

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 158, "AN ACT MAKING AN APPROPRIATION FOR THE OPERATION OF THE FIRST SESSION OF THE EIGHTEENTH GUAM LEGISLATURE, FOR CAPITAL IMPROVEMENTS FOR THE LEGISLATURE AND FOR OTHER PURPOSES," was on the 6th day of February 1985, duly and regularly passed.



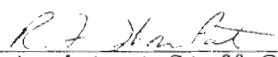
CARL T. C. GUTIERREZ
Speaker

Attested:




ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this 7th day of February 1985, at 2:40 o'clock p.m.



Assistant Staff Officer
Governor's Office

APPROVED:



RICARDO J. BORDALLO
Governor of Guam

Date:

Public Law No.

18-1

2/14/85
2:10 p.m.

1 the Government of Guam and used for a specific designated purpose
2 shall, upon receipt, be divided within the General Fund in the
3 following proportions:

4 (a). Three and one-half percent (3.5%) to be utilized for
5 appropriations made for the legislative branch;

6 (b). Ninety-three percent (93%) to be utilized for appropriations
7 made for the executive branch; and

8 (c). Three and one-half percent (3.5%) to be utilized for
9 appropriations made for the judicial branch.

10 Any money utilized contrary to the provisions of this section is
11 utilized without appropriation pursuant to §6118 (1) of the Government
12 Code."

13 Section 5. Section 15 of P.L. 17-78 is repealed. Any funds,
14 however, expended from the interim appropriation provided in Section 15 of
15 P.L. 17-78 prior to the effective date of this Act shall be debited to the
16 appropriation in section 1 of this Act.

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 158 (COR)
Substitute
2/6/85

Introduced by:

Committee on Rules

AN ACT MAKING AN APPROPRIATION FOR THE
OPERATION OF THE FIRST SESSION OF THE
EIGHTEENTH GUAM LEGISLATURE, FOR CAPITAL
IMPROVEMENTS FOR THE LEGISLATURE AND FOR
OTHER PURPOSES.

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

2 Section 1. There is appropriated from the General Fund to the
3 Legislature Operations Fund to be allocated by the Committee on Rules for
4 the operation of the First Regular Session of the Eighteenth Guam
5 Legislature from January 1, 1985 to September 30, 1985, the sum of Four
6 Million One Hundred Twenty-three Thousand Nine Hundred Sixty-two
7 Dollars and sixty-six cents (\$4,123,962.66). Seven Hundred Fifty
8 Thousand Dollars (\$750,000) of the total amounts appropriated for the
9 operation expenses of the Eighteenth Guam Legislature shall be allocated to
10 the Minority.

11 Section 2. Notwithstanding any other provision of law, any
12 appropriation made to the Seventeenth Guam Legislature for use in calendar
13 year 1984 shall continue to be available during the First Session of the
14 Eighteenth Guam Legislature from January 1, 1985 to September 30, 1985
15 and may be expended to honor claims for payment.

16 Section 3. A new 2 GCA §1123 is added to read:

17 "§1123. Legislature Capital Improvement Fund. There is hereby
18 created a special fund to be known as the 'Legislature Capital
19 Improvement Fund', such fund to be administered by the Legislature.
20 All money appropriated for capital improvements and additions for the
21 Legislature building and for the provision of offices while such capital

1 improvements and additions are being made shall be paid directly to
2 the fund and disbursed by the Legislature."

3 Section 4. Section 34 of Public Law 17-81 is amended to read:

4 "Section 34. There is appropriated from the fund created by
5 Section 2508.1, Article 5, Chapter 2, 12 GCA, to the Legislature
6 Capital Improvement Fund the sum of Eight Hundred Thousand Dollars
7 (\$800,000) for the renovation and repair of the Guam Legislature
8 building and the construction of any additions thereto."

9 Section 5. Section 35 of Public Law 17-81 is repealed and reenacted to
10 read:

11 "Section 35. There is appropriated from the fund created
12 pursuant to 12 GCA §2508.1 to the Legislature Capital Improvement
13 Fund the sum of Four Hundred Thousand Dollars (\$400,000) for capital
14 improvements and additions to the Legislature building and provision of
15 offices while such capital improvements and additions are being made."

