


SEVENTEENTH GUAM LEGISLATURE
1983 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

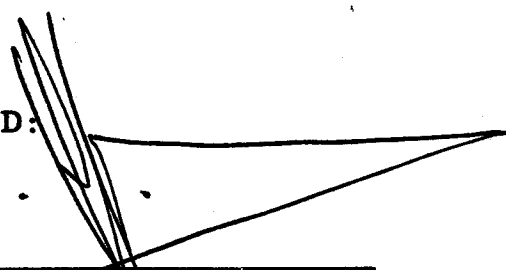
This is to certify that Substitute Bill No. 92, "AN ACT TO ADD A NEW CHAPTER 1-B TO TITLE XLVII OF THE GOVERNMENT CODE RELATIVE TO REQUIRING GOVERNMENT AGENCIES TO GIVE NOTICE TO GUAM MEMORIAL HEALTH PLAN OF TERMINATION OF EMPLOYMENT OF GOVERNMENT EMPLOYEES OR ELECTION BY EMPLOYEE TO TERMINATE GUAM MEMORIAL HEALTH PLAN COVERAGE, AND FOR OTHER PURPOSES," was on the 30th day of November, 1983, duly and regularly passed.


CARL T. C. GUTIERREZ
Speaker

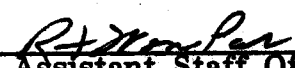
Attested:


ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this 30th day of November, 1983, at 5:30 o'clock P.m.

APPROVED: 

RICARDO J. BORDALLO
Governor of Guam


Assistant Staff Officer
Governor's Office

Date: December 4, 1983
5:07 pm.

PUBLIC LAW 17-39

SEVENTEENTH GUAM LEGISLATURE
1983 (FIRST) Regular Session

Bill No. 92
Substitute

Introduced by:

C. T.C. Gutierrez

AN ACT TO ADD A NEW CHAPTER 1-B TO TITLE XLVII OF THE GOVERNMENT CODE RELATIVE TO REQUIRING GOVERNMENT AGENCIES TO GIVE NOTICE TO GUAM MEMORIAL HEALTH PLAN OF TERMINATION OF EMPLOYMENT OF GOVERNMENT EMPLOYEES OR ELECTION BY EMPLOYEE TO TERMINATE GUAM MEMORIAL HEALTH PLAN COVERAGE; AND FOR OTHER PURPOSES.

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

2 Section 1. A new Chapter 1-B of Title XLVII of the Government Code
3 of the Territory of Guam, is enacted to read as follows:

4 "Title XLVII

5 Chapter 1-B

6 Section 49040. As used in this Chapter:

7 (a) 'Government Agency' shall mean any branch, agency
8 department or division of the Government of Guam including any
9 autonomous agency or public corporation.

10 (b) 'Employee' shall mean any officer, director or employee
11 of a government agency.

12 (c) 'Insured Employee' shall mean any employee who is
13 insured or whose dependants are insured for health care and/or
14 medical benefits by Guam Memorial Health Plan under any policy
15 of insurance which conditions such insurance in any respect upon
16 the continued employment of the employee with a government
17 agency.

18 Section 49014. Any government agency which employs one or
19 more insured employees shall give notice to Guam Memorial Health Plan
20 of the termination of the employment with the government agency of
21 any insured employee or of the election of any insured employee to

1 terminate health insurance coverage with Guam Memorial Health Plan.

2 Section 49043. The notice provided by the preceding section
3 shall be given in advance of the termination of the employment of such
4 employee, or of the date the employee's cancellation of his insurance is
5 to be effective, and such notice shall be given as far in advance as
6 is reasonably practicable, but in no event shall such notice be given
7 later than the actual date of termination of employment, or of such
8 coverage.

9 Section 49044. Any government agency required to give notice to
10 Guam Memorial Health Plan pursuant to the terms of this chapter shall
11 in consideration of the extension of insurance by Guam Memorial Health
12 Plan to the insured employees of such agency, be deemed directly
13 bound in contract to Guam Memorial Plan for the amount of any
14 premiums for insurance coverage during the period after the date such
15 employee terminated employment with the government agency, or
16 terminated his insurance with Guam Memorial Health Plan, and before
17 notice of such termination is given by the government agency to Guam
18 Memorial Health Plan, in the event notice is not given by the
19 government agency in a timely manner as provided by this Act."

