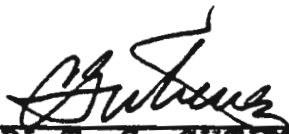


EIGHTEENTH GUAM LEGISLATURE
1986 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

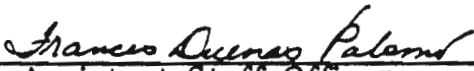
This is to certify that Substitute Bill No. 740, "AN ACT TO APPROPRIATE THE SUM OF THIRTY-EIGHT THOUSAND DOLLARS (\$38,000.00) FOR THE CONTINUING ACTIVITIES OF THE COMMISSION ON SELF-DETERMINATION AND FOR OTHER PURPOSES," was on the 24th day of April, 1986, duly and regularly passed.


CARL T. C. GUTIERREZ
Speaker

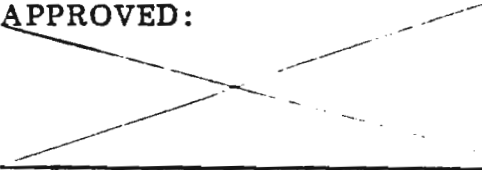
Attested:


ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this 28th day of April
1986, at 5:30 o'clock p.m.


Francis Quenas Palomo
Assistant Staff Officer
Governor's Office

APPROVED:


RICARDO J. BORDALLO
Governor of Guam
Became Law without Governor's signature
Date: May 9th, 1986

Public Law No. 18-33

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 740 (LS)
Substitute by Committee on
Ways & Means as further substituted
by Committee on Rules

Introduced by:

Committee on Rules, at the
request of the Governor

AN ACT TO APPROPRIATE THE SUM OF
THIRTY-EIGHT THOUSAND DOLLARS (\$38,000.00)
FOR THE CONTINUING ACTIVITIES OF THE
COMMISSION ON SELF-DETERMINATION AND FOR
OTHER PURPOSES.

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

2 Section 1. The sum of Thirty-Eight Thousand Dollars (\$38,000.00) is
3 appropriated from the General Fund to the Commission on Self-Determination
4 for the continued operations of the Commission on Self-Determination and the
5 final 1986 budget for the Commission, including 1985 lapses, is as follows,
6 said sums to remain available until expended:

7	Personnel	\$ 112,000
8	Travel	- 0 -
9	Contractual:	
10	Education	60,000
11	P/R & Lobbying	- 0 -
12	Economic Research	- 0 -
13	Plebiscite	24,000
14	Office Rental	- 0 -
15	Supplies & Materials	10,000
16	Equipment	1,000
17	Miscellaneous	6,000
18	Utilities	- 0 -
19	Capital Outlay	- 0 -
20	TOTAL	\$ 213,000
21	Less 1985 lapses	<u>(175,000)</u>
22	1986 Appro. Amount	\$ 38,000

23 Section 2. (a) The Election on the draft Commonwealth Act required by 1
24 GCA §1706 shall be held on the third Saturday of April 1987.

1 (b) The ballot for the Election held as specified in Subsection (a) of
2 this Section shall contain one question for each Article of the Commonwealth
3 Act, and underneath the question for each Article there shall be a summary
4 of the contents of each Article, prepared by the Commission on
5 Self-Determination, as follows:

6	"Do you approve of Article 1,	_____	_____
7	Political Relationship?	Yes	No
8	(Summary)		
9	Do you approve of Article 2, Applicability	_____	_____
10	of Federal Law?	Yes	No
11	(Summary)		
12	Do you approve of Article 3, Foreign	_____	_____
13	Affairs and Defense?	Yes	No
14	(Summary)		
15	Do you approve of Article 4, Courts?	_____	_____
16	(Summary)	Yes	No
17	Do you approve of Article 5, Trade?	_____	_____
18	(Summary)	Yes	No
19	Do you approve of Article 6, Taxation?	_____	_____
20	(Summary)	Yes	No
21	Do you approve of Article 7, Immigration?	_____	_____
22	(Summary)	Yes	No
23	Do you approve of Article 8, Labor?	_____	_____
24	(Summary)	Yes	No
25	Do you approve of Article 9, Transportation	_____	_____
26	and Telecommunications?	Yes	No
27	(Summary)		
28	Do you approve of Article 10, Land,	_____	_____
29	Natural Resources and Utilities?	Yes	No
30	(Summary)		
31	Do you approve of Article 11, United States	_____	_____
32	Financial Assistance	Yes	No
33	(Summary)		

1 Do you approve of Article 12, Technical

2 Amendments and Interpretation?

Yes No

3 (Summary)"

4 The Guam Election Commission may place the questions on the ballot in
5 the form best suited to the type of ballot to be used (hand count or
6 electronic count) as determined by the Election Commission.

7 (c) If an Article is not approved at the referendum then the
8 Commission shall prepare a new Article on the same subject to be submitted
9 at a referendum for approval. If the Article is again disapproved then the
10 subject matters shall not be included in the Draft Commonwealth Act. Only
11 Articles approved by the vote of the people shall be included in the Draft
12 Act.

13 Section ³6. Part XXIX of Section 1 of Chapter II of Public Law 18-15,
14 amended by Section 4 of Public Law 18-27, is further amended to read:

15 "PART XXIX

16 PUBLIC DEFENDER SERVICE CORPORATION

	General	Other	Federal	Total
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
17				
18				
19	A. For Operations			
20	1. Personnel			
21	Services	\$ 677,183		\$ 677,183
22		(30.0 FTE)		(30.0 FTE)
23	2. Operating			
24	Expenses	44,498		44,498
25	3. Utilities			
26	a. Telephone	6,000		6,000
27	4. Lease of Office			
28	Space	50,000		50,000
29	5. Board			
30	Stipend	1,500		1,500

1	6. Capital		
2	Outlay	<u>2,000</u>	<u>2,000</u>
3	TOTAL	\$ 781,181	\$ 781,181
4	-----		
5	GRAND TOTAL		
6	PART XXIX	\$ 781,181	\$ 781,181
7	-----		

8 Section 4. The provisions of Section 3 of this Act shall be retroactive
9 to April 25, 1986.

10 Section 5. Item V of Section 1 of Chapter IX of PL 18-15 is repealed.

11 Section 6. The sum of Seventy-nine Thousand Two Hundred Sixty
12 Dollars (\$79,260) is appropriated from the General Fund to the Department
13 of Land Management for the purpose of compensating Jesus and Rosario C.
14 Pereira for property taken by condemnation by the Government of Guam of
15 Lot No. 2390, Mangilao, containing an area of 3,963 square meters for
16 public access and utility easements.

17 Section 7. The sum of Ten Thousand Seven Hundred Forty Dollars
18 (\$10,740) is appropriated from the General Fund to the Department of Land
19 Management for the purpose of compensating Jose and Josefina Francisco for
20 property taken by condemnation by the Government of Guam of Lot No.
21 2396 New-2-3, Mangilao, containing an area of 537 square meters for public
22 access and utility easements.

23 Section 8. The sum of Three Hundred Six Thousand Five Hundred
24 Thirty Two Dollars (\$306,532) is appropriated from the General Fund to the
25 Department of Corrections to pay night differential and overtime accrued by
26 Department of Corrections employees.

27 Section 9. The sum of Four Hundred Thousand Dollars (\$400,000) is
28 appropriated from the General Fund to the Government Claims Fund to pay
29 claims against the government of Guam pursuant to Chapter VI of Title VII
30 of the Government Code; and additionally, notwithstanding any other
31 provision of law, such sums from this appropriation as are necessary to pay
32 the balance of the appropriations made in Sections 16, 17, 18 and 19 of Bill
33 586 passed by the Legislature on April 4, 1986, shall be transferred to the
34 Department of Land Management.

1 Section 10. (a) The Legislature recognizes that the need for more
2 revenues for educational programs and facilities continue to be demanded by
3 educational policy makers and administrators in order that the instructional
4 requirements of Guam's students can be effectively addressed, and also that
5 there is currently an apparent trend towards a continual decline of gasoline
6 prices at the retail outlets, thereby creating a more conducive climate for
7 the children of Guam to be benefactors of this economic benefit.

8 The Legislature, in performing its responsibility to seek ways by
9 which needed financial resources are obtained, justifiably pursues the
10 revenue producing scheme in this Section which provides less burden to the
11 tax-paying citizenry than other often discussed revenue-producing means
12 since the current strong demand for additional revenues for educational
13 purposes requires an immediate response and infusion of new funds will
14 enhance significantly the Government's ability to finance urgent educational
15 needs.

16 (b) A new Section 19576 is added to the Government Code to read:

17 "Section 19576. Automotive Surcharge. Levy. Except for liquid
18 fuel used for aviation purposes, there is hereby levied an automotive
19 surcharge of Four Cents (\$0.04) per gallon on all liquid fuel taxed
20 pursuant to Subsection .02 of Section 19571 of the Government Code.
21 This automotive surcharge shall be in addition to the liquid fuel tax
22 levied pursuant to Subsection .02 of Section 19571 of the Government
23 Code."

24 (c) Two Cents (\$0.02) of the automotive surcharge levied pursuant to
25 Section 19576 of the Government Code is earmarked for appropriation
26 purposes to supplement personnel expenses as implemented in Section 34 of
27 Bill 586 passed by the Legislature on April 4, 1986.

28 (d) One Cent (\$0.01) of the^f automotive surcharge levied pursuant to
29 Section 19576 of the Government Code is earmarked for appropriation
30 purposes to fund capital improvement needs as detailed in the Territorial
31 Board of Education's School Repair Assessment report.

