2 Section 1. Chapter X is hereby added to Title VII of the
3 Government Code to read as follows:

4 "CHAPTER X

5 Section 6800. Purpose. It is the purpose of this
6 Act to clarify the role of the Guam Legislature in appro-
7 priating federal funds received by the territory so as
8 to assure that the purposes of the government of Guam are
9 served and legislative priorities are adhered to by the
10 acceptance and use of such funds.

11 Section 6801. Definitions. As used in this Act:

12 (a) 'Agency' means all offices, departments,
13 boards, commissions, councils, committees, public
14 corporations, or other entities of the executive branch,
15 offices of the judicial branch, and offices of the
16 legislative branch of the government of Guam.

17 (b) 'Agency head' means the principal officer
18 of a department or agency.

1 (c) 'Federal funds' means any financial assistance
2 made to an agency by the United States Government,
3 whether a loan, grant, subsidy, augmentation, reimburse-
4 ment or in any other form.

5 (d) 'Federal program' means the program or pro-
6 ject supported in whole or in part by federal funds.

7 Section 6802. Receipt of Federal Funds. (a) All
8 federal funds shall be deposited in and credited to the
9 General Fund account and be available for appropriation by
10 the Legislature as part of the territory's operating budget;
11 furthermore, detailed and accurate accounting records shall
12 be maintained for such federal funds.

13 (b) The provisions of Section 6802 (a) shall not apply
14 in those cases where by statutory enactment the Legislature
15 has created a special fund or restricted receipt account
16 and has specifically provided thereby for an exclusive,
17 special purpose, or other use of federal funds so long as
18 such federal funds are used solely and exclusively for such
19 specific statutory purpose or purposes.

20 Section 6803. Section (a). No department or agency
21 may make expenditure of any federal funds regardless
22 whether such funds are advanced prior to expenditure or
23 as reimbursement unless such expenditures are made pursuant
24 to specific appropriations of the Legislature.

25 Section (b). If the federal funds received are less
26 than the amount of the funds appropriated by the Legislature
27 for a specific purpose pursuant to this Act, the total
28 appropriation of federal and local funds allocated for
29 such purpose shall be reduced in proportion to the amount
30 of reduction in federal funds.

1 Section (c). If the federal funds received are greater
2 than the amount of such funds appropriated by the Legisla-
3 ture for a specific purpose pursuant to this Act, the total
4 appropriation level of federal and local funds allocated
5 for such purpose shall remain at the level designated by
6 the Legislature.

7 Section 6804. To insure that the General Fund will not
8 be burdened with expenditures for federal projects, the
9 agency head responsible for administering the project
10 shall submit to the Director of Administration on the 30th
11 of each month a report on expenditures incurred for federal
12 programs for the preceeding month. Said report shall be
13 certified by the Agency head for accuracy and compliance
14 with all applicable laws and regulations governing
15 administration of the program. The form and details of
16 this report shall be prescribed by the Director of Adminis-
17 tration. The Director of Administration shall promptly
18 discontinue disbursement of funds for federal programs for
19 non-compliance by agencies with these reporting and
20 certification requirements.

21 Section 6805. The administration of authorized
22 federal programs shall be in full compliance with all
23 applicable laws, rules and regulations governing the pro-
24 gram. Non-compliance with requirements by officials or
25 employees of government of Guam shall be cause for dismissal.
26 Expenditure of public funds in violation of laws, rules,
27 regulations or guidelines established for the program shall
28 void the appropriation for the program and the amount
29 expended in violation shall be due and payable to the govern-
30 ment of Guam by the officer or employee responsible for the
31 act."

32 Section 2. Public Law 13-85 is hereby repealed.

33 Section 3. This is an urgency measure.