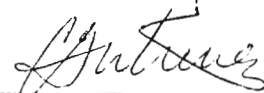


EIGHTEENTH GUAM LEGISLATURE  
1986 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 924 (LS), "AN ACT TO APPROPRIATE FIFTY THOUSAND DOLLARS (\$50,000) TO THE DEPARTMENT OF LAW TO FUND CERTAIN TYPES OF OFF-ISLAND TRAVEL AND FOR OTHER PURPOSES," returned to the Legislature without the approval of the Governor as to Section 2, in accordance with the Organic Act of Guam, was reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 6th day of November, 1986, agree to pass said item notwithstanding the objections of the Governor by a vote of two-thirds of all members thereof, to wit: by a vote of 16 members.



CARL T. C. GUTIERREZ  
Speaker

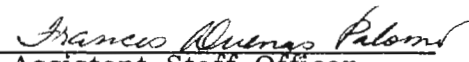
Attested:



ELIZABETH P. ARRIOLA  
Senator and Legislative Secretary

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This Act was received by the Governor this 7<sup>th</sup> day of November, 1986, at 12:10 o'clock P.m.



Francis Buenas Palomo  
Assistant Staff Officer  
Governor's Office

Public Law No. 18-40

EIGHTEENTH GUAM LEGISLATURE  
1986 (SECOND) Regular Session

Bill No. 924 (LS)  
Substitute by Committee on  
Ways and Means  
further substitute -2 by  
Committee on Rules  
July 1, 1986

Introduced by:

F. R. Santos  
T. S. Nelson

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AN ACT TO APPROPRIATE FIFTY THOUSAND DOLLARS  
(\$50,000) TO THE DEPARTMENT OF LAW TO FUND  
CERTAIN TYPES OF OFF-ISLAND TRAVEL AND FOR  
OTHER PURPOSES.

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

2 Section 1. (a) The sum of Thirty Thousand Dollars (\$30,000) is appropriated  
3 from the General Fund to the Department of Corrections for the purpose of funding  
4 off-island travel for transporting seven (7) prisoners to the mainland, along with  
5 two (2) escorts for each prisoner.

6 (b) The sum of Twenty Thousand Dollars (\$20,000) is appropriated from the  
7 General Fund to the Department of Law for the purpose of funding travel expenses  
8 for pretrial detainees, individuals held in protective custody by the government of  
9 Guam, essential witnesses or sworn peace officers whose travel is necessary to  
10 interview said witnesses and expenses incidental to the prosecution or appeal of  
11 litigated criminal matters.

12 (c) Notwithstanding any other provision of law, including Section 6113 of the  
13 Government Code, as amended, the appropriations made in Subsections (a) and (b)  
14 of this Section shall supercede and replace the authorization to expend funds  
15 contained in Executive Order 86-11 and all provisions of Executive Order 86-11 are  
16 null and void.

17 (d) Any unused portion of the appropriations made in Subsections (a) and (b)  
18 of this Section shall revert to the General Fund on September 30, 1986.

1 Section 2. The sum of One Million Five Hundred Ninety-two Thousand Five  
 2 Hundred Dollars (\$1,592,500) is appropriated from the General Fund to the  
 3 Legislature Operations Fund to be allocated by the Committee on Rules for the  
 4 operation of the Second Regular Session of the Eighteenth Guam Legislature until  
 5 January 4, 1987. Two Hundred Forty-seven Thousand Five Hundred Dollars  
 6 (\$247,500) of the amount appropriated in this Section shall be allocated to the  
 7 Minority of the Eighteenth Guam Legislature.

8 (b) Notwithstanding any other provision of law, any appropriation made to  
 9 the Eighteenth Guam Legislature for use in Fiscal Year 1986 and the appropriation  
 10 in Section 2 of this Act shall be available to the Eighteenth Guam legislature until  
 11 January 4, 1987 and shall be expended to honor any claims for payment.

12 Section 3. The Department of Vocational Rehabilitation is authorized to  
 13 expend Two Thousand Two Hundred Thirteen Dollars (\$2,213.00) from lapsed  
 14 funds from its Fiscal Year 1986 operating budget and matching federal funds in the  
 15 amount of Eight Thousand Eight Hundred Fifty Dollars (\$8,850) for off-island  
 16 travel purposes.

17 Section 4. The sum of One Hundred Fourteen Thousand Dollars (\$114,000) is  
 18 appropriated from the Summer School Fund established pursuant to Section 4 of  
 19 P.L. 18-10 to the Department of Education for the purpose of implementing and  
 20 operating the Fiscal Year 1986 Summer School Program.

