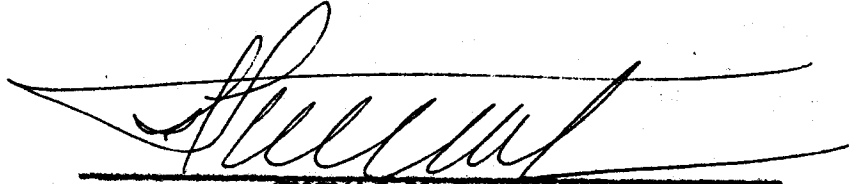


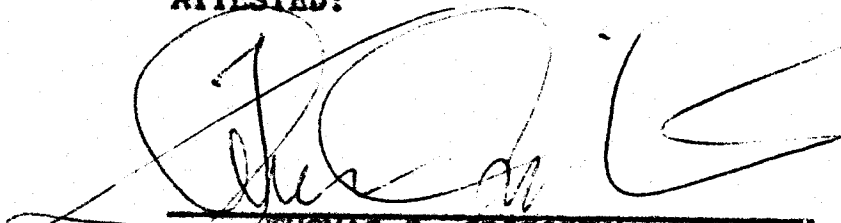
SIXTEENTH GUAM LEGISLATURE  
1982 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 583, "An Act to amend Section 12386 of the Government Code relative to the taking of fish at Luminao Barrier Reef and for other purposes", was on the 14th day of October 1982, duly and regularly passed.

  
THOMAS V.C. TANAKA  
Speaker


ATTESTED:

  
THOMAS C. CRISOSTOMO  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 15<sup>th</sup> day of  
October, 1982, at 5:15 o'clock p. M.

  
for SHERRA L. FRANCISCO  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
PAUL M. CALVO  
Governor of Guam

DATED: 10:50 Am 10/19/82  
P.L. 16-114

SIXTEENTH GUAM LEGISLATURE  
1982 (SECOND) Regular Session

Substitute Bill No. 583

Introduced by: C. T.C. Gutierrez, M. Z. Bordallo, L. L. Umagat

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AN ACT TO AMEND SECTION 12386 OF THE  
GOVERNMENT CODE RELATIVE TO THE TAKING  
OF FISH AT LUMINAO BARRIER REEF AND  
FOR OTHER PURPOSES.

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

2 Section 1. Section 12386 of the Government Code is amended  
3 to read:

4 "Section 12386. Fishing area restrictions. No  
5 fishing shall be permitted in the Luminao Barrier Reef, on  
6 the Philippine Sea side from Cabras Island to the extreme  
7 western tip of the Glass Breakwater. The prohibition  
8 imposed in this Section shall expire on October 1, 1983."

9 Section 2. One Million Seven Hundred Thousand Dollars  
10 (\$1,700,000) is appropriated from the General Fund to the  
11 government of Guam Retirement Fund for the purpose of paying  
12 increases in annuities pursuant to Subsection (e) of Section 4211  
13 of the Government Code and an implementing Executive Order of  
14 the Governor. Any unexpended and unencumbered funds remaining  
15 from the appropriation made in this Section as of September 30,  
16 1983 shall revert from the government of Guam Retirement Fund to  
17 the General Fund on that date.

18 Section 3. Two Hundred Fifty Thousand Dollars (\$250,000)  
19 is appropriated from the General Fund to the Corporation Subsidy  
20 Fund (created by Section 20062 of the Government Code).

1 Section 4. A new Item D. is added to Part XXII (Guam  
 2 Visitor's Bureau) of Section 5 of Public Law 16-111 to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>_____</u>
3 "D. For On-island				
4 Promotion				
5 Activities	\$50,000			\$50,000 ."