16 Section 6. The sum of Ten Thousand Dollars (\$10,000) is appropriated
17 from the fund created pursuant to 12 GCA Section 2508.1 to the Guam
18 Council on Arts and Humanities for the promotion of band music.

19 Section 7. (a) The sum of Five Hundred Thousand Dollars (\$500,000)
20 is appropriated from the fund created pursuant to 12 GCA Section 2508.1 to
21 the Department of Public Works to alleviate the overcrowded conditions at
22 the Agana Lockup by constructing a temporary lockup on the "Rosario"
23 property located next to the Guam Penitentiary by remodeling the building
24 presently there and adding a thirty (30) cell building adjacent to that
25 building and renovating and upgrading the present Agana Lockup site at
26 the Department of Public Safety in Agana.

27 (b) There is hereby authorized to be appropriated to the
28 Department of Public Works such sums as are necessary to construct
29 two (2) new buildings at the penitentiary, consisting of one building
30 ("D4") which is to be used for a Jail and one dormitory building
31 ("D1") which is to be located within the perimeter for future
32 penitentiary population, as shown on Department of Public Works
33 Drawing C-8 of the Guam Correctional Facility Complex dated 5-28-81.
34 The Department of Public Works is directed to solicit bids for the two

1 (2) buildings described in this Subsection. The Department of Public
2 Works shall not charge an administrative cost for processing bids.

3 Section 8. The sum of Thirty Thousand Dollars (\$30,000) is
4 appropriated from the fund created pursuant to 12 GCA Section 2508.1 to
5 the Tenth Guam Youth Congress.

6 Section 9. Section 2 of P.L. 17-72 is amended to read:

7 "Section 2. The sum of One Hundred Fifty Thousand Dollars
8 (\$150,000) is appropriated from the General Fund, to be reimbursed to
9 that fund from the fund established by 12 GCA Section 2508.1, added
10 by P.L. 17-39 Section 7, as soon as funds are available in this fund,
11 to Guam Memorial Hospital Authority for the purpose of purchasing and
12 installing air-conditioning equipment for use to cool the fifth and sixth
13 floors of the old Guam Memorial Hospital building where the Skilled
14 Nursing Facility (SNF) and Intermediate Care Facility (ICF) are located
15 and for elevators at both the old and new hospital buildings."

16 Section 10. The sum of One Million Seven Hundred Thousand Dollars
17 (\$1,700,000) is appropriated from the fund created pursuant to 12 GCA
18 §2508.1 to the Department of Education for the period from February 1,
19 1985 to September 30, 1985 to implement the teacher reclassification
20 approved by the Civil Service Commission in April, 1984.

21 Section 11. (a) All secondary teachers who teach during a
22 preparation period shall receive additional payment of twenty percent (20%)
23 of their yearly salary at the rate of one nine hundredth (1/900) of their
24 annual salary for each instructional day they teach.

25 (b) The sum of Two Hundred Thousand Dollars (\$200,000) is
26 appropriated from the lapses of the funds appropriated to Department of
27 Education in the FY'85 budget which have been identified in paragraph 4 of
28 the letter from the Governor to the Speaker of February 5, 1985 and
29 Section 2 of the draft bill attached to that letter, to the Department of
30 Education to implement the provisions of Subsection (a) of this Section for
31 the period from August 27, 1984 to September 30, 1985.

32 Section 12. The sum of Two Hundred Thousand Dollars (\$200,000) is
33 appropriated from the lapses of the funds appropriated to the Department of
34 Education in the FY'85 budget which have been identified in paragraph 4 of

1 the letter from the Governor to the Speaker of February 5, 1985 and
2 Section 2 of the draft bill attached to that letter to the Guam Community
3 College to implement for the period from February 1, 1984 to September 30,
4 1985 the teacher reclassification passed September 21, 1983.