21 Section 5. Part XXXV of Section 1 of Chapter II of Public Law 18-15 is  
 22 amended to read:

23 "PART XXXV

24 DEPARTMENT OF YOUTH AFFAIRS

	General	Other	Federal	
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
A. For Director's Office				
1. Personnel				
Service	\$212,514			\$212,514
	(10.0 FTE)			(10.0 FTE)
2. Operating				
Expenses	14,833			14,833

1	3. Utilities			
2	a. Power	35,243		35,243
3	b. Water	5,939		5,939
4	c. Telephone	11,258		11,258
5				
6	TOTAL	<u>\$279,787</u>		<u>\$279,787</u>
7	B. For Youth			
8	Development			
9	1. Personnel			
10	Service	\$273,965		\$ 273,965
11		(14.0 FTE)		(14.0 FTE)
12	2. Operating			
13	Expenses	22,098		22,098
14				
15	TOTAL	<u>\$ 296,063</u>		<u>\$ 296,063</u>
16	C. For Special			
17	Services			
18	1. Personnel			
19	Service	\$ 895,104		\$ 895,104
20		(49.0 FTE)		(49.0 FTE)
21	2. Operating			
22	Expenses	67,373		67,373
23				
24	TOTAL	<u>\$ 962,477</u>		<u>\$ 962,477</u>
25	D. For Youth			
26	Month	\$ 10,000		\$ 10,000
27				
28	TOTAL	<u>\$ 10,000</u>		<u>\$ 10,000</u>
29	E. For the Summer			
30	Youth Employ-			
31	ment Program	\$ 500,000		\$ 500,000
32				

1	TOTAL	\$ 500,000	\$ 500,000
2	F. For stipend of		
3	the Guam Council		
4	on Youth Affairs,		
5	as required by		
6	Section 26504		
7	of the Govern-		
8	ment Code of		
9	Guam	\$ 6,600	\$ 6,600
10			
11	TOTAL	\$ 6,600	\$ 6,600
12			
13	GRAND TOTAL		
14	PART XXXV	\$2,054,927	\$2,054,927"
15			

16 Section 6. The sum of Two Million Six Hundred Thirty-nine Thousand Six  
17 Hundred and Nineteen Dollars (\$2,639,619) may be expended from the General Fund  
18 by the Department of Education as an advance from the Fiscal Year 1987 Budget to  
19 procure textbooks, workbooks and library books for School Year 1986-1987.

20 Section 7. The sum of Thirty-Five Thousand Dollars (\$35,000) is appropriated  
21 from the General Fund to the Department of Labor to cover basic Worker's  
22 Compensation Fund liabilities for the remainder of FY'86.

23 Section 8. The sum of Six Thousand Dollars (\$6,000) is appropriated from the  
24 General Fund to the Department of Education for off-island travel.

25 Section 9. The sum of Thirty Thousand Dollars (\$30,000) from funds  
26 appropriated pursuant to Item 230 (Contractual Services) of Part VII (Facilities and  
27 Maintenance) of Chapter III (Department of Education) of Public Law 18-15 is  
28 reprogrammed from use for termite treatment to use for repair of air conditioners.

29 Section 10. The sum of Six Thousand Dollars (\$6,000) from lapsed funds from  
30 funds appropriated pursuant to Item 2 (Facilities and Maintenance) of Subpart H  
31 (Department of Education) of Chapter IX (Capital Outlay Budget) of Public Law  
32 18-15 is reprogrammed to Item 230 (Contractual Services) of Part VII (Facilities and  
33 Maintenance) of Chapter III (Department of Education) of Public Law 18-15 to fund  
34 repair of air conditioners.

1 Section 11. Section 23 of Public Law 18-33 is amended to read:

2 "Section 23. Notwithstanding any other legislation or regulation, the sum  
3 of One Hundred Forty-One Thousand Nine Hundred Ninety-Seven Dollars  
4 (\$141,997.00) from the contractual category of the Department of Education  
5 Fiscal Year 1986 Budget is reprogrammed to cover costs of staff development,  
6 payment of retroactive corrective pay adjustment of administrators, and funds  
7 to cover overtime costs for Department of Administration to prepare the checks  
8 for teacher preparation periods. Any lapsed funds from the current  
9 Department of Education budget may be used to supplement this reprogramming  
10 but not to exceed a total overall of Two Hundred Thirty-Five Thousand Dollars  
11 (\$235,000.00)."

12 Section 12. The sum of Twenty-Two Thousand Dollars (\$22,000) from Item 290  
13 (Miscellaneous) of Part II (Director's Office) of Chapter III (Department of  
14 Education) of Public Law 18-15 is reprogrammed to Item 110 (Personnel Services) of  
15 Part I (Territorial Board of Education) of Chapter III (Department of Education) of  
16 Public Law 18-15 for the sole purpose of funding the salaries of union negotiators.  
17 This appropriation shall be used to pay the union negotiators, who shall have been  
18 on full time duty status commencing June 16, 1986, pursuant to the Board-Union  
19 Contract, Article XIV, Paragraph 2.

