

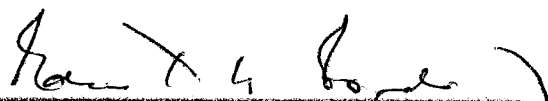
FOURTEENTH GUAM LEGISLATURE
1978 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 587, "An Act making an appropriation to the Guam Environmental Protection Agency for the continued implementation of Resolution No. 384 relative to the water resources planning for Guam and for amending GEPA's fiscal year 1978 operational budget and for other purposes", was on the 17th day of March, 1978, duly and regularly passed.


JOSEPH F. ADA
Speaker

ATTESTED:


ERNESTO M. ESPALDON
Legislative Secretary

.....
This Act was received by the Governor this 17th day of March, 1978, at 8:15 o'clock P.M.

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

APPROVED:

/s/ RICARDO J. BORDALLO
RICARDO J. BORDALLO
Governor of Guam

DATED: April 6, 1978
2:05 p.m.
Public Law No. 14-114

FOURTEENTH GUAM LEGISLATURE
1978 (SECOND) Regular Session

Bill No. 587
(As Substituted by
the Committee on
Finance & Taxation)

Introduced by Committee on Rules
at the request of
the Governor

AN ACT MAKING AN APPROPRIATION TO THE
GUAM ENVIRONMENTAL PROTECTION AGENCY
FOR THE CONTINUED IMPLEMENTATION OF
RESOLUTION NO. 384 RELATIVE TO THE
WATER RESOURCES PLANNING FOR GUAM
AND FOR AMENDING GEPA'S FISCAL YEAR
1978 OPERATIONAL BUDGET AND FOR
OTHER PURPOSES.

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

2 Section 1. The sum of One Hundred and Four Thousand Dollars
3 (\$104,000) is hereby appropriated from the General Fund to the
4 Guam Environmental Protection Agency for the purpose of developing
5 and finalizing the Territorial Water Facilities Plan. Said sum
6 shall include Thirty-Five Thousand Six Hundred and Fifty-Five
7 Dollars (\$35,655) of Federal Grant-in-Aid from the U. S. Water
8 Resources Council for Fiscal Year 1978 and Sixty-Eight Thousand
9 Three Hundred and Forty-Five Dollars (\$68,345) of local matching
10 share. Any balance remaining as of September 30, 1979 for the
11 appropriation made in this Section is hereby returned to the
12 General Fund.

13 Section 2. Part I, Section 1, Subsections VII.A.a, b, d, and
14 f, of Public Law 14-43 are hereby amended to read as follows:

15 "VII. For Environmental Protection Agency

16 A. Guam Environmental Protection Agency

17 a. Personal Services \$354,491

18 b. Personnel Benefits \$ 38,589

19 c. Contractual Services \$ 80,888

20 f. Equipment \$ 34,133".

1 Section 3. Part I, Section 1, Subsection XII, Item 26.a of
2 Public Law 14-43 is hereby amended to read as follows:

3 "XII. For Power, Water/Sewer & Telephone.

4 The following sums shall be used
5 for telephone, water/sewer and
6 power expenses for the fiscal
7 year ending June 30, 1978.

8 26. Guam Environmental Protection Agency

9 a. Power \$ 14,000".

10 Section 4. Part I, Section 1, Subsections XIV, F.1, 2 and 1
11 of Public Law 14-43 are amended and new Items 3, 4, 5 are added
12 to read as follows:

13 "XIV. The following sums shall be used to implement
14 programs financed in whole or in part from
15 Federal Grants-in-Aid for the fiscal year
16 ending June 30, 1978. These sums are in-
17 cluded in the operations budget of the
18 following departments and agencies of the
19 Executive Branch and, therefore, do not
20 constitute additional appropriations
21 for the agencies. These sums are listed
22 to identify the Federal Grants-in-Aid
23 included in the budget and their corre-
24 sponding matching portion to facilitate
25 the accounting of those federal funds
26 and restrict the expenditures of local
27 funds.

28 F. Guam Environmental Protection Agency

29 U. S. Environmental Protection Agency

30 1. Air Pollution Control

31 Program Grants 66.001 \$ 47,770

1	2. Water Pollution Control		
2	State & Interstate		
3	Program Grant	66.419	\$296,288
4	3. Safe Drinking Water		
5	Program Grant	66.432	\$ 51,225
6	4. Solid Waste Management		
7	Grant	66.451	\$ 27,642
8	5. Pesticide Enforce-		
9	ment Grant	66.502	\$ 20,000".

10 Section 5. Part I, Section 1, Item XV of Public Law 14-43,
 11 as amended by Public Law 14-70, is further amended to read as
 12 follows:

13 "XV. Salary Increments \$1,275,000".

14 Section 6. Part I, Section 1, Item XVI, Public Law 14-43,
 15 as amended by Public Law 14-81, is further amended as follows:

16 "XVI. For Reclassification & Reassignment
 17 of Pay Ranges \$1,531,611".

18 Section 7. Part II, Section 4.A.1 of Public Law 14-43, as
 19 amended by Public Law 14-97, is further amended to read:

20 "Section 4.A. There are hereby appropriated from
 21 any available balance in the University of Guam Fund the
 22 following sums consisting of Six Million Two Hundred Sixty-
 23 Two Thousand Dollars (\$6,262,000) contribution from the
 24 General Fund, \$500,000 transfer from the Land Grant Endow-
 25 ment Fund, \$1,206,914 from Federal Grants-in-Aid and
 26 \$249,479 from Fees and Tuition for the operation of the
 27 University of Guam for the fiscal year ending June 30, 1978:

28 1. General Administration \$1,941,207".