5 Section 13. The sum of Four Hundred Thousand Dollars (\$400,000) is
6 appropriated from lapses occurring from the FY'85 budget which have not
7 been identified by law for any other purpose to the office of the Governor
8 for renovation of the Executive offices.

9 Section 14. The sum of Four Hundred Ninety-eight Thousand Dollars
10 (\$498,000) is appropriated from the fund created pursuant to 12 GCA
11 §2508.1 to the Commission on Self Determination to further the purposes of
12 that Commission.

13 Section 15. The sum of Two Hundred Fifty-two Thousand Four
14 Hundred Forty-three Dollars (\$252,443) is appropriated from the fund
15 created pursuant to 12 GCA §2508.1 to the Guam Economic Development
16 Authority for authorized loans.

17 Section 16. (a) The sum of Sixty-three Thousand Five Hundred
18 Dollars (\$63,500) is appropriated from the fund created pursuant to 12 GCA
19 §2508.1 to the Department of Vocational Rehabilitation for building
20 maintenance, equipment, and necessary expenses of the Workshop Center.

21 (b) The sum of Two Thousand Eight Hundred Dollars (\$2,800) is
22 appropriated from the fund created pursuant to 12 GCA §2508.1 to the
23 Department of Vocational Rehabilitation for the purchase of a Visualtek
24 (Voyager XL Series) Visual Aid for the use of visually-impaired
25 citizens of the Territory of Guam.

26 Section 17. A new Section 6010 is added to the Government Code to
27 read:

28 "Section 6010. Notwithstanding any other provision of law,
29 unless work has commenced or ten percent (10%) of the funds have
30 been expended to accomplish the purpose of an appropriation, any
31 appropriation for capital improvements or the acquisition of capital
32 goods and equipment made by the Legislature shall cease to be an
33 appropriation and shall become an authorization for an appropriation
34 one year from the date the appropriation is made and all sums

1 previously appropriated shall revert to the General Fund. The
2 Director of Administration shall identify the sums which are changed
3 from an appropriation to an authorization for an appropriation pursuant
4 to this Section, and their uses, and shall report them to the
5 Legislature within ninety (90) days of the date of the changes. The
6 provisions of this Section shall be effective September 30, 1985 for any
7 appropriation made before September 30, 1984; except that the Director
8 of Administration shall make a report of sums which will be changed
9 from an appropriation to an authorization for an appropriation, and
10 their uses, and also a report in a format which will be submitted by
11 the Committee on Ways and Means on sums which have been
12 appropriated and which will continue to be appropriated for on going
13 projects as of September 30, 1985, to the Legislature within ninety
14 (90) days after the effective date of this Act."

15 Section 18. The sum of Fifty Thousand Dollars (\$50,000) is
16 appropriated from the General Fund to the Department of Revenue and
17 Taxation for the use of the Foreign Sales Corporation Task Force to
18 promote Foreign Sales Corporations on Guam.

Unpingco

EIGHTEENTH GUAM LEGISLATURE

ROLL CALL SHEET

Sub Bill No.: 152

DATE: 2/6/85

Resolution No.: _____

QUESTION: _____

<u>SENATOR</u>	<u>AYE</u>	<u>NAY</u>	<u>VOTING</u>	<u>ABSENT</u>
J. F. Ada ^H			✓	
J. P. Aguon	✓			
E. P. Arriola	✓			
J. G. M. Bamba ^H		✓		
F. F. Blas				
H. D. Dierking	✓			
E. R. Duenas			✓	
C. T. C. Gutierrez	✓			
F. J. Gutierrez	✓			
A. C. Lamorena III ⁻				
P. C. Lujan	✓			
M. D. A. Manibusan				✓
J. Miles ^H	✓			
T. S. Nelson	✓			
D. Parkinson	✓			
F. J. Quitugua	✓			
J. M. Rivera ^H	✓			
J. T. San Agustin	✓			
F. R. Santos	✓			
T. V. C. Tanaka		✓		
A. R. Unpingco [*]			✓	

13 2 3 1
+ 2 *keep reading*
(DAI - H2E)