6 Section 5. Subsection (e) of Section 4211 of the Government  
 7 Code is repealed and reenacted to read:

8 "(e) Beginning in Fiscal Year 1983 and each year for  
 9 four (4) years thereafter, the Governor, by Executive Order,  
 10 shall increase all the service retirement annuities,  
 11 disability annuities and survivors annuities to reflect  
 12 changes in the cost of living in the previous year. The  
 13 Executive Order shall make the increase effective as of  
 14 the beginning of the fiscal year. The amount of the  
 15 adjustment may be stated as a sum certain across-the-board  
 16 or may be a percentage of the annuity in an amount not to  
 17 exceed ten percent (10%) thereof. If the increase is stated  
 18 as a percentage increase then the base shall be the amount  
 19 of the annuity as established in Sections 4211, 4212.2 and  
 20 4212.6 or 4217.1 of the Government Code.

21 To the extent permitted under the Guam Territorial  
 22 Income Tax Law, the cost of living allowance shall not be  
 23 taxed as income to the recipient of the cost of living  
 24 allowance."

25 Section 6. Section 4103.1 of the Government Code is amended  
 26 to read:

27 "Section 4103.1. Beginning in Fiscal Year 1983 and  
 28 each year for four (4) years thereafter, the Governor, by  
 29 Executive Order, shall adjust the base salaries of all  
 30 government positions to reflect changes in the cost of  
 31  
 32

1 living in the previous year. The Executive Order shall  
2 make the salary adjustment effective as of the beginning  
3 of the fiscal year. The amount of the adjustment may be  
4 stated as a sum certain across-the-board or may be a  
5 percentage of the salary in an amount not to exceed ten  
6 percent (10%) thereof. The adjustment may be paid as a  
7 lump sum or together with the biweekly salary of the  
8 employee. To the extent permitted by the Guam Territorial  
9 Income Tax Law, the adjustment shall not be taxed as income  
10 to the employee. There is appropriated from the General  
11 Fund any amount necessary to institute the cost of living  
12 adjustment ordered by the Governor. The Director of the  
13 Department of Administration shall distribute the appro-  
14 priated funds among the executive, legislative and judicial  
15 branches of the government. In the event a person retires  
16 prior to receiving any portion of the adjustment, the sum  
17 not yet paid to the employee shall be transferred to the  
18 Retirement Fund and paid to the retired employee together  
19 with his annuity. As used in this Section 'government  
20 position' means a non-elective, permanent position in the  
21 executive branch of government, including autonomous and  
22 semi-autonomous entities; a permanent position in the  
23 judicial branch or a position in the legislative branch."

24 Section 7. Section 30 of Chapter II of Public Law 16-111  
25 is amended to read:

26 "Section 30. Eighteen Thousand Dollars (\$18,000) is  
27 appropriated from the Tourist Attraction Fund to the  
28 Governor's Office for the Guam National Salute Committee to  
29 send six (6) representatives from Guam to the National  
30 Salute to Vietnam Veterans Week in Washington, D.C.,  
31 November 10-14, 1982 and to build a float."

1           Section 8. Section 1974 of the Government Code, as amended,  
2 is further amended to read:

3           "Section 1974. After the results of the plebiscite  
4 are made known, the Commission shall reduce the desires of  
5 the people of Guam to a written covenant, or Territorial-  
6 Federal Relations Act, or both, as necessary, to be submitted  
7 to the Congress of the United States as the manifest will of  
8 the people of Guam on the question of their relationship with  
9 the Government of the United States of America. Prior to  
10 submission of this Act, covenant or both to the United States  
11 Congress, the Commission shall hold public hearings on the  
12 proposed draft(s). Upon completion of the public hearings,  
13 the Commission shall submit a final draft or drafts to the  
14 people of Guam at a referendum to be held as provided by law.  
15 The Commission shall represent the people of Guam in  
16 negotiating with the Congress of the United States the  
17 implementation of such covenant, Act, or both, if approved  
18 by the people of Guam by majority vote of those persons  
19 voting in the referendum."

20           Section 9. Sixty Five Thousand Dollars (\$65,000) is  
21 appropriated from the General Fund to the Office of the Governor  
22 for the Guam Youth Band.

23           Section 10. The sum of Two Thousand Dollars (\$2,000) is  
24 appropriated from the General Fund to the Public Utility Agency  
25 of Guam for the purpose of erecting a six feet by twenty feet by  
26 twenty feet (6'x20'x20') chain-link safety fence, with gate,  
27 around the Geus PUAG Booster Pump Station in the municipality  
28 of Merizo.