20 Section 13. A new Section 6711 is added to the Government Code to read:

21 "Section 6711. Charges for copying Government Documents. (a)  
22 Notwithstanding any other provision of law, no department, agency or  
23 instrumentality of the government of Guam, including all autonomous agencies  
24 and instrumentalities, shall charge another branch, department or agency of the  
25 government of Guam, including the Guam Legislature and members thereof, for  
26 copies of requested documents, so long as the documents are requested in an  
27 official capacity.

28 (b) Notwithstanding any other provision of law, any department, agency  
29 or instrumentality of the Executive Branch of the government of Guam,  
30 including all autonomous agencies and instrumentalities, except for the  
31 Department of Land Management and the Department of Revenue and Taxation,  
32 may charge the media or the general public a copying fee for documents not to  
33 exceed ten cents (10¢) for the first page of any requested document, and two  
34 cents (2¢) each for any remaining pages. The Department of Land Management

1 and the Department of Revenue and Taxation may set their charges for  
2 documents by rules and regulations pursuant to the Administrative Adjudication  
3 Law.

4 (c) Any department, agency or instrumentality of the Executive Branch of  
5 the government of Guam, including all autonomous agencies and  
6 instrumentalities, may choose not to charge the media or the general public a  
7 copying fee for requested documents; however, they shall not charge more than  
8 indicated in Subsection (b) of this Section."

9 Section 14. A new Section 13124 is added to the Government Code to read:

10 "Section 13124. Documents Voidable and Not to be Recorded. The  
11 Legislature finds that all buyers and transferees of real property should be  
12 aware of the availability of water and power on the land they buy or obtain at  
13 the time they purchase or obtain it. Therefore:

14 a. No document transferring an interest in real property, except for  
15 leases of less than one (1) year, shall be recorded until the transferee has  
16 signed and acknowledged a statement, which should be included in the  
17 document, indicating that the transferee is aware of the availability or  
18 non-availability of power and water on the transferred property. The  
19 statement shall be in substantially this form:

20 AS TO WATER:

21 WATER IS IMMEDIATELY AVAILABLE ON THE  
22 PROPERTY OR WITHIN 100 FEET OF THE PROPERTY.

23 or

24 WATER IS NOT AVAILABLE ON THE PROPERTY. THE  
25 BUYER (TRANSFEREE) UNDERSTANDS THAT HE WILL  
26 HAVE TO PAY FOR WATER HOOKUP AT HIS SOLE  
27 EXPENSE. THE GOVERNMENT IS NOT REQUIRED TO  
28 PAY FOR THE WATER HOOKUP.

29 or

1 WATER IS NOT AVAILABLE ON THE PROPERTY. THE  
2 SELLER (TRANSFEROR) HAS PROMISED TO MAKE  
3 WATER AVAILABLE WITHIN ONE YEAR OR LESS. IF  
4 THE SELLER (TRANSFEROR) FAILS TO DO SO, THE  
5 BUYER (TRANSFeree) UNDERSTANDS THAT THE  
6 GOVERNMENT IS NOT REQUIRED TO PAY FOR WATER  
7 HOOKUP.  
8

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9 AS TO POWER:

10 POWER (ELECTRICITY) IS IMMEDIATELY AVAILABLE  
11 ON THE PROPERTY OR WITHIN 100 FEET OF THE  
12 PROPERTY.

13 or

14 POWER (ELECTRICITY) IS NOT AVAILABLE ON THE  
15 PROPERTY. THE BUYER (TRANSFeree)  
16 UNDERSTANDS THAT HE WILL HAVE TO PAY FOR  
17 ELECTRICITY HOOKUP AT HIS SOLE EXPENSE. THE  
18 GOVERNMENT IS NOT REQUIRED TO PAY FOR THE  
19 HOOKUP.

20 or

21 POWER (ELECTRICITY) IS NOT AVAILABLE ON THE  
22 PROPERTY. THE SELLER (TRANSFEROR) HAS  
23 PROMISED TO MAKE ELECTRICITY AVAILABLE WITHIN  
24 ONE YEAR OR LESS. IF THE SELLER (TRANSFEROR)  
25 FAILS TO DO SO THE BUYER (TRANSFeree)  
26 UNDERSTANDS THAT THE GOVERNMENT IS NOT  
27 REQUIRED TO PAY FOR POWER (ELECTRICITY)  
28 HOOKUP.