32 (e) One Cent (\$0.01) of the automotive surcharge levied pursuant to
33 Section 19576 of the Government Code is earmarked for appropriation to
34 fund the expansion of the Robert F. Kennedy Library, the College of

1 Business and Public Administration and other instructional facilities at the
2 University of Guam. Any funds derived from this source and unused at
3 the end of the fiscal year shall be reserved for capital improvement need of
4 the Guam Community College.

5 Section 11. A new Section 19577 is added to the Government Code to
6 read:

7 "Section 19577. (a) Mass Transit Automotive Surcharge. Levy.
8 There is hereby levied a Mass Transit Automotive Surcharge of Four
9 Cents (\$0.04) per gallon on all liquid fuel taxed pursuant to
10 Subsection .01 of Section 19571 of the Government Code. This Mass
11 Transit Automotive Surcharge shall be in addition to the liquid fuel tax
12 levied pursuant to Subsection .01 of Section 19571 of the Government
13 Code.

14 (b) The proceeds of the Mass Transit Automotive Surcharge
15 levied pursuant to Subsection (a) of this Section are to be placed in a
16 separate fund hereby created and known as the Public Transit Fund.
17 All revenues in the Public Transit Fund shall be transferred to the
18 Guam Mass Transit Authority within sixty (60) days of the last day of
19 the month in which the revenues are collected. All revenue from fares
20 generated by the Guam Mass Transit Authority shall also be placed in
21 the Public Transit Fund."

22 Section 12. Section 10 and Section 11 of this Act shall be effective
23 June 1, 1986.

24 Section 13. A new Section 4106.3 is added to the Government Code to
25 read:

26 "\$4106.3. Within the Department of Public Health and Social
27 Services the following classified positions are given annual
28 compensation as follows:

29	<u>Position</u>	<u>Compensation</u>
30	Dental Officer I	\$32,000 - \$39,000
31	Dental Officer II	35,000 - 42,000
32	Chief Public Health Dental Officer	39,000 - 47,000"

1 Section 14. The sum of Twenty Thousand Dollars (\$20,000) is
2 appropriated from the General Fund to the Department of Public Health and
3 Social Services Dental Program for the purposes of funding the
4 implementation of the compensation adjustments established in Section 13
5 above for the remaining twelve (12) pay periods of fiscal year 1986.

6 Section 15. Section 4106.2 of the Government Code, amended by
7 Section 13 of Chapter II of PL 16-111, is further amended to read:

8 "§4106.2. Within the Department of Public Health and Social
9 Services the following classified positions are created and given annual
10 compensation as follows:

11 <u>Position</u>	<u>Compensation</u>
12 General Practitioner	\$50,000 - \$60,000
13 Physician Specialist (Board Eligible)	\$54,000 - \$64,000
14 Physician Specialist (Board Certified)	\$58,000 - \$68,000
15 Nurse Practitioner	\$19,000 - \$29,000."

16 Section 16. Pursuant to PL 18-1, Section 11, and PL 18-15, Section 9,
17 the Department of Education teachers who taught at private schools during
18 school year 1984-85, and were assigned at least sixty percent (60%) of their
19 students from grades six through twelve, are entitled to preparation period
20 pay where preparation periods were not provided for.

21 Section 17. (a) Pursuant to PL 18-1, Section 11 and PL 18-5, Section
22 9, Language Arts and Mathematics Program teachers teaching grades six
23 through twelve are entitled to preparation period pay where preparation
24 periods are not provided for.

25 (b) Effective October 1, 1985 each elementary teacher not given paid
26 time for preparation shall be paid additional salary equivalent to one (1)
27 hour per day.

28 Section 18. The sum of Two Hundred Ten Thousand Six Hundred
29 Dollars (\$210,600) is appropriated from the General Fund to the Department
30 of Public Health and Social Services to fund programs in the Division of
31 Senior Citizens for all persons fifty-five to fifty-nine (55-59) years of age
32 who are presently registered at the Division of Senior Citizens and
33 receiving Title IIIB services for the remainder of FY '86.

1 Section 19. Item (i) of Section 31(a) of Chapter X of Public Law 18-15
2 is amended to read:

3 "(i) The sum of Three Million Six Hundred Thousand Dollars
4 (\$3,600,000) is appropriated from the General Fund to all Territorial
5 Agencies to which appropriations are made pursuant to this Act and to
6 the Legislature Operations Fund to pay Four Hundred Nineteen Dollars
7 (\$419.00) throughout FY '86 to each person occupying a classified
8 position and a part-time position that is one hundred percent (100%)
9 federally funded to which appropriations are made pursuant to this Act
10 and to the members and employees of the Commissioners Council and to
11 each person occupying a position in the Legislature. The
12 appropriation in this Section shall include all applicable benefits in
13 addition to the Four Hundred Nineteen Dollars (\$419.00) paid to each
14 employee. Payments shall be made pro rata in the bi-weekly
15 compensation of the employees and shall not apply to elected officials."

16 Section 20. A new Subsection (e) is added to 4 GCA §4303 to read:

17 "(e) Notwithstanding any other provision of law, the Government
18 of Guam shall self insure the government of Guam's group life
19 insurance program then in effect as of April 30, 1986, for a period not
20 to exceed sixty (60) days from April 30, 1986, or until a private
21 insurance company becomes the insurer for the government of Guam's
22 group life insurance program, whichever occurs first.

23 (1) There is hereby established a Group Life Insurance
24 Fund from which claims shall be paid consistent with the terms
25 and conditions in the government of Guam's group life insurance
26 policy then in effect prior to April 30, 1986.

27 (2) Premiums deducted from eligible subscribers on the
28 government's group life insurance policy then in effect prior to
29 April 30, 1986, shall be remitted to the Group Life Insurance
30 Fund.

31 (3) The government is authorized to fund the Group Life
32 Insurance Fund effective May 1, 1986 with projected premium
33 receipts covering the period of self-insurance."

1 Section 21. Notwithstanding Section 26609 of the Government Code, as
2 enacted in Public Law 17-69, the proposed Summer Youth Employment Plan
3 submitted by the Governor to the Legislature on March 27, 1986, as further
4 amended by this Section, is approved and adopted for the purposes of 1986
5 only.

6 Notwithstanding any other provision of law other than this Section or
7 any provision of a Summer Youth Employment Plan, within the level of
8 appropriations made for the Summer Youth Employment Program, one
9 hundred and twenty-six (126) slots in the Summer Youth Employment Plan
10 shall be assigned to the Legislature for any type of legislative work and
11 two (2) slots shall be assigned to each Commissioner in villages without an
12 Assistant Commissioner and three (3) slots shall be assigned to each
13 Commissioner in villages where there is an Assistant Commissioner for any
14 type of work assigned by the Commissioner. Each Senator may select up to
15 six (6) participants for assignment to the Legislature as allocated by the
16 Committee on Rules and each Commissioner may select up to the number of
17 participants for the slots assigned to the Commissioner of his or her
18 village. All administration and payments for students selected to work at
19 the Legislature or for the Commissioners shall be handled by the
20 Department of Youth Affairs.

21 Section 22. The Attorney General of Guam shall pay from the
22 Government Claim Fund the hourly wage paid to employees of the Summer
23 Youth Employment Program to the following persons who rendered services
24 to the government of Guam in the summer of 1985 for the number of hours
25 for which they were not paid, as follows:

26	1. Gil P. Pelobello	90
27	2. Frankie A. Rosario	60
28	3. Edith J. San Nicolas †	60
29	4. Charles J. Santos	62
30	5. Jeffrey W. Santos	30
31	6. Michael F. Santos	92
32	7. Jess D.P. Cruz	90
33	8. Jesse A. Toves	53

1	9. Gregory P. Pocaigue	60
2	10. Katherine L. Pocaigue	60
3	11. Jesse F. Villacorta	90

4 Section 23. Notwithstanding any other legislation or regulation, the
5 sum of One Hundred Forty-One Thousand Nine Hundred Ninety-Seven
6 Dollars (\$141,997.00) from the contractual category of the Department of
7 Education Fiscal Year 1986 Budget is reprogrammed to cover costs of staff
8 development, payment of retroactive corrective pay adjustment of
9 administrators, and funds to cover overtime costs for Department of
10 Administration to prepare the checks for teacher preparation periods. Any
11 lapsed funds from the current Department of Education budget may be used
12 to supplement this reprogramming but not to exceed a total overall of Two
13 Hundred Twenty-Four Thousand Dollars (\$224,000.00).

14 Section 24. There is hereby appropriated from the General Fund
15 Twenty Thousand Dollars (\$20,000) to the Department of Public Works for
16 the construction of a school canopy at F. Q. Sanchez Elementary School.

17 Section 25. Notwithstanding any other provision of law, effective May
18 15, 1986, the rates for water and sewer charged by PUAG shall be rolled
19 back to those in effect on September 1, 1985. The rate order approved by
20 the Public Utilities Commission on December 30, 1985, is hereby rescinded.
21 No customer shall be billed or required to pay more than once for water and
22 sewer charges computed under the Public Utilities Commission's rate order
23 of December 30, 1985.

24 Section 26. Notwithstanding any other provision of law, the Public
25 Utilities Commission shall have no authority over water and sewer rates.

26 Section 27. Notwithstanding any other provision of law, the Public
27 Utilities Agency of Guam shall not increase its rates for water and sewer
28 without express approval by law. †

29 Section 28. The Public Utility Agency of Guam may not disconnect any
30 residential consumer for non-payment of any bill without first delivering a
31 notice of disconnection to a person of suitable age and discretion at the
32 location to be disconnected, or, if no one is home, posting a notice of
33 disconnection in a prominent place on the door of the residence to be
34 disconnected. Such notice shall be given at least seven (7) days before

1 the date of the proposed disconnection. Said notice shall indicate that the
2 service will be disconnected if not paid, and shall indicate the amount owed
3 and where it should be paid to avoid disconnection.

