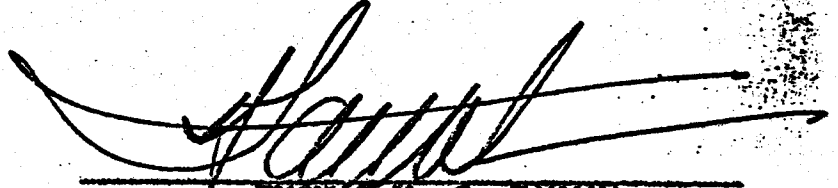


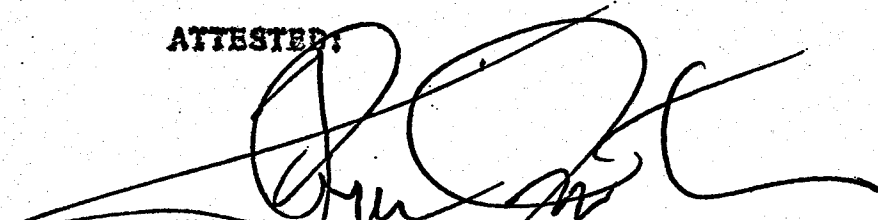
SIXTEENTH GUAM LEGISLATURE  
1981 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

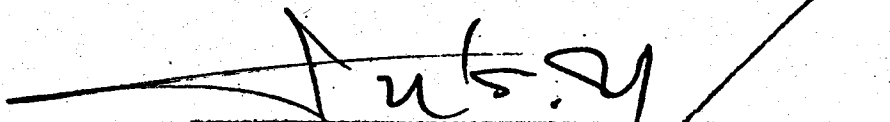
This is to certify that Substitute Bill No. 372, "An Act to provide for the payment of expenses of several agencies of the executive branch of the government of Guam for the one year period beginning July 1, 1981, except as otherwise noted," was on the 17th day of August 1981, duly and regularly passed.

  
\_\_\_\_\_  
THOMAS V. C. TANAKA  
Speaker

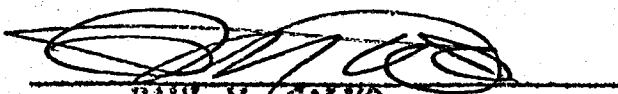
ATTESTED:

  
\_\_\_\_\_  
THOMAS C. CRISOSTOMO  
Legislative Secretary

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This Act was received by the Governor this 28<sup>th</sup> day of  
August, 1981, at 5:19 o'clock P..M.

  
\_\_\_\_\_  
SHERRA L. FRANCISCO  
Assistant Staff Officer  
Governor's Staff

APPROVED:

  
\_\_\_\_\_  
PAUL M. CALVO  
Governor of Guam

DATED: SEPT. 8, 1981 11:52 A.M.  
P.L. 16-37

SIXTEENTH GUAM LEGISLATURE  
1981 (FIRST) Regular Session

Bill No. 372  
(As Substituted  
by the Committee  
on Ways & Means)

Introduced by: Committee on Rules, at the request of the  
Governor

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AN ACT TO PROVIDE FOR THE PAYMENT OF EXPENSES  
OF SEVERAL AGENCIES OF THE EXECUTIVE BRANCH OF  
THE GOVERNMENT OF GUAM FOR THE ONE YEAR PERIOD  
BEGINNING JULY 1, 1981, EXCEPT AS OTHERWISE  
NOTED.

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

2 Section 1. Definitions. As used in this Act:

3 (1) Personnel Services includes (a) all salaries and  
4 wages whether payable to full-time, part-time, temporary  
5 or limited employees of the government of Guam and also  
6 includes the government's contributions to the employee's  
7 insurance plans and the Retirement Fund or FICA. Payments  
8 for overtime and night differential shall be in compliance  
9 with Section 4110.4 of the Government Code.

10 (b) Increments which shall be awarded to employees of  
11 the government of Guam on the basis set forth by Section  
12 4103 of the Government Code of Guam.

13 (2) Operating Expenses includes (a) the cost of travel  
14 by common carrier or by private conveyance, and per diem  
15 as provided for by Sections 6610.1, .2 and .3 and 6610.5 of  
16 the Government Code.