1 (b) In a document transferring an interest in real property except  
2 for a lease for less than one (1) year, there is an implied warranty made  
3 by the transferor as to the accuracy and correctness of any statement to  
4 the effect that water or power or sewer are available on the property or  
5 within one hundred (100) feet of the property; and the transferor has  
6 impliedly warranted to the transferee that the named utilities are  
7 immediately available as of the date of signing the document. Breach of  
8 such warranty, whether intentional or unintentional, shall be enforceable  
9 in law or in equity in the same manner as any other warranty, and the  
10 transferee may also recover costs and reasonable attorney's fees for breach  
11 of such implied warranty.

12 (c) If there is no disclosure made by the transferor as to the  
13 availability or lack of availability of water or power in a document  
14 transferring an interest in real property, except for a lease of less than  
15 one (1) year, a deed of gift or quitclaim deed given for no consideration,  
16 court decrees, tax deeds, marshal's deeds and deeds of administrators or  
17 executors of estates, there is an implied warranty made by the transferor  
18 to the effect that the utility whose availability is not disclosed is available  
19 on the property or within one hundred (100) feet of the property; and the  
20 transferor has impliedly warranted to the transferee that the omitted  
21 utilities are immediately available as of the date of signing the document.  
22 Breach of such warranty, whether intentional or unintentional, shall be  
23 enforceable in law or in equity in the same manner as any other warranty,  
24 and the transferee may also recover costs and reasonable attorney's fees  
25 for breach of such implied warranty.

26 (d) Power and water shall be considered immediately available on the  
27 property or within one hundred (100) feet of the property at the time the  
28 document is signed if utility hookups can be applied for at the office of  
29 the utility and can be made within ninety (90) days of the application with  
30 a hookup of not more than one hundred (100) feet from the property line.  
31 Power and water shall be considered not available on the property if  
32 hookups are not immediately available, if the distance to the hookup from  
33 the border of the property is more than one hundred (100) feet, or

1 although applied for at the office of the utility, the hookup cannot be  
2 made within ninety (90) days of the application.

3 (e) If any document transferring an interest in real property,  
4 except for a lease of less than one (1) year, fails to contain such a  
5 statement as to water and power as is indicated in Subsection (a) of this  
6 Section, the document shall be voidable and the transaction may be  
7 rescinded at the sole option of the transferee or his successor for a period  
8 to ten (10) years from the date of the transaction if water or power is not  
9 available on the property or within one hundred (100) feet of the  
10 property. Failure to include such a statement shall not preclude recording  
11 if the transferee or successor records an acknowledged statement stating  
12 that under no circumstances will the government of Guam be in any way  
13 responsible for paying for any required power or water hookups, powerline  
14 extensions, or waterline extensions.

15 (f) If the transferor agrees to make water or power or sewer  
16 available to the property, such shall be stated in the document  
17 transferring an interest in the property, and such hookup shall be made  
18 available to the property by the transferor within one (1) year or such  
19 lesser time as may be agreed upon between transferor and transferee.  
20 Failure to make power or water or sewer available to the property within  
21 one (1) year or such lesser time as agreed upon will result in the  
22 transferee being allowed, at his option, to:

23 (1) rescind the transaction and recover all money paid,  
24 reasonable interest, and reasonable costs and attorney's fees; or

25 (2) recover from the transferor all amounts required to make the  
26 promised utilities available on the property, plus all related costs and  
27 reasonable attorneys' fees.

28 Failure to put the promise to make a utility available in the document  
29 transferring an interest in the property shall not be a defense raised by  
30 the transferor.

31 (g) This Section shall not apply to applicable transfer documents  
32 recorded before the effective date of this Act and no implied warranties  
33 contained in this Section shall attach to any document signed before the  
34 effective date of this Act. This Section shall not apply, for a period of

1 ninety (90) days, to applicable transfer documents which were signed and  
2 not recorded before the effective date of this Act. Thereafter, applicable  
3 transfer documents signed before the effective date of this Act may be  
4 recorded if the transferee executes and records an acknowledged statement  
5 as indicated in subsection (e) of this Section.

6 (h) None of the provisions of this Section shall be waived by the  
7 parties or by the government of Guam including the Guam Power  
8 Authority.

9 (i) The disclosures contained in this Section should be placed at the  
10 end of the applicable document, immediately before the signature lines of  
11 the parties, unless the Department of Land Management designates some  
12 other place on the document by rule or regulation, however placement of  
13 the required disclosures at some other place in the instrument shall not  
14 void the effect of the disclosures.

15 (j) Prior to the transferee signing any contract of sale or other  
16 document evidencing an obligation to buy an interest in land, any  
17 subdivider, except for a parental subdivision, must provide a transferee of  
18 land in the subdivision with an accurate written estimated cost of hooking  
19 up to power and water if such are not immediately available within one  
20 (100) feet of border of the property and are not to be provided within one  
21 (1) year or less to the property by the subdivider. Each buyer must  
22 acknowledge receipt of the estimate in writing. Failure to provide such  
23 estimate shall allow the transferee to rescind the transaction or to recover  
24 from the subdivider or from any real estate broker, title insurance  
25 company or escrow company involved in the transaction, the cost of  
26 hooking up the utility concerned, plus reasonable cost and attorney's fees.