4 Section 29. Notwithstanding any other provision of law, the Public
5 Utilities Commission may meet for purposes of gathering information on
6 utilities and requesting, demanding and accepting reports and documents
7 from regulated utilities, and for other purposes. The Commission may
8 continue in limited operation, as funds are available or on a volunteer
9 basis, for purposes of monitoring the regulated utilities and making such
10 orders, rules, and regulations, as may be appropriate to monitor such
11 agencies and insure that orders of the Commission are complied with.
12 Financial documents and reports of publicly owned utilities are hereby
13 declared to be public documents.

14 Section 30. Section 42 of the law consisting of Bill 586 passed by the
15 Legislature on April 4, 1986 is repealed.

16 Section 31. (a) Option 2 of the proposed salaries recommended by
17 the Civil Service Commission in the Classification and Pay Maintenance
18 Review Task Force Phase I Report dated November 7, 1985 shall be
19 implemented effective October 1, 1986 for all employees whose positions are
20 not reclassified pursuant to the Public Law which became law from
21 Substitute Bill 586 passed by the Legislature on April 4, 1986.

22 (b) Option 1 of the proposed salaries recommended by the Civil
23 Service Commission in the Classification and Pay Maintenance Review Task
24 Force Phase I Report dated November 7, 1985 shall be implemented effective
25 October 1, 1987 for all employees whose positions are not reclassified
26 pursuant to the Public Law which became law from Substitute Bill 586
27 passed by the Legislature on April 4, 1986.

28 Section 32. Section 19200^f of the Government Code, amended by
29 Section 7 of Public Law 18-7, is further amended to read:

30 "Section 19200. Imposition. A license fee is imposed on each of the
31 following amusement devices which are operating to produce revenue in
32 Guam on the effective date of this Chapter (apportioned in accordance with
33 Section 19200.4 of this Chapter), or thereafter manufactured or constructed
34 in, imported into Guam, maintained or permitted to be maintained in

1 produce revenue in Guam, and annually thereafter on July 1, at the rate
2 stated:

3 (a) on each pinball machine, One Hundred Dollars (\$100.00);

4 (b) on each multiple-coin pinball machine, Two Hundred Fifty Dollars
5 (\$250.00);

6 (c) on each coin-activated phonograph or other coin-activated music
7 producing machine, One Hundred Dollars (\$100.00) plus Fifteen Dollars
8 (\$15.00) for each coin slot in excess of one (1);

9 (d) on each coin-activated kiddie ride, designed for the use of
10 children, Fifty Dollars (\$50.00);

11 (e) on each video horse or greyhound race machine and each poker
12 machine, according to the following schedule:

13 (i) Six Hundred Dollars (\$600.00) until June 30, 1986;

14 (ii) One Thousand Dollars (\$1,000.00) from July 1, 1986 until
15 June 30, 1989, Four Hundred Dollars (\$400.00) of which may be paid
16 pro rata in equal monthly installments throughout the year;

17 (iii) One Thousand Five Hundred Dollars (\$1,500.00) from July
18 1, 1989 until June 30, 1991;

19 (iv) Two Thousand Dollars (\$2,000.00) on and after July 1,
20 1991;

21 (f) on each coin-activated amusement device not included under
22 Subsections (a), (b), (c), (d) or (e) of this Section, One Hundred Dollars
23 (\$100.00).

24 No slot machine or amusement device set to make automatic payouts
25 shall be licensed under this Section. 'Slot machine' has the same meaning
26 in this Section as in Subsection (c) of Section 19200.5 of the Government
27 Code."

†

28 Section 33. A new Section 19200.01 is added to the Government Code
29 to read:

30 "Section 19200.01. Additional fee for poker machines. In addition to
31 the license fee imposed by Subsection (e) of Section 19200 of the
32 Government Code, an additional license fee of One Thousand Dollars
33 (\$1,000.00) shall be imposed on each poker machine over the twentieth

1 (20th) machine located on any one gaming house premises. The additional
2 fee imposed by this Section shall be effective July 1, 1987."

3 Section 34. Subsection .01 of Section 19541 of the Government Code is
4 amended to read:

5 ".01. Tax on the business of selling tangible personal property. Upon
6 every person engaging or continuing within Guam in the business of selling
7 any tangible property whatsoever (not including, however, bonds or other
8 evidence of indebtedness or stocks), there shall be a tax equivalent to four
9 percent (4%) of gross proceeds of sales; except that on the gross proceeds
10 of the operation of poker machines, there shall be a tax equivalent to eight
11 percent (8%) on the gross proceeds of each machine, as determined by
12 subtracting the winnings, pay-outs and malfunction refunds from total
13 receipts of each machine."

14 Section 35. There is within the Government of Guam physically
15 separated and apart from other funds of the government, the "Instructional
16 Personnel Fund". All revenue generated from the business privilege tax on
17 poker machines shall be deposited in the Instructional Personnel Fund. The
18 Instructional Personnel Fund shall be expended for payment of increments
19 resulting from reclassification of employees engaged in instruction of
20 students in the Department of Education and the Guam Community College,
21 and for payment of all other reclassification increments of government
22 employees as appropriated by law.

23 Section 36. The Board of Directors of the Guam Power Authority shall
24 institute a reclassification of meter readers and plant utility workers to be
25 effective October 1, 1984.

26 Section 37. Sections 37, 38, and 39 of the Public Law made law from
27 Substitute Bill 586 are repealed. ¶

28 Section 38. Subsection (c) of Section 34 of the law consisting of the
29 contents of Bill 586 passed by the Legislature on April 4, 1986 is amended
30 to read:

31 "(c) The sum of One Million Five Hundred Ninety Thousand Dollars
32 (\$1,590,000) is appropriated from the General Fund to the Department of
33 Education for the sole purpose of funding the increased portion of the

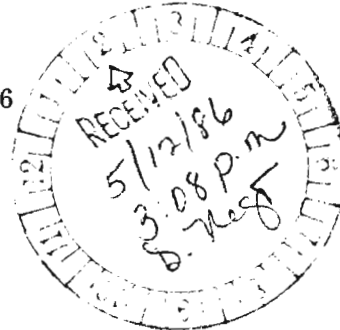
1 teac ' pay raise from the start of the 1986-87 school year to September
2 30, . The appropriation made in this Section is derived from increased
3 lice ees imposed pursuant to subsection (e) of section 19200 of the
4 Gov ent code and section 19200.1 of the Government Code and increased
5 Gros eceipts Taxes imposed on the operation of poker machines contained
6 in S on .01 of section 19541 of the Government Code, and also from the
7 auto ve surcharge levied pursuant to Section 19576 of the Government
8 Cod. Any sums remaining from the appropriation made in this Section
9 shall vert to the General Fund on September 30, 1986.



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U.S.A.

RICARDO J. BORDALLO
GOVERNOR

May 9, 1986



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

Dear Mr. Speaker:

I have carefully studied Bill 740, and after thorough consideration of all issues therein, as well as upon strong recommendation from my advisors, I have decided to allow Bill 740 to go into law without my signature. I recognize some major problems with the bill, and therefore offer the following analysis.

Because Bill 740 is the first revenue-generating bill that the Eighteenth Guam Legislature has produced, I must say that I am pleased, though it has been a long time coming. However, the revenue generated is barely significant.

Although Bill 740 generates 1.86 million dollars through an increase in gasoline tax, diesel fuel tax, and an increase in license fees for video amusement machines (only 1.2 million from the video machines), it earmarks 1.18 for the teachers reclassification. The projected FY 87 revenues will equal approximately 2.7 million dollars.

Unfortunately, with only a 1.86 revenue increase for FY 86, Bill 740 increases the General Fund deficit by appropriating 2.5 million dollars. This brings Guam's cumulative deficit status in FY 86 to a whopping 19.4 million dollars!

The bill which I transmitted on April 9, 1986, imposing on the poker machine industry a \$3000 license fee, would have generated 2.9 million dollars. The lucrative poker machine industry can more than handle the increase from \$600 to \$3000.

Our government is desperately in need of legitimate funding sources. I believe the increase in Bill 740 from \$600 to \$1000 in video machine license fees is helpful, but it is only a drop in the bucket. It could have been more.

One of the major flaws of Bill 740 is that it creates an inequity by granting Guam's teachers preferential treatment over other Government of Guam employees. Teachers are given the higher option reclassification, and are also given an earlier implementation date - August, 1986. The remaining Government of Guam employees must wait for an extra two months to have their pay increases, until October, 1986.

182139

Although our teachers certainly play an important role in our island community and contribute to the future of our island through the education of our youth, the other Government of Guam employees must not be forgotten, nor unfairly slighted. They too play a significant part in serving our island by helping to run the government. It would be an impossible task to try and decide which group is more important or more deserving. However, the Legislature unfortunately makes that decision in Bill 740. It does so by favoring 1000 school teachers over approximately 8000 other Government of Guam employees.

Another inequity is that although Bill 740 generates revenues in the amount of approximately 1.8 million dollars, that amount is only enough to pay for the teachers' reclassification (which equals 1.4 million dollars). The unfair reality is that by the time October 1986 rolls around and the other Government of Guam employees will be awaiting their reclassification, all revenues from this law would have been spent. Furthermore, no other source of funds have been identified by the Legislature for the remaining employees' reclassification. In short, these people will be left with an empty bank account.

There is something unjust and unethical when 8000 people are beguiled into believing that they will be guaranteed a pay raise by October, 1986. It was grossly unfair for the Legislature to mandate the implementation of Option 2 - a 13 million dollar expenditure - without identifying revenue to back it.

Another inequity in the bill is that a certain group of teachers whose positions are 100% federally funded have been singled out to receive prep pay. What about the other teachers in other federally funded programs not currently enjoying this benefit?