29           Section 11. (a) The sum of Four Hundred Forty Thousand  
30 Dollars (\$440,000) is appropriated from the General Fund to the  
31 Public Utility Agency of Guam for the construction and installa-  
32 tion of a sewer line in the B.P.M. area of Mangilao.

1 (b) The sum of Four Hundred Thousand Dollars (\$400,000) is  
2 appropriated from the General Fund to the Public Utility Agency  
3 of Guam for the construction and installation of a sewer system  
4 in Talofofo.

5 Section 12. The sum of One Hundred Fifty Thousand Dollars  
6 (\$150,000) is appropriated from the Territorial Lottery Fund to  
7 the Department of Agriculture for the purpose of assisting bona  
8 fide farmers who suffered losses during Tropical Storm Mac.

9 Section 13. Two Hundred Thousand Dollars (\$200,000) is  
10 appropriated from the General Fund to the Department of Parks  
11 and Recreation for the purpose of improving the Soccer--Football  
12 Field adjacent to the LBJ School in Tamuning.

13 Section 14. The sum of One Hundred Fifty Thousand Dollars  
14 (\$150,000) is appropriated from the General Fund to the Department  
15 of Commerce to pay to the tenants of the Guam Public Market for  
16 the losses of property they suffered as a result of the fire.  
17 Any unexpended sum from the appropriation made in this Section  
18 shall revert to the General Fund.

19 Section 15. Subsection (n) of Section 23100 of the  
20 Government Code is amended to read:

21 "(n) After passing an examination as required under  
22 Subsection (g) to include an actual demonstration of ability  
23 to exercise ordinary and reasonable control in the operation  
24 of a motorcycle, an applicant may have his operator's or  
25 chauffeur's permit endorsed by the Director of Revenue and  
26 Taxation, or his designee, authorizing the applicant to  
27 operate a motorcycle on the highways of Guam. The Director  
28 of Revenue and Taxation may in his discretion accept evidence  
29 of a military motorcycle permit in lieu of this examination  
30 and endorsement. No person shall operate a motorcycle on  
31 the highway without first complying with this Section except  
32 that a person having in his immediate possession a valid

1 motorcycle operator's license issued by any other territory  
2 or state of the United States, or by a foreign country, may  
3 operate a motorcycle upon the highways for a period not  
4 exceeding thirty (30) days from the date such person arrived  
5 in Guam. The requirement that the person pass an examination  
6 and receive an endorsement for operation of a motorcycle  
7 shall not be applicable to the operation of a motorcycle when  
8 a sidecar is attached to the motorcycle. Any person who  
9 operates a motorcycle in violation of this Title shall be  
10 guilty of a petty misdemeanor."

DATE 10-14-82

SIXTEENTH GUAM LEGISLATURE

VOTING RECORD

5 BILL/RESOLUTION NO. 583

MAIN SPONSOR CTCG

SENATOR	AYE	NAY	NOT VOTING	ABSENT
BLAS, Frank F. <i>de</i>	✓			
BORDALLO, Madeleine Z.	✓			
CHARFAUROS, Edward T.	✓			
CRISOSTOMO, Thomas C. <i>de</i>	✓			
DUENAS, Edward R.	✓			
GUTIERREZ, Carl T. C.	✓			
KASPERBAUER, Carmen A. <i>de</i>	✓			
LAMORENA, Alberto C., III <i>de</i>	✓			
LEON GUERRERO, Jose I. <i>de</i>			✓	
MOYLAN, Kurt S.	✓			
PEREZ, Peter F., Jr.	✓			
QUAN, John F. <i>de</i>	✓			
QUITUGUA, Franklin J.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francisco R.	✓			
SUDO, Ramon Q.	✓			
TANAKA, Thomas V. C. <i>de</i>			✓	
TORRES, Jess Q. <i>out</i>				
UMAGAT, Lloyd M.	✓			
UNDERWOOD, James H.	✓			
UNPINGCO, Antonio R.	✓			

T O T A L

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