20 Section 2. Section 53552(i) of the Government Code, codified as
21 Section 2103(i) of Article 1 of Chapter 2 of Title 12 GCA, is amended to
22 read:

23 "§2103(i). The Corporation is authorized to purchase from any
24 person, firm, corporation or governmental entity, and to refinance,
25 mortgages on residential real property, including single family
26 dwellings, multiple family dwellings, condominiums and cooperative
27 apartments, which are insured or guaranteed by an agency or
28 instrumentality of the United States of America, by the territory of
29 Guam, or by any other person, firm, corporation or governmental
30 entity approved by the Board of Directors of the Corporation. The
31 Corporation is also authorized to make commitments to purchase
32 mortgages, conditioned upon the insurance or guarantee of such
33 mortgages by an agency or instrumentality of the United States of
34 America, by the territory of Guam, or by any other person, firm,

1 corporation or governmental entity approved by the Board of Directors
2 of the Corporation.

3 Notwithstanding anything to the contrary herein, the
4 Corporation is not authorized to make direct loans to any person, firm,
5 corporation or governmental entity on residential real property,
6 including single family dwellings, multiple family dwellings,
7 condominiums and cooperative apartments."

8 Section 3. Section 53552(k) of the Government Code, codified as
9 Section 2103(k) of Article 1 of Chapter 2 of Title 12 GCA, as amended by
10 P.L. 17-37, is amended to read:

11 "(k) The Corporation shall act as a central financial manager
12 and consultant for those agencies or instrumentalities of the
13 Government requiring financial guidance and assistance. Such
14 technical assistance by the Corporation shall include but not be limited
15 to obtaining of funds through bond or other obligations, structuring
16 such bond issuances, preparation and dissemination of financial and
17 investment information, including bond prospectuses, development of
18 interest among investment bankers and bond brokers, maintenance of
19 relationships with bond rating agencies and brokerage houses and,
20 generally, acting as the centralized and exclusive financial planner and
21 investment banker for all the agencies and instrumentalities of the
22 Government. For purposes of this Subsection, 'agencies and
23 instrumentalities of the Government' include but are not limited to such
24 public corporations as the Guam Economic Development Authority, the
25 Port Authority of Guam, the Guam Airport Authority, the Guam
26 Telephone Authority, the Guam Power Authority, the Guam Memorial
27 Hospital Authority, the University of Guam, and all other agencies or
28 instrumentalities of the Government given the power, now or in the
29 future, to issue and sell bonds or other obligations for the purpose of
30 raising funds. Such agencies and instrumentalities of the Government
31 shall issue bonds and other obligations only by means of and through
32 the agency of the Corporation, and each such agency or
33 instrumentality shall furnish the Corporation long-term estimates of
34 financial needs so that the Corporation can coordinate a long-term plan

1 for obtaining necessary funds for all such agencies and
2 instrumentalities on a rational, noncompetitive and efficient basis. The
3 Corporation shall not issue or sell any bond without the approval of
4 the Legislature of the terms and conditions of the issuance of the
5 bonds. The failure of the Legislature to adopt a resolution rejecting
6 the terms and conditions of the issuance of the bonds within forty-five
7 (45) calendar days of the date of its submission to the Legislative
8 Secretary shall be concurrence to the issuance of the bonds. For the
9 purposes of this Subsection, the terms 'bonds or other obligations'
10 does not include an instrument evidencing debt for a term of one (1)
11 year or less. This Section shall not apply to those bonds or other
12 obligations which are sold by an agency of the Government of the
13 United States. The provisions of this subsection shall not apply to
14 bonds or other obligations issued pursuant to Article V or Article VI
15 of this Chapter on or before March 31, 1984 provided such bonds or
16 other obligations are secured by a pledge of and lien upon the
17 revenues and other funds or moneys derived from the projects or
18 programs financed by the proceeds of the sale of such bonds or other
19 obligations and not by revenues or other funds or moneys derived
20 from other projects or programs of the Corporation."