The bill is deceitful to employees in some areas in that it authorizes certain things without providing appropriations for their implementation. A major one is in Section 17(b) which will affect 787 teachers at a cost of over \$3.3 million. There was no appropriation made for this purpose. The other one with no appropriation is the prep pay authorized for LAMP teachers which will affect 23 teachers at a cost of \$97,465. Another one is the compensation adjustment for Physicians and Nurse Practitioners of the Department of Public Health and Social Services but gave no appropriation for its implementation.

There are also two incongruities in the bill. Section 19 amends the COLA authorization (\$419) to extend to part-time positions that are 100% federally-funded to which appropriations are made pursuant to the Budget Act. Fully federally funded positions are not appropriated in the Budget Act, only matched positions. It also includes "members" of the Commissioner's Council who are the Commissioners themselves. They're now the only elected officials covered - another inequity. However, there's a contradiction in the same section as it indicates that payments "shall not apply to elected officials."

Another major criticism I have is that the Legislature should make up its mind regarding the Public Utilities Commission. Why did the Legislature create the PUC, by enacting PL 17-74, only to play a flip flop game of indecision and now erode their authority?

Furthermore, because the Second Refinancing Agreement between the Guam Power Authority, the Government of Guam, and the Secretary of Interior, Section 5(e) states that the enabling legislation of the Public Utilities Commission shall not be added to, modified, amended, or repealed, without prior consent of the Secretary of the Interior. Bill 740 possibly constitutes a violation of the bond covenants.

I have received word from the office of the Assistant Secretary of Interior, warning that Bill 740 is indeed a possible violation of the bond covenants. I therefore have serious concerns with this section of the bill. The consequences of a default include the ruining of Guam's credit rating - a disastrous result to be avoided at all costs.

In conclusion, the full funding impact of Bill 740 annually will be over \$25 million dollars. This appalling burden on the budget base, compared with the miniscule increase of revenue (only 2 million dollars over the next five years) borders on the ridiculous.

This bill will certainly create some problems for us in the future. The deficit status of our General Fund, combined with the continued over-appropriating by the Legislature, is seemingly an indication that some of our lawmakers may not be taking the situation seriously.

I urge that future legislation be focused on more substantial revenue-generating mechanisms, and a discontinuation of appropriations not backed by identifiable funds.

Sincerely,


RICARDO J. BORDALLO

180413

EIGHTEENTH GUAM LEGISLATURE

CHAIRMAN, COMMITTEE ON RULES

Members: Speaker Carl T.C. Gutierrez
Sens. Elizabeth P. Arriola,
Herminda D. Dieking,
Franklin J. Gutierrez,
Pilar C. Lujan,
Ted S. Nelson,
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
472-2990, 472-3426, 472-6614

MEMBER

Committee on General Governmental
Operations
Committee on Economic Development,
Housing and Community Development
Committee on Tourism, Transportation
and Communications
Committee on Federal, Foreign and
Legal Affairs

April 23, 1986

The Honorable Carl T.C. Gutierrez
Speaker
Eighteenth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

P.L. 18 83

Dear Mr. Speaker:

The Committee on Rules at its meeting on Wednesday, April 23, 1986, approved the placement of Bill No. 740, second item on the Second Reading file; and hereby transmits to the full Legislature Bill No. 740 as Substituted by the Committee on Ways & Means and further Substituted by the Committee on Rules.

The Committee voting record for passage of Bill No. 740, as Substituted and further Substituted is as follows:

TO DO PASS	<u>11</u>
TO NOT PASS	<u>0</u>
ABSTAIN	<u>0</u>
COMMENTS	<u>0</u>

A copy of the Committee Report and all pertinent documents are attached for your information.

Sincerely yours,

Handwritten signature of John P. Aguon in cursive script.
JOHN P. AGUON
Chairman

Attachments

<u>MEMBERS</u>	<u>TO DO PASS</u>	<u>TO NOT PASS</u>	<u>ABSTAINED</u>	<u>COMMENTS</u>
SEN. JOHN P. AGUON Chairperson <i>Spanish</i>	✓			
SEN. ELIZABETH P. ARRIOLA Member <i>Whiting</i>	✓			
SEN. HERMINIA D. DIERKING Member <i>Gutierrez</i>	✓			
SEN. CARL T.C. GUTIERREZ Member <i>BT</i>	✓			
SEN. FRANKLIN J. GUTIERREZ Member				
SEN. PILAR C. LUJAN Member <i>[Signature]</i>	✓			
SEN. TED S. NELSON Member <i>[Signature]</i>	✓			
SEN. DON PARKINSON Member				
<i>[Signature]</i>	✓			
SEN. FRANKLIN J. QUIJUGUA Member				
SEN. JOE T. SAN AGUSTIN Member <i>J.R. Santos</i>	✓			
SEN. FRANCISCO R. SANTOS Member				
<i>[Signature]</i>	✓			
SEN. EDWARD R. BUENAS Member				

COMMITTEE REPORT
COMMITTEE ON RULES
SUBSTITUTE BILL 740

The Committee on Rules met at 2:00 p.m. Wednesday, April 23, 1986 and took up Bill No. 740, Substitute by Committee on Ways and Means and as further substituted by Committee on Rules for discussion. The proposed substitute by Committee on Rules made changes from the Substitute Bill No. 740 as reported out by the Committee on Ways and Means and other amendments were made by the Committee as follows:

1. The Committee on Rules version inserted a new Section 1 in the Bill to come before the sections of the Bill as substituted by the Committee on Ways and Means, and this new Section 1 indicates an increase in the estimated revenues from the Gross Receipts Tax for fiscal year 1986 in the amount of Two Million Five Hundred Fifteen Thousand Six Hundred and Sixty-nine Dollars (\$2,515,669.00) from the amount estimated in P.L. 18-15. Section 1 indicates that these new revenues are the source of funding for the appropriations contained within the Committee on Rules substitute bill.

2. Section 2 of the Bill is the same as Section 1 of Bill No. 740 of Committee on Ways and Means and appropriates Ninety-seven Thousand One Hundred Dollars (\$97,100.00) to the Commission on Self Determination for its operations. Section 3 of the Committee on Rules bill indicates that the election on the Draft Commonwealth Act shall be on September 6, 1986. This is the same as contained in the Committee on Ways and Means version. The Committee on Ways and Means version, however, indicates that this ballot shall only contain one question approving or disapproving the Commonwealth Draft Act. The substitute version by the Committee on Rules indicates that the Draft Commonwealth Act shall be voted on article by article on a multiple ballot.

3. Section 3 of the Bill as substituted by the Committee on Ways and Means making an amendment to the Travel Law of the Government of Guam was deleted from the version as discussed by the Committee on Rules.

4. Section 4 and Section 5 of the Committee on Rules version are the same as Sections 4 and 5 of the Committee on Ways and Means version. Section 4 appropriates Twenty-four Thousand Dollars (\$24,000.00) from the Commission on Self Determination to the Guam Election Commission for the Commonwealth Act election, and Section 5 authorizes BBMR to hire one unclassified private secretary in its current employee level.

5. Sections 6 onward of the Bill are added items by the Committee on Rules which were not contained in the original version by the Committee on Ways and Means. Sections 6, 7, 8 and 9 relate to the Public Defenders Service Corporation. Section 6 appropriates additional funds to the Public Defenders Service Corporation since their prior appropriations have been exhausted. Section 7 indicates that the new appropriations may be used from April 25, 1986 to cover a time period wherein the new law may not yet be in effect and the prior appropriations have already expired. Section 8 appropriates Two Thousand Five Hundred Dollars (\$2,500.00) to the PDSC for off-island travel. Section 9 repeals that portion of the General Appropriation Act of 1986 which makes an appropriation for capital outlay items for the PDSC, as appropriation for capital outlay has been moved to Section 6 of the bill.

6. Sections 10 and 11 of the Committee on Rules substitute version appropriates Seventy-nine Thousand Two Hundred Sixty Dollars (\$79,260.00) and Ten Thousand Seven Hundred Forty Dollars (\$10,740.00) to two land owners to compensate for utility easements taken by the Government of Guam by condemnation and for which these individuals were never compensated.

7. A new Section 12 was added to the Bill appropriating Three Hundred Six Thousand Five Hundred Thirty-two Dollars (\$306,532.00) to DOC to pay night differential and overtime for which the employees were not paid in fiscal year 1986.

8. Section 13 of the Committee on Rules version appropriates Four Hundred Thousand Dollars (\$400,000.00) to the Government Claims Fund. This money is to be used to pay off any claims against the Government of Guam that are filed pursuant to Chapter VI of Title VII of the Government Code and also to cover sums needed by the Department of Land Management to compensate persons for which appropriations were made in Sections 16, 17, 18 and 19 of Bill 586 passed by the Legislature on April 4, 1986, which is compensation to be paid for land surrounding the penitentiary.

9. Section 14 of the Bill contains five subsections. This section levies an automotive surcharge for educational purposes. Subsection (a) sets out the Legislative intent and rationale for making such a surcharge in this manner, Subsection (b) adds a new Section 19576 to the Government Code containing the levy of the new automotive surcharge, and Subsections (c), (d), and (e), indicate that Two Cents (\$.02), One Cent (\$.01) and One Cent (\$.01), respectively, are earmarked from the automotive surcharge for certain designated educational purposes. The bulk of this new surcharge is earmarked for teacher raises.

10. Section 15 of the Bill, as well as Sections 16 and 17, are directed to the Department of Public Health and Social Services. Section 15 sets out the compensation for dental officers who work for the Department of Public Health in a new Section 4106.3 of the Government Code. Section 16 appropriates Twenty Thousand Dollars (\$20,000.00) for the purposes set out in Section 15, and Section 17 raises the annual compensation for general practitioners and physician specialists who are Board eligible and Board certified at the Department of Public Health by amending Section 4106.2 of the Government Code.