CHAIRMAN, COMMITTEE ON RULES

Vice-Chairman: Sen. John F. Quan
 Members: Speaker Carl T.C. Gutierrez
 Sens. Elizabeth P. Arriola,
 Edward T. Charfauros,
 Franklin J. Gutierrez, Marcia Hartsock,
 Pilar C. Lujan, Ted S. Neilson,
 Don Parkinson, Franklin J. Quitugua,
 Joe T. San Agustin, Francisco R. Santos,
 Edward R. Duenas



SENATOR JOHN PEREZ AGUON

P.O. Box CB-1
 Agana, Guam USA 96910
 472-6614

MEMBER

Committee on Economic Development,
 Housing and Community Development

Committee on Tourism, Transportation
 and Communications

Committee on Federal, Foreign
 and Legal Affairs

February 6, 1985

Honorable Carl T.C. Gutierrez
 Speaker
 Eighteenth Guam Legislature
 Post Office Box CB-1
 Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Rules to which was referred Bill No. 158, "AN ACT MAKING AN APPROPRIATION FOR THE OPERATION OF THE FIRST SESSION OF THE EIGHTEENTH GUAM LEGISLATURE", has had the same under consideration, and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes on the above legislation are:

TO DO PASS 11
 TO NOT PASS 0
 ABSTAIN 0
 COMMENTS 1

The Committee Report and supporting documents are enclosed for your perusal.

Sincerely,

JOHN P. AGUON

Enclosure:

MEMBER	AYE	NAY	NOT VOTING	ABSTAINED	OTHER
<i>John P. Aguon</i> SEN. JOHN P. AGUON Chairperson	✓				
<i>Elizabeth P. Arriola</i> SEN. ELIZABETH P. ARRIOLA Member	✓				
<i>Herminia Dierking</i> SEN. HERMINIA D. DIERKING Member	✓				
<i>Carl D.C. Gutierrez</i> SEN. CARL D.C. GUTIERREZ Member	✓				
<i>Franklin J. Gutierrez</i> SEN. FRANKLIN J. GUTIERREZ Member	✓				
<i>Pilar C. Lujan</i> SEN. PILAR C. LUJAN Member	✓				
<i>Ted S. Nelson</i> SEN. TED S. NELSON Member	✓				
<i>Don Parkinson</i> SEN. DON PARKINSON Member	✓				
<i>Franklin J. Quitugua</i> SEN. FRANKLIN J. QUITUGUA Member	✓				
<i>Joe T. San Agustin</i> SEN. JOE T. SAN AGUSTIN Member	✓				
<i>Francisco R. Santos</i> SEN. FRANCISCO R. SANTOS Member	✓				
<i>Edward R. Duenas</i> SEN. EDWARD R. DUENAS Member					To request cut any!

COMMITTEE REPORT

BILL NO. 158

The Committee on Rules conducted a public hearing on Thursday, January 31, 1985, in the Legislative Conference Room, on Bill 158, "An act making an appropriation for the operation of the first session of the Eighteenth Guam Legislature."

The hearing was called to order at 8:45 a.m. by Senator John P. Aguon, Chairman. Present were: Senators E.P. Arriola, H.D. Dierking, P.C. Lujan, T.S. Nelson, D. Parkinson, J.T. San Agustin, F.R. Santos and E.R. Duenas. Also present were Senators F.F. Blas and J. Miles.

Senator Aguon asked if there was anyone present who wished to testify on Bill 158 and there was no response. Senator Santos confirmed with Senator Aguon that letters had been sent to the Director of Administration, the Director of the Bureau of Budget and Management Research, the Chairman of the Legislative Review Committee and to the Commissioners Council.

Senator Parkinson confirmed that the hearing was on Bill 158 as introduced and that a substitute bill could be discussed in a mark-up meeting.

Senator Aguon adjourned the meeting.

Following adjournment, Senator Duenas said he had a statement for the record which he wished inserted into the testimony for the hearing. (Statement is attached).