27 (k) All provisions of this Section as to breach of implied warranty or  
28 express agreements to provide a utility may be enforced by the transferee,  
29 his successors in interest or through the Attorney General's Office by the  
30 government of Guam."

31 Section 15. Item F.2. (for Housing Management) of Part I (DEPARTMENT OF  
32 ADMINISTRATION) of Section 1 of Chapter II of P.L. 18-15 is amended to read:



	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
"c. Telephone	8,427			8,427"

Section 21. The sums previously appropriated in Section 16 of Chapter X of P.L. 18-15 shall also be used to fund the salary adjustments of the Director and Deputy Director of the Department of Education, in accordance with Section 24 of P.L. 18-32; however, such sums shall not be available for the salary adjustments of the Director and Deputy Director of the Department of Education before the effective date of this Act.

Section 22. Item 110 of Part X (CURRICULUM AND INSTRUCTION) of Section 1 of Chapter III (DEPARTMENT OF EDUCATION) of P.L. 18-15 is amended to read:

"110. Personnel Services \$405,980 \$405,980"

Section 23. The sum of Twenty-five Thousand Dollars (\$25,000) realized from the reduction of General Fund appropriations in Section 22 of this Act is reappropriated for the purpose of paying preparation period payments mandated by Sections 16 and 17(a) of P.L. 18-33.

Section 24. A new 4 GCA §6218 is added to read:

"§6218. Prohibition on retroactive pay raises. Whenever a classified or unclassified employee of the government of Guam, including all departments, agencies and instrumentalities, whether or not autonomous, receives an increase in pay resulting from step increase, pay range increase, promotion or any other cause, such increase in pay shall not be retroactive from the date of its authorization, unless so specified by law. Any person who authorizes a pay raise which is retroactive in violation of this Section shall be guilty of a misdemeanor."

Section 25. Section 26 of this Act may be cited as the "Prompt Payment Act."

Section 26. A new Chapter IV-A is added to Title VII of the Government Code to read:

"Chapter IV-A

INTEREST PENALTIES ON LATE PAYMENTS

BY THE GOVERNMENT

§6290. Definitions. As used in this Chapter:

(a) "government agency" means a department, agency, bureau or instrumentality of the Executive Branch of the government of Guam.

1 (b) "business" means a business as defined in Subsection (c) of  
2 Section 16002 of the Government Code.

3 (c) "food product" means meat and meat products, fish and  
4 shellfish, edible fresh or frozen poultry, poultry meat products, fresh  
5 eggs and perishable egg products.

6 (d) "perishable agricultural commodity" means groceries, vegetables,  
7 fresh fruit and other perishables.

8 §6291. Interest Penalties. (a) Each government agency which receives  
9 property or services from a business but which does not make payment for each  
10 such complete delivered item of property or service by the required payment  
11 date, shall pay an interest penalty to such business on the amount of the  
12 payment which is due as specified in this Chapter.

13 (b) Interest penalties on amounts due to a business under this Chapter  
14 shall be paid to the business for the period beginning on the day after the  
15 required payment date and ending on the date on which payment of the amount  
16 due is made, except that no interest penalty shall be paid if payment for the  
17 complete delivered item of property or service is made on or before the  
18 fifteenth day after the required payment date, in the case of a food product;  
19 or the thirtieth day after the required payment date in the case of a perishable  
20 agricultural commodity; or the forty-fifth day after the required payment date,  
21 in the case of any other item. Interest shall be computed at the same interest  
22 rate assessed on unpaid income taxes owed by taxpayers.

23 (c) Any amount of an interest penalty which remains unpaid at the end of  
24 any thirty-day period shall be added to the principle amount of the debt and  
25 thereafter interest penalties shall accrue on such added amount.

26 (d) There is hereby authorized to be appropriated such sums as are  
27 necessary for the payment of interest penalties required by this Section.

28 §6292. Limitation on Discount Payments. (a) If a business offers a  
29 government agency a discount from the amount otherwise due under a contract  
30 for property or services in exchange for payment within such specified period  
31 of time, the government agency may make payment in an amount equal to the  
32 discounted price only if payment is made within such specified period of time.

33 (b) Each government agency which violates subsection (a) of this Section  
34 shall pay an interest penalty on any amount which remains unpaid in violation

1 of that Subsection. Such interest penalty shall accrue on such unpaid amount  
2 in accordance with regulations prescribed pursuant to Section 6293 of this  
3 Chapter except that the required payment date for such unpaid amount shall be  
4 the last day of the specified period of time described in Subsection (a) of this  
5 Section.