11. Section 18 of the Bill appropriates One Hundred Thousand Dollars (\$100,000.00) to the Bureau of Planning for renovation of GMH Staff Apartments for the Bureau of Planning Office.

12. Section 19 of the Bill, as well as Section 20, indicates that the preparation period which was provided for in P.L. 18-1, Section 11, and P.L. 18-15, Section 9 is applicable to DOE teachers who were assigned to

private schools teaching grades six (6) through twelve (12) and Language Arts and Mathematics teachers teaching grade six (6) through twelve (12). These sections clarify that all DOE teachers in these categories were covered in prior law.

13. Section 21 of the Bill appropriates Two Hundred Ten Thousand Six Hundred Dollars (\$210,600.00) to the Department of Public Health and Social Services for senior citizens presently receiving Title IIIB services for the remainder of fiscal year 1986.

14. Section 22 of the Bill amends the prior law contained in the General Appropriation Act of 1986 by indicating that COLA is to be given to part-time One Hundred Percent (100%) federally funded positions as well as other positions in the Government of Guam within the level of appropriation previously made for that purpose.

15. Section 23 of the Bill adds a new Subsection (e) to 4 GCA Section 4303 and indicates that the Government of Guam is to be self-insured for the group life insurance program for Sixty (60) days from April 30, 1986 or until a private insurance company steps in to become the new insurer, whichever occurs first.

16. Section 24 of the Bill adopts the Summer Youth Employment Program as transmitted by the Governor on March 27, 1986 and amends the Summer Youth Employment Plan by providing that the Summer Youth Employment Plan is to apply also to the Legislature and the Commissioners, identically as it was applied in fiscal year 1985.

17. Section 25 of the Bill indicates that the Attorney General shall settle the claims of the eleven (11) named individuals in that section who rendered services to the Government of Guam in the summer of 1985 and are yet unpaid for the particular number of hours set out in Section 25. These persons were involved in the Summer Youth Employment Program in 1985 and rendered service hours to the Government of Guam over and above the amounts for which they were actually compensated.

18. Section 26 of the Bill reprograms money appropriated to the Department of Education in the contractual category in the 1986 budget to the Department of Administration to cover costs of staff development, payment of retroactive corrective pay adjustment of administrators, and

overtime costs of Department of Administration in preparing teacher preparation checks. Section 26 also indicates that lapsed funds from the DOE budget may also be used to supplement this reprogramming.

19. Section 27 of the Bill appropriates Twenty Thousand Dollars (\$20,000.00) to the Department of Public Works to construct a school canopy at F. Q. Sanchez Elementary School.

Section 28 of the Bill provides for a Legislative subsidy on water rates. The initial whereas paragraphs of Section 28 indicate the Legislative intent. Subsection (a) of Section 28 applies the subsidy to the first Ten Thousand (10,000) gallons of water used by any residential consumer per month. Subsection (b) of Section 28 limits the amount that can be charged for sewer and waste water to Sixteen Dollars (\$16.00) per month. Subsection (c) and Subsection (d) indicate how the subsidy shall be applied to the residential consumers. Subsection (e) through Subsection (g) directs what revenues are to be used to provide for the subsidy. Subsections (h) and (i) are administrative directions for how the monthly subsidy amounts should be handled. Subsection (j) directs the PUAG to increase water rates and sewer rates to the U.S. Government. Subsection (k) and Subsection (l) restrict PUAG for charging for errors and indicate that disconnections may not be made without notice to the consumer. Subsection (m) is a severability clause.

20 Section 29 of the Bill continues the operation of the PUC for information gathering purposes and for the monitoring of orders that the Commission has made. Section 29 also indicates the financial documents and reports of publicly owned utilities are public documents.

21. Section 30 of the Bill repeals Section 42 of the law consisting of Bill 586 passed by the Legislature on April 4, 1986 as that section deals with the same subject matter as Sections 28 and 29 of the Substitute Bill and Sections 29 and 29 of Substitute Bill 740 are to supersede Section 42 of the previous law.

Substitute Bill 740, substituted by the Committee on Ways and Means and further substituted as listed above by the Committee on Rules with amendments made at the Rules Committee meeting on Wednesday, April 23, 1986 was adopted by the Committee on Rules and the Substitute Bill 740 was placed second on the second reading file for the agenda for session at 3:30 p.m. Thursday, April 24, 1986.

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 740 (LS)
Substitute by Committee on
Ways & Means as further substituted
by Committee on Rules

6 4/24/86

Introduced by:

Committee on Rules, at the
request of the Governor

AN ACT TO APPROPRIATE THE SUM OF
NINETY-SEVEN THOUSAND ONE HUNDRED
DOLLARS (~~\$97,100.00~~) FOR THE CONTINUING
ACTIVITIES OF THE COMMISSION ON
SELF-DETERMINATION AND FOR OTHER
PURPOSES.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. (a) The line in Section 2 of Chapter I of the General
3 Appropriations Act of 1986 which sets out estimated revenues for Gross
4 Receipts Tax is amended to read:

<u>TAXES</u>	<u>AMOUNT</u>
"Gross Receipts Tax	[\$46,173,948]
	<u>\$48,629,615."</u>
(b) The Subtotal of General Fund Revenues derived from taxes, the Total General Fund Revenue, and the Grand Total of all General Fund Revenues contained in Section 2 of Chapter I of the General Appropriation Act of 1986 are amended respectively to read:	
"Sub total	[\$180,384,000]
	<u>\$182,899,667";</u>
"TOTAL GENERAL FUND REVENUE	[\$190,009,812]
	<u>\$192,525,479"; and</u>
"GRAND TOTAL	[\$219,171,369]
	<u>\$221,687,036."</u>

18 ← (c) The increase in estimated revenues projected for FY 1986
19 ← from Gross Receipts Tax, as indicated in Subsections (a) and (b) of
20 ← this Section, is the source of funding for all items of appropriation
21 ← from the General Fund contained in this Act. Any portion of such

1 increase in estimated revenues from Gross Receipts Tax not
2 appropriated for another purpose as of September 30, 1986 shall be
3 applied to reduce the deficit of the government of Guam.]

4 Section 2. The sum of ~~Ninety-seven~~ ^{97,100} Thousand One Hundred Dollars
5 (\$97,100.00) is appropriated from the General Fund to the Commission on
6 Self-Determination for the continued operations of the Commission on
7 Self-Determination. Said sums shall remain available until expended.

8 Section 3. (a) The Election on the draft Commonwealth Act required
9 by 1 GCA §1706 shall be held on ~~September 6, 1986.~~ ^{September 17, 1987}

10 (b) The ballot for the Election held as specified in Subsection (a) of
11 this Section shall contain one question for each Article of the Commonwealth
12 Act, and underneath the question for each Article there shall be a summary
13 of the contents of each Article, prepared by the Commission on
14 Self-Determination, as follows:

15	"Do you approve of Article 1,	_____	_____
16	Political Relationship?	Yes	No
17	(Summary)		
18	Do you approve of Article 2, Applicability	_____	_____
19	of Federal Law?	Yes	No
20	(Summary)		
21	Do you approve of Article 3, Foreign	_____	_____
22	Affairs and Defense?	Yes	No
23	(Summary)		
24	Do you approve of Article 4, Courts?	_____	_____
25	(Summary)	Yes	No
26	Do you approve of Article 5, Trade?	_____	_____
27	(Summary)	Yes	No
28	Do you approve of Article 6, Taxation?	_____	_____
29	(Summary)	Yes	No
30	Do you approve of Article 7, Immigration?	_____	_____
31	(Summary)	Yes	No
32	Do you approve of Article 8, Labor?	_____	_____
33	(Summary)	Yes	No

1 Do you approve of Article 9, Transportation _____
 2 and Telecommunications? Yes No
 3 (Summary)
 4 Do you approve of Article 10, Land, _____
 5 Natural Resources and Utilities? Yes No
 6 (Summary)
 7 Do you approve of Article 11, United States _____
 8 Financial Assistance Yes No
 9 (Summary)
 10 Do you approve of Article 12, Technical _____
 11 Amendments and Interpretation? Yes No
 12 (Summary)"

13 The Guam Election Commission may place the questions on the ballot in
 14 the form best suited to the type of ballot to be used (hand count or
 15 electronic count) as determined by the Election Commission.

16 Section 4. The sum of Twenty-four Thousand Dollars (\$24,000.00) is
 17 appropriated from the unused funds of the Commission on Self-Determination
 18 to the Guam Election Commission for the purpose of conducting an Election
 19 on the Commonwealth Act of Guam.

20 Section 5. The Bureau of Budget and Management Research is
 21 authorized to recruit and hire one (1) unclassified private secretary within
 22 its current employee level. This authorization shall be in addition to the
 23 unclassified private secretary position already authorized pursuant to 4
 24 GCA.