The Committee on Rules met in a mark-up on February 6, 1985 in the Legislative Conference Room. It was decided to substitute Bill 158 with the following section changes: Section 1 was altered slightly, Section 2 remained the same, Section 3 became Section 5, Sections 4 and 5 were deleted and new Sections 3, 4, and 6 through 18 were added.

The Committee on Rules recommended that Bill 158 as substituted be passed.

STATEMENT OF MINORITY LEADER

After much consideration, the Republican Minority comprising of 10 senators, or 46.7 percent of the membership of the current legislature, asks that they be treated equitably in the budget consideration for the legislature's operations.

The minority members do not want to ask anything that's considered unreasonable, but only for a fair share of the budget in order to be able to discharge their duties and responsibilities to the people who elected them to office, just like the majority is expected to do so.

In the previous legislature, the Republican minority comprised of only seven senators. We made ends meet without the benefit of a minority central staff.

In the current legislature, it's a different situation. We now number 10 senators, or 46.7 of the total membership, and now the need for some sort of a central staff is more urgent than before.

We definitely need a central staff that will provide timely services and assistance commonly needed by the minority senators to effectively act and react as a group.

A detail analysis of the composition of the proposed central staff and the amount of funding needed is being finalized. We hope to submit it not later than tomorrow.

We seek the cooperation and goodwill of the Democratic majority in this matter. We ask only for an equitable share of the budget to enable the minority senators to adequately carry out their responsibilities to the people who elected them, just like the Democratic majority wants to do.

Let me also point out that our request and the amount of funding for minority central staff will be in similar level that the Republican majority of the 16th Legislature accorded and granted the then Democratic

(more)

minority of 10 senators. In the first year of the 16th Legislature, we gave 21% of the legislative operations budget to the minority, and in the second year that increased to 24.7 %, exclusive of the senator's salaries and benefits. The amount we gave the minority enabled the minority to set up and maintain a central staff of 20 employees at a cost of \$291,669 for the first year.

So let us work in the spirit of cooperation and goodwill, as we begin our task as members of the 18th Guam Legislature.

Thank you.

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 158 (COR)

Introduced by:

Committee on Rules

AN ACT MAKING AN APPROPRIATION FOR THE
OPERATION OF THE FIRST SESSION OF THE
EIGHTEENTH GUAM LEGISLATURE.

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6 Million One Hundred Twenty-three Thousand Nine Hundred Sixty-two
7 Dollars and sixty-six cents (\$4,123,962.66) of which Seven Hundred Fifty
8 Thousand Dollars (\$750,000) shall be allocated to the Minority.

9 Section 2. Notwithstanding any other provision of law, any
10 appropriation made to the Seventeenth Guam Legislature for use in calendar
11 year 1984 shall continue to be available during the First Session of the
12 Eighteenth Guam Legislature from January 1, 1985 to September 30, 1985
13 and may be expended to honor claims for payment.

14 Section 3. Section 35 of P.L. 17-81 is repealed and reenacted to read:

15 "Section 35. The sum of Four Hundred Thousand Dollars
16 (\$400,000) is appropriated from the fund created pursuant to 12 GCA
17 §2508.1, found in P.L. 17-39, to the Legislature Operations Fund and
18 of this sum Two Hundred Fifty Thousand Dollars (\$250,000) is to be
19 used as stipends for temporary office space for the Legislature and the
20 remainder is to be used for renovation of the Legislature building."

21 Section 4. A new Section 6100.1 is added to the Government Code to
22 read:

23 "\$6100.1. Management of General Fund Money. All money
24 covered into the General Fund from whatever source which is not
25 designated by law to be kept separate and apart from other funds of

1 the Government of Guam and used for a specific designated purpose
2 shall, upon receipt, be divided within the General Fund in the
3 following proportions:

4 (a). Three and one-half percent (3.5%) to be utilized for
5 appropriations made for the legislative branch;

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9 appropriations made for the judicial branch.

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11 utilized without appropriation pursuant to §6118 (1) of the Government
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13 Section 5. Section 15 of P.L. 17-78 is repealed. Any funds,
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