6 §6293. Rules and Regulations. The Director of the Department of  
7 Administration shall promulgate rules and regulations in accordance with the  
8 Administrative Adjudication Law and this Chapter. Such regulations shall  
9 specify:

10 (a) that for any property or services not covered by items (b), (c) and  
11 (d) of this Section, the required payment date shall be the date on which  
12 payment is due under the terms of the contract for the provision of such  
13 property or service; or, if a specific date on which payment is due is not  
14 established by contract or by items (b), (c) and (d) of this Section, thirty  
15 (30) days after receipt of a proper invoice for the amount of the payment; and

16 (b) in the case of an acquisition of a food product, a required payment  
17 date which is not later than fifteen (15) days after the date of delivery of such  
18 food product; and

19 (c) in the case of an acquisition of a perishable agricultural commodity, a  
20 required payment date; and

21 (d) in the case of a contract under which property or services are  
22 provided in a series of partial executions or deliveries, to the extent that such  
23 contract provides for separate payment for such partial execution or delivery,  
24 such separate payment dates shall be the required payment dates; and

25 (e) a requirement that, within fifteen (15) days after the date on which  
26 an invoice is received, that a government agency notify the business of any  
27 defect or impropriety in such invoice which would prevent the running of the  
28 time period specified in items (a), (b), (c) or (d) of this Section.

29 §6294. Claims: Relation to other Laws. (a) Claims for interest penalties  
30 which a government agency has failed to pay in accordance with the  
31 requirements of Section 6291 or 6292 of this Chapter may be filed under  
32 statutes governing contract disputes with the Government of Guam.

1 (b) Interest penalties under this Chapter shall not continue to accrue  
 2 after the filing of a claim for such penalties, or for more than one (1) year,  
 3 whichever comes first.

4 (c) Except as provided in Section 6292 of this Chapter regarding disputes  
 5 concerning discounts, this Chapter shall not be construed to require interest  
 6 penalties on payments which are not made by the required payment date by  
 7 reason of a good faith dispute between a government agency and a business  
 8 over the amount of that payment or other allegations concerning compliance with  
 9 a contract. Claims concerning any such dispute, and any interest which may  
 10 be payable for the period while the dispute is being resolved, shall be subject  
 11 to appropriate statutes governing contract disputes with the Government.

12 §6295. Legislative Oversight. (a) Each government agency shall file with  
 13 the Legislature a detailed report of any interest penalty payments made  
 14 pursuant to this Chapter during the preceding fiscal year.

15 (b) The report required by Subsection (a) of this Section shall include  
 16 the number, accounts, frequency of interest penalty payments and the reasons  
 17 such payments were not avoided by prompt payment and shall be delivered to  
 18 the Legislature within sixty (60) days after the conclusion of each fiscal year.

19 (c) The Director of the Department of Administration shall submit a  
 20 report to the Legislature on government agency compliance with the  
 21 requirements of this Chapter within one hundred twenty (120) days after the  
 22 conclusion of each fiscal year."

23 Section 27. Part XV of Section 1 of Chapter II of P.L. 18-15 is amended to  
 24 read:

"PART XV				
GUAM ELECTION COMMISSION				
	General	Other	Federal	
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
A. For General				
Operations				
1. Personnel				
Services	\$ 165,392			\$ 165,392
	(11.0 FTE)			(11.0 FTE)





1	3. Lease of			
2	Office Space	112,704		112,704
3	4. Utilities			
4	a. Power	144,000		144,000
5	b. Water/Sewer	4,800		4,800
6	c. Telephone	30,588		30,588
7	5. Miscellaneous			
8	a. Personnel			
9	Development	500		500
10				
11	TOTAL	<u>\$1,009,535</u>		<u>\$1,009,535</u>
12	B. For Financial			
13	Management			
14	Office			
15	1. Personnel			
16	Services	\$ 158,947		\$ 158,947
17		(7.0 FTE)		(7.0 FTE)
18	2. Operating			
19	Expenses	16,700		16,700
20				
21	TOTAL	<u>\$ 175,647</u>		<u>\$ 175,647</u>
22	C. For courts/			
23	Ministerial			
24	Offices			
25	1. Personnel			
26	Services	\$1,617,060		\$1,617,060
27		(63.0 FTE)		(63.0 FTE)
28	2. Operating			
29	Expenses	\$ 126,914		\$ 126,914
30	3. Contingency			
31	Fund	10,000		10,000
32	4. Jury Services	275,000		275,000