25 Section 3. Part XXIX of Section 1 of Chapter II of Public Law 18-15,
 26 amended by Section 4 of Public Law 18-27, is further amended to read:

27 "PART XXIX

28 PUBLIC DEFENDER SERVICE CORPORATION

	General	Other	Federal	
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
29				
30				
31	A. For Operations			
32	1. Personnel			
33	Services	[\$ 370,938]		[\$ 370,938]
34		<u>\$ 677,183</u>		<u>\$ 677,183</u>

Section 4
Section 5

**Conf. has amendment*

1		(30.0 FTE)		(30.0 FTE)
2	2. Operating			
3	Expenses	[21,100]		[21,100]
4		<u>44,498</u>		<u>44,498</u>
5	3. Utilities			
6	a. Telephone	[3,376]		[3,376]
7		<u>6,000</u>		<u>6,000</u>
8	4. Lease of Office			
9	Space	[25,320]		[25,320]
10		<u>50,000</u>		<u>50,000</u>
11	5. Board Stipend	[1,266]		[1,266]
12		<u>1,500</u>		<u>1,500</u>
13	6. Capital			
14	Outlay	<u>2,000</u>		<u>2,000</u>
15				
16	TOTAL	[\$ 422,000]		[\$ 422,000]
17		<u>\$ 781,181</u>		<u>\$ 781,181</u>
18	-----			
19	GRAND TOTAL			
20	PART XXIX	[\$ 422,000]		[\$ 422,000]"
21		<u>\$ 781,181</u>		<u>\$ 781,181</u>
22	-----			

23 Section 7. The provisions of Section 6 of this Act shall be retroactive
24 to April 25, 1986.

25 Section 8. The sum of Two Thousand Five Hundred Dollars (\$2,500)
26 is appropriated from the General Fund to the Public Defender Service
27 Corporation for off-island travel.

28 Section 9. Item V of Section 1 of Chapter IX of PL 18-15 is repealed.

29 Section 10. The sum of Seventy-nine Thousand Two Hundred Sixty
30 Dollars (\$79,260) is appropriated from the General Fund to the Department
31 of Land Management for the purpose of compensating Jesus and Rosario C.
32 Pereira for property taken by condemnation by the Government of Guam of
33 Lot No. 2390, Mangilao, containing an area of 3,963 square meters for
34 public access and utility easements.

1 Section 11. The sum of Ten Thousand Seven Hundred Forty Dollars
2 (\$10,740) is appropriated from the General Fund to the Department of Land
3 Management for the purpose of compensating Jose and Josefina Francisco for
4 property taken by condemnation by the Government of Guam of Lot No.
5 2396 New-2-3, Mangilao, containing an area of 537 square meters for public
6 access and utility easements.

7 Section 12. The sum of Three Hundred Six Thousand Five Hundred
8 Thirty Two Dollars (\$306,532) is appropriated from the General Fund to the
9 Department of Corrections to pay night differential and overtime accrued by
10 Department of Corrections employees, in FY 1986.

11 Section 13. The sum of Four Hundred Thousand Dollars (\$400,000) is
12 appropriated from the General Fund to the Government Claims Fund to pay
13 claims against the government of Guam pursuant to Chapter VI of Title VII
14 of the Government Code; and additionally, notwithstanding any other
15 provision of law, such sums from this appropriation as are necessary to pay
16 the balance of the appropriations made in Sections 16, 17, 18 and 19 of Bill
17 586 passed by the Legislature on April 4, 1986, shall be transferred to the
18 Department of Land Management.

19 Section 14. (a) The Legislature recognizes that the need for more
20 revenues for educational programs and facilities continue to be demanded by
21 educational policy makers and administrators in order that the instructional
22 requirements of Guam's students can be effectively addressed, and also that
23 there is currently an apparent trend towards a continual decline of gasoline
24 prices at the retail outlets, thereby creating a more conducive climate for
25 the children of Guam to be benefactors of this economic benefit.

26 The Legislature, in performing its responsibility to seek ways by
27 which needed financial resources are obtained, justifiably pursues the
28 revenue producing scheme in this Section which provides less burden to the
29 tax-paying citizenry than other often discussed revenue-producing means
30 since the current strong demand for additional revenues for educational
31 purposes requires an immediate response and infusion of new funds will
32 enhance significantly the Government's ability to finance urgent educational
33 needs.

Handwritten signature and notes at the bottom of the page.

1 (b) A new Section 19576 is added to the Government Code to read:
2 "Section 19576. Automotive Surcharge. Levy. Except for liquid
3 fuel used for aviation purposes, there is hereby levied an automotive
4 surcharge of ~~Four~~^{Five} Cents (\$0.04) per gallon on all liquid fuel taxed
5 pursuant to Subsection .02 of Section 19571 of the Government Code.
6 This automotive surcharge shall be in addition to the liquid fuel tax
7 levied pursuant to Subsection .02 of Section 19571 of the Government
8 Code."

9 (c) Two Cents (\$0.02) of the automotive surcharge levied pursuant to
10 Section 19576 of the Government Code is earmarked for appropriation
11 purposes to supplement personnel expenses as implemented in Section 34 of
12 Bill 586 passed by the Legislature on April 4, 1986.

13 (d) One Cent (\$0.01) of the automotive surcharge levied pursuant to
14 Section 19576 of the Government Code is earmarked for appropriation
15 purposes to fund capital improvement needs as detailed in the Territorial
16 Board of Education's School Repair Assessment report.

17 (e) One Cent (\$0.01) of the automotive surcharge levied pursuant to
18 Section 19576 of the Government Code is earmarked for appropriation to
19 fund the expansion of the Robert F. Kennedy Library, the College of
20 Business and Public Administration and other instructional facilities at the
21 University of Guam. Any funds derived from this source and unused at
22 the end of the fiscal year shall be reserved for capital improvement need of
23 the Guam Community College.

24 *J.* Section 1~~1~~. A new Section 4106.3 is added to the Government Code to
25 read:

26 "\$4106.3. Within the Department of Public Health and Social
27 Services the following classified positions are given annual
28 compensation as follows:

29	<u>Position</u>	<u>Compensation</u>
30	Dental Officer I	\$32,000 - \$39,000
31	Dental Officer II	35,000 - 42,000
32	Chief Public Health Dental Officer	39,000 - 47,000"

3/1/86 1986-10

1 Section 16. The sum of Twenty Thousand Dollars (\$20,000) is
2 appropriated from the General Fund to the Department of Public Health and
3 Social Services Dental Program for the purposes of funding the
4 implementation of the compensation adjustments established in Section 15
5 above for the remaining twelve (12) pay periods of fiscal year 1986.

6 Section 17. Section 4106.2 of the Government Code, amended by
7 Section 13 of Chapter II of PL 16-111, is further amended to read:

8 "§4106.2. Within the Department of Public Health and Social
9 Services the following classified positions are created and given annual
10 compensation as follows:

<u>Position</u>	<u>Compensation</u>
General Practitioner	[\$45,000 - \$55,000] <u>\$50,000 - \$60,000</u>
Physician Specialist (Board Eligible)	[\$49,000 - \$59,000] <u>\$54,000 - \$64,000</u>
Physician Specialist (Board Certified)	[\$53,000 - \$63,000] <u>\$58,000 - \$68,000</u>
Nurse Practitioner	\$19,000 - \$29,000."

11
12
13
14
15
16
17
18
19 Section 18. The sum of One Hundred Thousand Dollars (\$100,000) is
20 appropriated from the General Fund to the Bureau of Planning for
21 renovation of the Old Guam Memorial Hospital staff apartments for use as
22 the Bureau of Planning Office.

23 Section 19. Pursuant to PL 18-1, Section 11, and PL 18-15, Section 9,
24 the Department of Education teachers who taught at private schools during
25 school year 1984-85, and were assigned at least sixty percent (60%) of their
26 students from grades six through twelve, are entitled to preparation period
27 pay where preparation periods were not provided for.

28 Section 20. Pursuant to PL 18-1, Section 11 and PL 18-5, Section 9,
29 Language Arts and Mathematics Program teachers teaching grades six
30 through twelve are entitled to preparation period pay where preparation
31 periods are not provided for.

16
1 Section 21. The sum of Two Hundred Ten Thousand Six Hundred
2 Dollars (\$210,600) is appropriated from the General Fund to the Department
3 of Public Health and Social Services to fund programs in the Division of
4 Senior Citizens for all persons fifty-five to fifty-nine (55-59) years of age
5 who are presently registered at the Division of Senior Citizens and
6 receiving Title IIIB services for the remainder of FY '86.

17
7 Section 22. Item (i) of Section 31(a) of Chapter X of Public Law 18-15
8 is amended to read:

9 "(i) The sum of Three Million Six Hundred Thousand Dollars
10 (\$3,600,000) is appropriated from the General Fund to all Territorial
11 Agencies to which appropriations are made pursuant to this Act and to
12 the Legislature Operations Fund to pay Four Hundred Nineteen Dollars
13 (\$419.00) throughout FY '86 to each person occupying a classified
14 position and a part-time position that is one hundred percent (100%)
15 federally funded to which appropriations are made pursuant to this Act
16 and to the members and employees of the Commissioners Council and to
17 each person occupying a position in the Legislature. The
18 appropriation in this Section shall include all applicable benefits in
19 addition to the Four Hundred Nineteen Dollars (\$419.00) paid to each
20 employee. Payments shall be made pro rata in the bi-weekly
21 compensation of the employees and shall not apply to elected officials."

22 Section 23. A new Subsection (e) is added to 4 GCA §4303 to read:

23 "(e) Notwithstanding any other provision of law, the Governor
24 shall self insure the government of Guam's group life insurance
25 program then in effect as of April 30, 1986, for a period not to exceed
26 sixty (60) days from April 30, 1986, or until a private insurance
27 company becomes the insurer for the government of Guam's group life
28 insurance program, whichever occurs first.

29 (1) There is hereby established a Group Life Insurance
30 Fund from which claims shall be paid consistent with the terms
31 and conditions in the government of Guam's group life insurance
32 policy then in effect prior to April 30, 1986.

1 (2) Premiums deducted from eligible subscribers on the
2 government's group life insurance policy then in effect prior to
3 April 30, 1986, shall be remitted to the Group Life Insurance
4 Fund." (3) 01

5 Section 24. Notwithstanding Section 26609 of the Government Code, as
6 enacted in Public Law 17-69, the proposed Summer Youth Employment Plan
7 submitted by the Governor to the Legislature on March 27, 1986, as further
8 amended by this Section, is approved and adopted for the purposes of 1986
9 only.