29 Section 8. The territory's remaining share from the Inter-
 30 governmental Antirecession Assistance Act of 1977 (U. S. Public
 31 Law 95-30), above that sum appropriated in Section 3 of Public

1 Law 14-97, is henceforth identified as the partial source of
2 funding for the appropriation made in Section 8 of Public Law
3 14-87 for funding of the salary adjustments for government of
4 Guam employees.

5 Section 9. Subsection (c) of Section 11 of Public Law 14-87
6 is hereby repealed.

7 Section 10. Section 57003 of Chapter 1, Title LXI of the
8 Government Code of Guam is hereby repealed and a new Section
9 57003 of Chapter 1, Title LXI is hereby reenacted to read as
10 follows:

11 "Section 57003. Administration. (a) Administrator -

12 The Board shall appoint an Administrator to administer matters
13 of the Agency under the supervision of the Board. The
14 Administrator shall not be a member of the Board and shall
15 not have a right to vote. The Administrator shall be given
16 the necessary authority and be held responsible for the
17 administration of the Agency in all its activities subject
18 only to such policies as may be adopted and such orders
19 as may be issued by the Board.

20 (b) Deputy Administrator - The Board shall appoint a
21 Deputy Administrator who shall not be a member of the Board
22 and shall not have a right to vote. The Deputy Administrator
23 shall perform such functions as the Administrator desires
24 during the absence of the Administrator or in the event
25 of a vacancy in the office of the Administrator until
26 such time that another Administrator is appointed.

27 (c) Secretary of the Board - The Secretary of the Board
28 shall be appointed by the Administrator and confirmed by
29 the Board. The Secretary shall be responsible for keeping
30 records of meetings and actions of the Board.

1 (d) Qualifications, duties, tenure and compensation -

2 The qualifications, duties, tenure and compensation of the
3 Administrator, Deputy Administrator and Secretary shall be
4 such as the Board may by resolution determine necessary and
5 desirable, provided that their salaries may not exceed
6 Twenty-Nine Thousand Dollars (\$29,000), Twenty-Four Thousand
7 Dollars (\$24,000) and Fourteen Thousand Four Hundred Dollars
8 (\$14,400) per annum respectively. Other fringe benefits such
9 as leave, eligibility for hospital, dental, life insurance
10 and retirement, shall be decided by the Board, notwithstanding
11 any other laws to the contrary."

12 Section 11. Statement of legislative findings. The Legisla-
13 ture finds that for over twenty (20) years a large number of
14 families in the Chagamin Lago area in Inarajan have been utilizing
15 a private road over Lot No. 116-1 to gain access to their proper-
16 ties, this road also being used by the school buses and garbage
17 trucks although the Superior Court of Guam has found that the
18 owners of said lot own the same in fee and that they may close the
19 road upon six months written notice to the Attorney General; that
20 because of the existence of this road, the owners of said lot are
21 not able to utilize the same since the lot itself contains only
22 1,394 square meters and the road cuts it in half; that the owners
23 are willing to exchange said lot for government land of equivalent
24 value and were such exchange made, the road through the lot to
25 the Chagamin Lago area could be incorporated in the island road
26 system to the benefit of the many people living in the area; and
27 that, therefore, such an exchange would be in the public interest.

28 Section 12. Exchange authorized. Notwithstanding any other
29 provisions of law to the contrary, the Governor is authorized to
30 acquire Lot No. 116-1, Inarajan, Guam, by exchanging with its

1 owners government land of equivalent value in the Malojloj
2 district, Inarajan. Notwithstanding any other laws to the
3 contrary, such exchange may be consummated by the Governor and the
4 landowners without any further action by the Legislature.

5 Section 13. Section 4233, (a), (3), of the Government Code
6 of Guam is hereby amended to read as follows:

7 "(3) 'Average annual salary' for any member of the
8 Legislature shall mean the average of the three (3) highest
9 annual salaries received by a member during his years of
10 credited service, whether or not with the Legislature, or an
11 amount equivalent to the annual compensation paid the Director
12 of Administration at the time the Legislator applies for
13 benefits, whichever is greater; provided, however, that,
14 effective January 1, 1978, whenever the annual compensation
15 of the Director of Administration exceeds the annual compen-
16 sation of the members of the Legislature, the contribution
17 of the Legislators shall be based on the annual compensation
18 of the Director of Administration."

19 Section 14. Notwithstanding the provisions of Chapter I of
20 Title XXIX of the Government Code to the contrary, any person who
21 prior to the effective date of Public Law 14-102 was engaged in
22 the study of law under the preceptorship of a locally admitted
23 attorney pursuant to the requirements of Chapter I of Title XXIX
24 (repealed by Public Law 14-102) shall be qualified for admission
25 to the Guam Bar as a fully licensed attorney who proves to the
26 satisfaction of the Board of Bar Examiners that:

27 (1) he has studied law diligently and in good faith
28 for a period of a least five (5) years in the office and
29 under the preceptorship of a locally-admitted attorney
30 (which attorney must have graduated from a law school
31 accredited by the American Bar Association);

1 (2) he has resided in Guam for not less than three (3)
2 months preceeding certification and intends in good faith
3 to practice in Guam;

4 (3) he is at least eighteen (18) years of age;

5 (4) he is of good moral character;

6 (5) he has not been convicted in any court of a felony
7 or any crime involving moral turpitude;

8 (6) he has completed at least two (2) years of college;
9 and

10 (7) he has passed a final examination given by the
11 Board of Bar Examiners.