1	5. Court			
2	Appointed			
3	Legal Services	375,000		375,000
4	6. Utilities			
5	a. Telephone	1,000		1,000
6				
7	TOTAL	<u>\$2,404,974</u>		<u>\$2,404,974</u>
8	D. For Marshal's			
9	Office			
10	1. Personnel			
11	Services	\$ 474,900		\$ 474,900
12		(22.0 FTE)		(22.0 FTE)
13	2. Operating			
14	Expenses	\$ 9,114		\$ 9,114
15				
16	TOTAL	<u>\$ 484,014</u>		<u>\$ 484,014</u>
17	E. For Probation			
18	Services			
19	1. Personnel			
20	Services	\$ 662,980		\$ 662,980
21		(32.0 FTE)		(32.0 FTE)
22	2. Operating			
23	Expenses	\$ 24,770		\$ 24,770
24	3. Utilities			
25	a. Telephone	596		596
26				
27	TOTAL	<u>\$ 688,346</u>		<u>\$ 688,346</u>
28	F. For Judicial			
29	Council			
30	1. Operating			
31	Expenses	\$ 16,953		\$ 16,953

1	2. For the		
2	stipends of		
3	the Judicial		
4	Council as		
5	Required by		
6	Section 121		
7	of the Civil		
8	Procedure		
9	Code of Guam	\$ 3,050	\$ 3,050
10			
11	TOTAL	\$ 20,003	\$ 20,003
12	G. For Board of		
13	Law Examiners		
14	1. Operating		
15	Expenses	\$ 10,810	\$ 10,810
16	2. For the		
17	stipends of		
18	the Board of		
19	Law Examiners		
20	as required		
21	by Section		
22	28015 of the		
23	Government		
24	Code of Guam	2,350	2,350
25			
26	TOTAL	\$ 13,160	\$ 13,160
27			
28	GRAND TOTAL		
29	CHAPTER VIII	\$4,795,679	\$4,795,679"
30			

31 Section 29. Subsection P of Section 1 of Chapter IX of P.L. 18-15 is  
32 amended to read:

1		General	Other	Federal	
2		<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
3	"P. Judicial Branch				
4	1. Administration				
5	a. Heavy Duty				
6	Skill Saw				
7	- 1 ea.	\$ 250			\$ 250
8	b. Executive				
9	Chair				
10	- 2 ea.	1,270			1,270
11	c. Dictaphone				
12	- 1 ea.	910			910
13	d. Binding				
14	Machine				
15	- 1 ea	650			650
16	e. Micrographic				
17	Camera				
18	System				
19	- 1 ea.	\$ 62,230			\$ 62,230
20	f. Air				
21	Compressor				
22	System				
23	- 1 ea.	\$ 406			\$ 406
24	g. Heavy Duty				
25	Vacuum				
26	Cleaner				
27	- 1 ea.	\$ 875			\$ 875
28	h. Carpet				
29	Shampooer				
30	- 1 ea.	1,500			1,500
31	i. Building				
32	Shelter				
33	Extension	\$ - 0 -			\$ - 0 -

1	j. 4-Ton			
2	Floor Jack			
3	- 1 ea.	\$	807	\$ 807
4	2. Financial			
5	Management			
6	a. Typewriter			
7	- 1 ea.		1,896	1,896
8	b. Office			
9	Chair			
10	- 1 ea.		250	250
11	c. Executive			
12	Desk			
13	- 1 ea.		650	650
14	d. Ledger			
15	Tray			
16	- 1 ea.		700	700
17	3. Courts and			
18	Ministerial			
19	Offices			
20	a. Office			
21	Desk			
22	- 1 ea.		250	250
23	b. PA System			
24	- 1 ea.		500	500
25	c. Office			
26	Filing			
27	Cabinets			
28	- 4 ea.		3,475	3,475
29	d. Power			
30	Regulator			
31	- 2 ea		1,500	1,500

1	e. Electro			
2	Typewriter			
3	- 1 ea.	1,680		1,680
4	f. Simplex			
5	Machine			
6	- 2 ea.	1,200		1,200
7	g. Star SG-10			
8	Printer			
9	- 1 ea.	\$ 330		\$ 330
10	h. Tecmar Jr.			
11	Captain			
12	- 1 ea.	\$ 289		\$ 289
13				
14	TOTAL	\$ 82,618		\$ 82,618"

15  
16 Section 30. A new Subsection (1) is added to 3 GCA §16301 enacted in P.L.  
17 18-30, Section 52, to read:

18       "(1) A ballot shall consist of one sheet of paper or whatever other  
19 material is used to make up the ballot and names of all candidates for each  
20 office shall appear only on the front side of the ballot for that office."

21 Section 31. 3 GCA §3104 is amended to read:

22       "§3104. Times for registration. Ten (10) days prior to any general,  
23 primary or special election, the registration rolls shall be closed for that  
24 election, and no further affidavits of registration shall be accepted by the  
25 Commission."