10 Notwithstanding any other provision of law other than this Section or
11 any provision of a Summer Youth Employment Plan, within the level of
12 appropriations made for the Summer Youth Employment Program, one
13 hundred and twenty-six (126) slots in the Summer Youth Employment Plan
14 shall be assigned to the Legislature for any type of legislative work and
15 two (2) slots shall be assigned to each Commissioner in villages without an
16 Assistant Commissioner and three (3) slots shall be assigned to each
17 Commissioner in villages where there is an Assistant Commissioner for any
18 type of work assigned by the Commissioner. Each Senator may select up to
19 six (6) participants for assignment to the Legislature as allocated by the
20 Committee on Rules and each Commissioner may select up to the number of
21 participants for the slots assigned to the Commissioner of his or her
22 village. All administration and payments for students selected to work at
23 the Legislature or for the Commissioners shall be handled by the
24 Department of Youth Affairs.

25 Section 25. The Attorney General of Guam shall pay (the hourly wage
26 paid to employees of the Summer Youth Employment Program to the following
27 persons who rendered services to the government of Guam in the summer of
28 1985 for the number of hours for which they were not paid, as follows:

- | | | |
|----|-------------------------|----|
| 29 | 1. Gil P. Pelobello | 90 |
| 30 | 2. Frankie A. Rosario | 60 |
| 31 | 3. Edith J. San Nicolas | 60 |
| 32 | 4. Charles J. Santos | 62 |
| 33 | 5. Jeffrey W. Santos | 30 |

1	6. Michael F. Santos	92
2	7. Jess D.P. Cruz	90
3	8. Jesse A. Toves	53
4	9. Gregory P. Pocaigue	60
5	10. Katherine L. Pocaigue	60
6	11. Jesse F. Villacorta	90

7 Section 28. Notwithstanding any other legislation or regulation, the
8 sum of One Hundred Forty-One Thousand Nine Hundred Ninety-Seven
9 Dollars (\$141,997.00) from the contractual category of the Department of
10 Education Fiscal Year 1986 Budget is reprogrammed to cover costs of staff
11 development, payment of retroactive corrective pay adjustment of
12 administrators, and funds to cover overtime costs for Department of
13 Administration to prepare the checks for teacher preparation periods. Any
14 lapsed funds from the current Department of Education budget may be used
15 to supplement this reprogramming but not to exceed a total overall of Two
16 Hundred Twenty-Four Thousand Dollars (\$224,000.00).

17 Section 29. There is hereby appropriated from the General Fund
18 Twenty Thousand Dollars (\$20,000) to the Department of Public Works for
19 the construction of a school canopy at F. Q. Sanchez Elementary School.

20 Section 28. [Whereas, the Legislature finds that the increase in water
21 and sewer rates has reached crisis proportions; and

22 Whereas, many people on Guam are adversely affected by the new
23 rates; and

24 Whereas, the Legislature initially mandated an 8 year phase-in of full
25 cost of recovery for water and sewer rates pursuant to Public Law 18-9;
26 and

27 Whereas, the Public Utilities Commission and the Public Utility Agency
28 of Guam blatantly ignored the Legislative mandate; and

29 Whereas, the Legislature is concerned for the public welfare.

30 (a) Notwithstanding any other provision of law, effective upon the
31 effective date of this Act, there shall be an immediate implementation of a
32 water rate subsidy for all residential consumers of the Public Utility Agency
33 of Guam. The subsidy shall be on the first ten thousand gallons of water
34 used by any residential consumer per month. The monthly subsidy for

[Handwritten notes and signatures at the bottom of the page]

1 each consumer on water shall be equal to the difference between the amount
2 that the said residential consumer would pay pursuant to the Public Utility
3 Agency water rates made effective in the water rate order approved on
4 December 30, 1985 by the Public Utilities Commission, and the amounts the
5 said consumer would have paid under the rate structure in effect on
6 September 1, 1985, on the first ten thousand gallons used each month. In
7 other words, the subsidy shall be such that the amounts paid by the
8 residential water consumers on the first ten thousand gallons consumed shall
9 be the same amount as they would have paid under the rate structure in
10 effect on September 1, 1985. All amounts consumed over ten thousand
11 (10,000) gallons per consumer per month shall be charged to consumers at
12 the rate per 1,000 gallons set forth in the rate order approved on December
13 30, 1985, by the Public Utility Commission on Guam.

14 (b) Notwithstanding any other provision of law, effective upon the
15 effective date of this Act, there shall be an immediate implementation of a
16 sewer and wastewater rate subsidy for all residential consumers of the
17 Public Utility Agency of Guam. The monthly subsidy for each residential
18 consumer on sewer and wastewater in a single family dwelling unit shall be
19 equal to all amounts charged over Sixteen Dollars (\$16.00) per month. The
20 monthly subsidy on sewer and wastewater charges for each apartment
21 house, duplex, condominium unit or multi-family dwelling unit having more
22 than one residential unit on a single meter shall be equal to all amounts
23 charged over Sixteen Dollars (\$16.00) per month per unit. In other words,
24 monthly sewer and wastewater charges to be paid by the customers of the
25 Public Utility Agency of Guam shall not exceed Sixteen Dollars (\$16.00) per
26 month per residential living unit, and all amounts of charges in excess
27 thereof shall be the subsidy.

28 (c) Notwithstanding any other provision of law, the Public Utility
29 Agency of Guam may not charge a residential consumer more for the first
30 ten thousand gallons of water used each month than that consumer would
31 have paid for the same volume of water pursuant to the rates in effect on
32 the 1st day of September, 1985, nor may any residential consumer be
33 charged more than Sixteen Dollars (\$16.00) per month per dwelling unit on
34 a water meter, for sewer and wastewater charges. The difference between

1 the total amount of the bill computed using the December 30, 1985, rate
2 order and what the residential consumer actually pays shall be the subsidy.

3 (d) The subsidy shall apply only to residential accounts of consumers
4 having three-fourths inch (3/4") water meters, and residential consumers
5 who are billed by the Public Utility Agency of Guam at a rate based on the
6 three-fourth inch (3/4") meter rate.

7 (e) For Fiscal Year 1986, the total subsidy to PUAG to be applied
8 according to this Section shall be Five Hundred Thirteen Thousand Dollars
9 (\$513,000) per month for each month in Fiscal Year 1986 after the effective
10 date of an increase in water and sewer rates.

11 (f) If the Fiscal Year 1986 budget becomes the Fiscal Year 1987
12 budget as part of a two year budget, then in Fiscal Year 1987 the subsidy
13 amount per month shall be Five Hundred Thirteen Thousand Nine Hundred
14 Thirty-Seven Dollars and Sixty-six Cents (\$513,937.66). Thereafter, the
15 subsidy shall be allocated as indicated in the legislation appropriating
16 amounts for that purpose.

17 (g) This Act hereby reprograms and reappropriates all sums
18 previously appropriated to the Public Utility Agency of Guam in Public Law
19 18-15 for Fiscal Year 1986 and Fiscal Year 1987, and which have not been
20 utilized or encumbered on the effective date of this Act, for a subsidy of
21 water and sewer rates for the consumers of the Public Utility Agency of
22 Guam, for the subsidy program as provided in this Section. If the amounts
23 appropriated are insufficient for the subsidy, the Governor shall
24 immediately request the additional sums required from the Legislature.

25 (h) The monthly subsidy amount shall be transferred monthly by the
26 Director of Administration from the General Fund to the Public Utility
27 Agency of Guam. Such payments shall be made by the Director of
28 Administration within thirty (30) days after receipt of billing from the
29 Public Utility Agency of Guam.

30 (i) The subsidy amount on each bill shall be shown as a deduction
31 from the rates computed using the rate order of the Public Utilities
32 Commission for water and sewer rates dated December 30, 1985 and shall be
33 entitled as follows on each bill issued by the Public Utility Agency of Guam
34 to a residential consumer:

1 "LESS 18TH GUAM LEGISLATURE SUBSIDY OF
2 RESIDENTIAL WATER AND SEWER SERVICES."

3 (j) The Public Utility Agency of Guam shall take immediate steps to
4 increase water charges and sewer charges to the U.S. Government to an
5 amount equal to or greater than residential water and sewer rates. The
6 Public Utility Agency of Guam shall report to the Governor and the Speaker
7 of the Legislature on its progress within thirty (30) days.

8 (k) Notwithstanding any other provision of law, the Public Utility
9 Agency of Guam may not charge for a special reading, verification time
10 test, or bench test of a water meter if the water meter is found to be
11 defective, nor may the Public Utility Agency of Guam charge for a bill
12 analysis if the bill being analyzed is found to contain an error, nor may the
13 Public Utility Agency of Guam charge for a trouble report on sewer if the
14 problem was not in the pipes of the consumer.

15 ^{Sec. 21} (l) The Public Utility Agency of Guam may not disconnect any
16 residential consumer for non-payment of any bill without first delivering a
17 notice of disconnection to a person of suitable age and discretion at the
18 location to be disconnected, or, if no one is home, posting a notice of
19 disconnection in a prominent place on the door of the residence to be
20 disconnected. Such notice shall be given at least seven (7) days before
21 the date of the proposed disconnection. Said notice shall indicate that the
22 service will be disconnected if not paid, and shall indicate the amount owed
23 and where it should be paid to avoid disconnection. This Subsection does
24 not apply to agricultural rates.

25 (m) If any part of this Act or any Subsection of this Section is found
26 to be invalid for any reason, the balance of the Act and the balance of all
27 other Subsections shall remain valid.