17 (b) Services rendered or performed by firms or  
18 individuals other than expenses for personnel services.

1 (c) Supplies and materials which by their nature are  
2 consumable and which have a useful lifetime of less than  
3 one year or which, after usage, undergo an impairment or a  
4 material change in physical condition.

5 (d) Current services or charges for rental of property  
6 or equipment, insurance premiums (not employee benefits),  
7 dues, paid subscriptions, and other fixed charges.

8 (e) Equipment having a purchase price of Five Hundred  
9 Dollars (\$500) or less.

10 (3) Capital outlay includes (a) equipment such as  
11 loader trucks, tractors, trailers, automobiles or other  
12 vehicles, machinery, reference books, office furniture,  
13 filing cabinets, typewriters, adding and calculating machines,  
14 and other business machines which have a useful lifetime of  
15 one year or more, and other machines including but not  
16 limited to tools, implements, and instruments which may be  
17 used continuously without material change in physical condi-  
18 tion costing not less than Five Hundred Dollars (\$500) and  
19 not more than Fifty Thousand Dollars (\$50,000).

20 (b) Repair, remodeling, or alterations of a building  
21 or replacement thereof, the replacement and renewal of the  
22 plumbing, wiring and air conditioning system, and not costing  
23 more than Fifteen Thousand Dollars (\$15,000). This does  
24 not include normal maintenance to any structure.

25 (c) The construction of an entirely new building, in-  
26 cluding the materials and labor either supplied by an agency  
27 of the government of Guam or supplied by contract.

1 (d) Non-structural improvements or the grading,  
2 leveling, drainage, and landscaping and of the construction  
3 of roadways, fences, ditches, and sanitary or storm sewers  
4 where the cost will be less than Ten Thousand Dollars  
5 (\$10,000).

6 (4) "FTE" means the equivalent of one (1) position con-  
7 tinuously filled full-time for the period to which this act  
8 pertains and the total FTE positions may comprise any com-  
9 bination of part-time or full-time positions provided the  
10 maximum FTE position limit is not exceeded. The maximum  
11 limitation on the number of FTE which shall be allowed for  
12 the period to which this Act pertains is indicated by a  
13 number in parentheses ( ) following the line item or subtotal  
14 or under the figure under the "Appropriation From" column,  
15 in which case the maximum for FTE is limited for each  
16 fund source. When a position is created for less than one  
17 (1) year, the department or agency shall indicate the termi-  
18 nation date of the position and the time period by the date  
19 designated for filling the position and termination shall be  
20 counted and applied against the total FTE position limita-  
21 tion.

22 (5) Where no specific limitation for expenditure of  
23 funds is made, the appropriation shall be for personnel  
24 services, operating expenses, and capital outlays.

25 (6) Utilities include water, sewer service, elec-  
26 tricity, and telephone service, including toll calls.

27 (7) "Match" means direct cost sharing or in-kind  
28 General Fund support required as a condition for acceptance  
29 of federal funds.

1 (8). Numbered footnotes throughout this Act refer to  
2 limitations on expenditures which are explained after each  
3 section of this Act.

4 Section 2. Appropriation.

5 (1). The sums in this section are appropriated from  
6 the General Fund and the indicated cash funds for the  
7 payment of the ordinary operating costs of several agencies  
8 of the Executive Branch of the territory of Guam for and  
9 during the year beginning July 1, 1981.

10 (a) The figures in the column headed "Item and  
11 Subtotal" are the amounts appropriated from local funds  
12 or authorized if federal funds within each line item.  
13 The figures in the "Total" and "Grand Total" column  
14 are for information only and are not appropriations.

15 (b) The figures in the "General Fund", "Cash  
16 Fund", and "Federal Fund" columns indicate the source  
17 of funding for the amounts indicated in the "Item and  
18 Subtotal" column.

19 (c) The figures in the "General Fund" column  
20 indicate the maximum amount that may be expended from  
21 the General Fund for the purpose shown.