21 Section 4. Section 53553(s) of the Government Code, codified as
22 Section 2104(s) of Article 1 of Chapter 2 of Title 12 GCA, is amended to
23 read:

24 "§2104(s). To purchase from any person, firm, corporation or
25 governmental entity, and to refinance, mortgages on residential real
26 property, including single family dwellings, multiple family dwellings,
27 condominiums and cooperative apartments, which are insured or
28 guaranteed by an agency or instrumentality of the United States of
29 America, by the territory of Guam, or by any other person, firm,
30 corporation or governmental entity approved by the Board of Directors
31 of the Corporation; to make commitments to purchase mortgages,
32 conditioned upon the insurance or guarantee of such mortgages by an
33 agency or instrumentality of the United of America, by the territory of
34 Guam, or by any other person, firm, corporation or governmental

1 entity approved by the Board of Directors of the Corporation; to
2 impose fees and charges for its services; and, through its Board, to
3 issue such rules and regulations as may be necessary to carry out the
4 provisions of this Chapter."

5 Section 5. Section 53607.02 of the Government Code, codified as
6 Section 2603(a) of Article 6 of Chapter 2 of Title 12 GCA is amended to
7 read:

8 "§2603(a). The Board has power and is hereby authorized, in
9 addition to all other powers conferred upon it by law to exercise any
10 or all of the powers granted to the Board by this Article. The Board
11 may incur indebtedness and issue bonds to represent same for the
12 purposes of and within the limitations provided in this Article.

13 Section 6. Section 53607 of the Government Code, codified as
14 Section 2623 of Article 6, Chapter 2 of Title 12 GCA, is amended to
15 read:

16 "§2623. The proceeds of sale of any bonds may be expended
17 for any one or more of the following purposes, all as provided in the
18 indenture relating to such bonds:

19 (a) For the acquisition of notes of any person secured by a
20 mortgage described in Section 2103(i) of this Title to accomplish
21 any lawful purpose of the Authority;

22 (b) For the payment of legal and fiscal fees and costs
23 relating to the issuance and sale of the bonds;

24 (c) For payment of any other costs or expenses relating to
25 the authorization, issuance or sale of bonds;

26 (d) For deposit in any one or more reserve funds or
27 accounts or in any working capital fund or account or
28 contingency fund or account relating to mortgage acquisition;

29 (e) For payment of interest on bonds during the period of
30 actual mortgage acquisition;

31 (f) For payment of trustees' fees and costs and fees
32 incurred by it;

33 (g) For payment of the principal of and interest on any
34 indebtedness incurred pursuant to this Article that is by its

1 terms repayable from the proceeds of sale of bonds.

2 Section 7. A new Section 2508.1 is added to Article 5 of Chapter 2 of
3 Title 12 GCA to read:

4 "Section 2508.1. In the case of project revenue bonds issued for
5 the purpose of providing funds to pay or cause to be paid all or any
6 part of the cost of any project as defined in the last sentence of
7 Section 2502(h) of this Title, any moneys received by the Authority
8 after the payment or provision for payment of the principal of and
9 interest on such bonds and the costs and expenses of the issuance of
10 such bonds shall be deposited by the Authority in a separate fund and
11 the moneys in such fund shall not be committed, expended or
12 encumbered without approval of the Legislature."

13 Section 8. Section 6 of P.L. 17-29 is amended to read:

14 "Section 6. Notwithstanding any other provisions of law, the
15 Governor or his official designee may approve transfers of General
16 Fund appropriations of up to fifteen percent (15%) among the items
17 within a Part of any Part of Section 5 of Chapter 1 of the General
18 Appropriation Act of 1984 for the purpose of meeting shortfalls and not
19 to fund new programs, unless such programs were identified in the FY
20 '84 Budget Act. The Governor or his designee shall transmit a report
21 to the Speaker of the Legislature within thirty (30) days of the
22 transfers of such funds.