28 ³² Section 29. Notwithstanding any other provision of law, the Public
29 Utilities Commission may meet for purposes of gathering information on
30 utilities and requesting, demanding and accepting reports and documents
31 from regulated utilities, and for other purposes. The Commission may
32 continue in limited operation, as funds are available or on a volunteer
33 basis, for purposes of monitoring the regulated utilities and making such
34 orders, rules, and regulations, as may be appropriate to monitor such

1 agencies and insure that orders of the Commission are complied with.
2 Financial documents and reports of publicly owned utilities are hereby
3 declared to be public documents.

4 Section 30. Section 42 of the law consisting of Bill 586 passed by the
5 Legislature on April 4, 1986 is repealed.

3/2/86, 34 reclassification on 12/1

*TVE Sec. 32 - Sec. 32
TVE Sec. 32 - Sec. 32
TVE Sec. 40 - Sec. 40
TVE Sec. 41 - Sec. 41*



Office of the Vice-Speaker Eighteenth Guam Legislature

P.O. Box CB-1, Agana
Territory of Guam, U.S.A. 96910
Tel: 477-8527/9120

JOE T. SAN AGUSTIN
Vice-Speaker

Chairman, Committee
on Ways and Means

...

Vice-Chairman, Committee
on Federal, Foreign, and
Legal Affairs

...

Member, Committee
on Rules

...

Member, Committee
on Tourism, Transportation,
and Communication

...

Member, Committee on
Health, Welfare,
and Ecology

...

Member, Committee
on Education

April 3, 1986

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

VIA: Chairman, Committee on Rules

Dear Mr. Speaker:

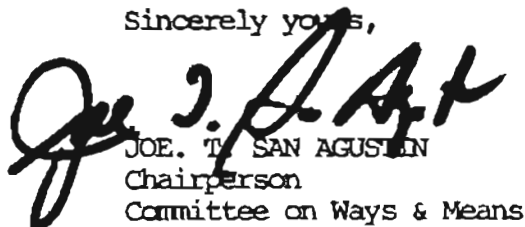
The Committee on Ways & Means, to which Bill Number 740 was referred, wishes to report its findings and recommendations.

The Committee voting record is as follows:

To do pass	<u>3</u>
To not pass	<u>0</u>
To report out	<u>15</u>
Off-Island	<u> </u>

A copy of the report and all other pertinent documents are attached for your information.

Sincerely yours,


JOE. T. SAN AGUSTIN
Chairperson
Committee on Ways & Means

attachments

VOTE SHEET
 Committee on Ways & Means
 BILL NUMBER 740 AS SUBSTITUTED
 "AN ACT TO APPROPRIATE THE SUM OF \$ 97,100 FOR THE
 CONTINUING ACTIVITIES OF THE COMMISSION ON SELF DETERMINATION
 AND FOR OTHER PURPOSES."

SENATOR	TO DO PASS	TO NOT PASS	TO REPORT OUT	COMMENTS
<i>Joe T. San Agustin</i> Joe T. San Agustin, Chairman	✓			
<i>J.R. Santos</i> Francisco R. Santos, Vice-Chairman	✓			
<i>Joseph F. Ada</i> Joseph F. Ada, Member			✓	
<i>Herminia D. Pierking</i> Herminia D. Pierking, Member	✓			
<i>Franklin J. Gutierrez</i> Franklin J. Gutierrez, Member			✓	
<i>Marilyn D.A. Manibusan</i> Marilyn D.A. Manibusan, Member			✓	
Don Parkinson, Member				
<i>Franklin J. Quitugua</i> Franklin J. Quitugua, Member			✓	<i>sect 2 (b) needs clarification Funding ok 72.</i>
<i>Antonio R. Unpingco</i> Antonio R. Unpingco, Member			✓	

EIGHTEENTH GUAM LEGISLATURE
1986 (SECOND) Regular Session

Bill No. 740 (LS)
Substitute
Committee on Ways & Means

Introduced by:

Committee on Rules, at the request
of the Governor

AN ACT TO APPROPRIATE THE SUM OF NINETY-SEVEN
THOUSAND ONE HUNDRED DOLLARS (\$97,100.00) FOR
THE CONTINUING ACTIVITIES OF THE COMMISSION ON
SELF-DETERMINATION AND FOR OTHER PURPOSES.

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

2 Section 1. The sum of Ninety-seven Thousand One Hundred Dollars
3 (\$97,100.00) is appropriated from the General Fund to the Commission on
4 Self-Determination for the continued operations of the Commission on
5 Self-Determination. Said sums shall remain available until expended.

6 Section 2. (a) The Special Election on the draft Commonwealth Act required
7 by 1 GCA §1706 shall be held on September 6, 1986.

8 (b) The ballot for the Special Election held as specified in Subsection (a) of
9 this Section shall contain one question, which shall be:

10 "Do you approve of the draft Commonwealth Act?"

11 YES NO

12 The Guam Election Commission may place the question on the ballot in the form
13 best suited to the type of ballot to be used (hand count or electronic count) as
14 determined by the Election Commission.

15 Section 3. Section 6610.4 (c) of the Government Code is amended to read:

16 "(c) Within ten (10) days following the return from official travel, an
17 employee may submit an itemized statement of account supported by receipts or
18 an affidavit or both of actual expenses incurred for lodging, meals and travel
19 expenses actually incurred on official business during the period of official
20 travel. [If the advances of the per diem allowance and travel expenses
21 allowance are less than the employee's actual authorized expenses then he shall

1 be reimbursed for the amount his actual expenses exceeded the advance
2 allowances.]”

3 Section 4. The sum of Twenty-four Thousand Dollars (\$24,000.00) is
4 appropriated from the unused funds of the Commission on Self-Determination to the
5 Guam Election Commission for the purpose of conducting a Special Election on the
6 Commonwealth Act of Guam.

7 Section 5. The Bureau of Budget and Management Research is authorized to
8 recruit and hire one (1) unclassified private secretary within its current employee
9 level. This authorization shall be in addition to the unclassified private secretary
10 position already authorized pursuant to 4 GCA.

Introduced

DEC 30 '85

**EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session**

Bill No.

740

Introduced by:

**COMMITTEE ON RULES, at the
request of the Governor**

**AN ACT TO APPROPRIATE THE SUM OF \$350,600 FOR
THE CONTINUING ACTIVITIES OF THE COMMISSION
ON SELF DETERMINATION.**

- 1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
- 2 **Section 1. The sum of Three Hundred Fifty Thousand Six Hundred**
- 3 **Dollars (\$350,600.00) is hereby appropriated from the General Fund for the**
- 4 **continued operations of the Commission on Self Determination. Said sums**
- 5 **shall remain available until expended.**

**COMMITTEE REPORT ON
BILL NUMBER 740
COMMITTEE ON WAYS & MEANS
APRIL 2, 1986**

**AN ACT TO APPROPRIATE THE SUM OF \$ 97,100 FOR
THE CONTINUING ACTIVITIES OF THE COMMISSION ON
SELF DETERMINATION AND FOR OTHER PURPOSES**

BACKGROUND

Bill NO. 740 as introduced by the Committee on Rules at the request of the Governor is an Act appropriating \$ 350,600 for the operating expenses of the Commission on Self-Determination. The Commission has been in existence since 1984 and receives its funding from the General Fund in lump sum appropriations, which are continuously available until the Commission ceases to exist.

PUBLIC HEARING AND TESTIMONY

Bill NO. 740 received two public hearings first on January 21, 1986 and subsequently on March 21, 1986. The Commission was represented at both public hearings by Mr. Robert F. Rogers, the Executive Director of the Commission. The Commission operates on a calendar year budget, and for 1986 requests a total funding requirement of \$ 525,600. From this \$ 175,000 is due to lapses in their 1985 budget therefore the net amount requested is \$ 350,600.

The testimony submitted at the first public hearing failed to reveal past expenditures of the Commission therefore it was requested

that they submit such documents to the committee once available. In a March 7 letter to the committee chairman, the Commission gave a breakdown of their 1984 & 1985 expenditures according to different categories, i.e. Personnel, Travel, Contractual, etc. Total expenses for 1984 was \$ 180,439 and in 1985, \$ 334,548, a copy of the letter is attached and made a part of this report. During the staff review of the Commissions expenses, it was determined that more information and explanation was needed to fully justify the Commission's request for additional funding. The committee members were able to hear a more complete explanation of various expenses from Mr. Rogers and as such, several funding requests were reduced as a result of discussions between the committee members and the Executive Director.

COMMITTEE FINDINGS

The Committee has determined that the commission should continue their operations in creating and formulating a Commonwealth Act for Guam and that the date for the voting of the Act should be held with the primary election on September 6, 1986. This has been included in the bill as Section 2. The committee further finds that in view of conducting the Commonwealth vote with the primary election, substantial savings have been realized, and that several budget categories can be reduced as follows:

	<u>REQUEST</u>	<u>REDUCTION</u>	<u>VARIANCE</u>
Travel	\$ 78,000	(78,000)	- 0 -
Public Relations & Lobbying in Wash. D.C.	88,000	(88,000)	- 0 -
Economic Research	60,000	(30,000)	\$30,000
Plebiscite Costs	<u>81,500</u>	<u>(57,500)</u>	<u>24,000</u>
	\$307,500	(253,500)	\$54,000

Introduced

DEC 30 '85

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 746(4)

Introduced by:

COMMITTEE ON RULES, at the
request of the Governor

AN ACT TO APPROPRIATE THE SUM OF \$350,600 FOR
THE CONTINUING ACTIVITIES OF THE COMMISSION
ON SELF DETERMINATION.

- 1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
- 2 Section 1. The sum of Three Hundred Fifty Thousand Six Hundred
- 3 Dollars (\$350,600.00) is hereby appropriated from the General Fund for the
- 4 continued operations of the Commission on Self Determination. Said sums
- 5 shall remain available until expended.