22 (d) Where the letter "(M)" appears directly to  
23 the right of a General Fund figure, that General Fund  
24 appropriation is used to match a federally-supported  
25 program and is the maximum amount of General Fund  
26 money that may be expended in that program, except  
27 where otherwise noted. In the event that additional  
28 federal funds are available for the program, the General  
29 Fund amount noted "(M)" shall be reduced by the amount

1 of federal funds received in excess of the "Federal  
2 Fund" column for that program. In the event that  
3 the federal funds available are less than the amount  
4 shown in the "Federal Fund" column, the General Fund  
5 amount noted "(M)" shall be reduced proportionately.  
6 In the event that the local matching requirements are  
7 reduced, the General Fund amount notes as "(M)" shall  
8 be reduced proportionately. These provisions shall  
9 apply only to the General Fund amount which remains  
10 unexpended at the time of the change in federal require-  
11 ment or funding. It is the intent of the Legislature  
12 that the General Fund and the Federal Funds amounts in  
13 this Act shall be expended in equally proportioned  
14 amounts throughout the year.

15 (e) The figures in the "Federal Fund" column are  
16 anticipated federal funds and although these funds are  
17 not appropriated in this Act, they are noted for the  
18 purpose of indicating the assumption used relative to  
19 these funds in developing the basic appropriation  
20 amounts.

21 (f) The Guam Legislature undertakes no obligation  
22 directly or indirectly to support or continue federal  
23 fund programs or claims where no direct or indirect  
24 government of Guam contribution is required. Further-  
25 more, the Guam Legislature undertakes no obligation for  
26 costs incurred by or claimed against non-appropriated  
27 federally funded programs.

1 (g) No agency to which the appropriations are  
2 made in this Act shall expend local monies in anticipa-  
3 tion of reimbursement from any federal grant, whether  
4 that grant partially or wholly funds the agency's  
5 programs, unless that program or grant is included  
6 in this Act. For those programs which are wholly  
7 funded by federal funds, and whose sums are indicated  
8 herein, advance use of local monies shall not exceed  
9 forty percent (40%) of that total grant identified  
10 herein at any point in time.

11 (h) No money appropriated in this Act shall  
12 knowingly be paid to any organization, public firm,  
13 person, agency, or club which places restrictions on  
14 employment or membership based on sex, race, age,  
15 marital status, creed, color, religion, national origin,  
16 ancestry, or physical handicap.

Comm. Report Ref.	Item & Subtotal	Total	Appropriation From		
			General Fund	Cash Fund	Federal Fund
PART I					
18	GUAM HEALTH PLANNING AND DEVELOPMENT AGENCY				
7	a. For the Health Systems Agency as required under P.L. 14-150 and U. S. P.L. 93-641 and funded in total by a federal grant under CFDA No. 13.293				
9, 17	1. Personnel Services	\$118,926 (6.0 FTE)			\$118,926 (6.0 FTE)
9	2. Operating Expenses	145,074			145,074
9	3. Capital Outlay	3,500			3,500
9	4. Utilities	1,500			1,500
		\$269,000			\$269,000
10	b. For the State Planning and Development Agency (SHPDA) as required by P.L. 14-150 and U. S. P.L. 93-641 and funded partially by federal grant under CFDA No. 13.294				
12, 17	1. Personnel Services	\$132,589 (7.0 FTE)	\$ 15,694(M) (1.0 FTE)		\$115,895 (6.0 FTE)
12	2. Operating Expenses	102,507	25,626(M)		76,881



Comm. Report Ref.	Item & Subtotal	Total	Appropriation From		
			General Fund	Cash Fund	Federal Fund
GUAM HEALTH PLANNING AND DEVELOPMENT AGENCY (Continued)					
12	3. Capital Outlay	\$ 1,000		\$ 394(M)	\$ 606
12	4. Utilities	5,880		1,470(M)	4,410
			\$241,976	44,184(M)	\$197,792
15	c. For the support of the Guam Health Coordinating Council as created by P.L. 14-150 and funded in part by a grant under CFDA No. 13.293				
16	1. Operating Expenses	\$ 6,810		in-kind	\$ 6,810
			\$ 6,810	in-kind 1/	\$ 6,810
13	d. For audit of the expenditures of the SHPDA as required by conditions of acceptance of grants from the U. S. Department of Health and Human Services and funded partially by a federal grant under CFDA No. 13.294				
14		\$ 5,000		\$1,250(M)	\$ 3,750
			\$ 5,000	1,250	\$ 3,750
32	PART I GRAND TOTALS		\$522,786	\$45,434+in-kind	\$477,352

1 Section 3. Section 4 of Public Law 15-141 is amended to read:

2 "Section 4. The following sums are hereby appropriated in part from  
3 the General Fund and Federal Grants-in-Aid to implement programs for  
4 the period beginning September 1, 1980 and ending September 30, 1981.  
5 Local funds appropriated under this Section may not be expended except  
6 to match the Federal funds identified herein and the appropriations so  
7 made shall comply with the provisions of P. L. 14-83, as applicable:

8	1. COMMUNITY SERVICES	<u>Cat. No.</u>	<u>Local</u>	<u>Federal</u>
9	A. Governor's Office			
10	1. Insular			
11	Arts Council			
12	a. Basic State			
13	Agency			
14	Grant	45.007	\$47,500	\$295,000
15	b. Artist-in-			
16	School	40.003	\$ 9,150	\$ 18,300"

17 Section 4. Section 10 of Public Law 15-145 is amended to read:

18 "Section 10. The sum of Twenty Thousand Dollars (\$20,000) is  
19 appropriated from the General Fund to the Insular Arts Council for the  
20 use of the Civic Center of Guam Foundation in the development of a  
21 conceptual program plan of the construction of a cultural facility."

22 Section 5. Sections 4 (a) and (c) of Public Law 15-142 are amended to  
23 read as follows:

24 "Section 4. (a) Forty-Eight Million Eight Hundred Three Thousand  
25 Thirty-Eight Dollars (\$48,803,038) is appropriated from the General Fund  
26 to the Department of Education for the following purposes:

27	(1) Support Services	
28	(a) Business Office	\$ 9,132,300
29	(b) Personnel Office	\$ 219,140

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Appropriation from  
General Fund Cash Fund Federal Fund

PART II

DEPARTMENT OF LAW

19 a. For legal assistance to the SHPDA and Guam Health Coordinating Council and funded in part by a grant under CFDA No. 13.294

20 1. Personnel Services \$ 9,888 (0.4 FTE) \$ 9,888 in-kind in-kind 2/ \$ 9,888 (0.4 FTE) \$ 9,888

PART II GRAND TOTALS \$ 9,888 in-kind \$ 9,888

FOOTNOTES

- 1/ The Guam Health Planning and Development Agency shall maximize its use of the federal grants received by it and match it through in-kind contributions from support rendered to the Guam Health Planning in all phases of its operation whether that assistance be rendered in the form of accounting, personnel, budget and management, planning, data collection, contribution of time of government employees who serve on the Guam Health Coordinating Council, and such other in-kind contributions as the Guam Health Planning and Development Agency finds appropriate.
- 2/ The Department of Law shall provide as in-kind contribution to the Guam Health Planning and Development Agency the services of one of its attorneys who is funded by appropriations from the General Fund.

1	(c) Buildings & Grounds	\$ 2,242,408
2	(2) Instructional Support	
3	(a) Curriculum & Instruction	\$ 853,439
4	(b) Chamorro Studies and	
5	Special Projects	\$ 971,044
6	(c) Pupil Personnel Services	\$ 165,030
7	(3) Director/Deputy Superintendent's	
8	Office-School District Administration	
9	(a) Staff Offices	\$ 345,220
10	(b) Federal Programs	\$ 52,490
11	(c) Research Planning and Evaluation	\$ 134,042
12	(4) Instructions	
13	(a) Elementary Division	\$18,634,092
14	(b) Secondary Division	\$13,102,628
15	(c) Special Education Division	\$ 2,055,935
16	(5) Textbooks for Private Schools	\$ 144,270.

17 (c) The sum of Four Hundred Ninety-One Thousand Ninety Dollars  
18 (\$491,090) is appropriated from the General Fund to the Department of  
19 Education to implement the provisions of P. L. 15-138 during the fiscal  
20 year 1981."

21 Section 6. The Department of Youth Affairs may expend part of the  
22 appropriation made to it for fiscal year 1981 for the purpose of paying  
23 obligations to Guam Telephone Authority incurred in previous fiscal years."