26 Section 32. 3 GCA §3105, amended by P.L. 18-26, Section 1, is further  
27 amended to read:

28       "§3105. Place of registration. The registration of electors shall be in  
29 progress at the main office of the Commission during such hours as the office is  
30 open for business at all times prior to the closing of the registration rolls.  
31 Electors shall also be registered at such times and places within the territory as  
32 the Commission shall deem advisable and convenient from the time registration is  
33 open until twenty-one (21) days prior to an election and the Commission shall  
34 deputize volunteers for such purposes who are qualified as set out in Section

1 3110 of this Title. Between the twenty-first day prior to an election and the  
2 close of registration, electors shall be registered at such times and places such  
3 as precincts or the main office as the Election Commission shall determine."  
4 Section 33. A new 4 GCA §4308 is added to read:

5 "§4308. If an employee has authorized a payroll deduction pursuant to  
6 §4307 of this Title and the government fails to pay the payee the amount of the  
7 deduction on the day the paycheck is given the employee, then the government  
8 shall pay interest and penalty charges as provided in this Section. If the  
9 deduction is for savings, then the government shall pay the payee for credit to  
10 the employee's account the amount of interest that the employee lost because of  
11 the government's late payment. If the deduction is for a loan, then the  
12 government shall pay the payee for credit to the employee's account the  
13 additional interest and any penalty that for which the employee is liable because  
14 of the government's late payment."

15 Section 34. (a) The sum of Forty Thousand Dollars ~~(\$40,000)~~ <sup>(\$40,000)</sup> is appropriated  
16 from the General Fund to the Guam Election Commission for the purpose of  
17 hiring two (2) persons temporarily to assist with preparing voter registration  
18 lists to be used at the precincts during elections and also to hire programming  
19 for the computer known as "Freddie" at the University of Guam to tabulate  
20 ballots during elections.

21 Section 35. A new 3 GCA §11110.1 is added to read:

22 "§11110.1. Tabulating at Precincts. Notwithstanding any other provision  
23 of law, the Guam Election Commission may authorize ballots to be tabulated at  
24 the precincts. Tabulating of ballots by the precinct board shall be a  
25 cross-check of the tabulating of ballots by the Election Commission at the  
26 election return center."

27 Section 36. A new Section 17400.1 is added to the Government Code to  
28 read:

29 "Section 17400.1. It is the intention of the Legislature that information  
30 concerning elections and candidates be readily available to the general public  
31 through road signs on government property. Therefore, notwithstanding any  
32 other provision of law:



1 (a) Candidates for public office or other persons having an interest  
2 in an election may place political signs, including posters and banners,  
3 advocating voting for or against candidates, or other matters to be  
4 considered by the electorate, on government property upon payment of a  
5 single One Hundred Dollar (\$100.00) deposit to the Department of Public  
6 Works to insure that the signs are removed within two (2) weeks after the  
7 election, subject to the following restrictions only:

8 (1) Wooden or metal freestanding signs may not be posted within  
9 eight (8) feet of the paved traveled portion of the roadway or in  
10 such a manner that they impede drivers' visibility of other  
11 traffic.

12 (2) Signs shall not be nailed to trees on government property.

13 (3) Signs may not block any sidewalk, road, or driveway.

14 (4) Wooden or metal freestanding signs may be placed in parks  
15 adjacent to Marine Drive in a zone not less than eight (8) feet  
16 nor more than twenty-five (25) feet from the paved traveled  
17 portion of the roadway.

18 (5) No building permits shall be required for temporary political  
19 campaign signs, other than the One Hundred Dollar (\$100.00)  
20 deposit required in Subsection (a) of this Section.

21 (6) Nothing in this Section shall be construed as authorizing the  
22 posting of campaign material of any kind on or in any  
23 government building.

24 (7) No wooden or metal freestanding sign may be posted at any  
25 intersection if it will in any way impede visibility of drivers and  
26 traffic.

27 (8) No sign may be posted in any traffic median strip.

28 (9) If signs are not removed two (2) weeks after the day of any  
29 general or special election, the single One Hundred Dollar  
30 (\$100.00) deposit shall be forfeited as liquidated damages for  
31 removal of the signs.

32 (10) The Department of Public Works may require each candidate or  
33 person or group posting freestanding signs on government

1 property to provide a list of the approximate location of all  
2 signs.

3 (b) Candidates for public office or other persons having an interest  
4 in an election may place political signs which are limited to paper or cloth  
5 posters advocating voting for or against candidates, or other matters to be  
6 considered by the electorate, on Guam Power Authority power poles or on  
7 Guam Telephone Authority poles, subject to the following restrictions and  
8 conditions:

9 (1) No campaign material of any kind may be posted on or in any  
10 buildings belonging to the Guam Power Authority or the Guam  
11 Telephone Authority.

12 (2) No banner or advertisement may be strung on any of the  
13 Authorities' poles.

14 (3) No sign or other thing may be attached to any pole of the  
15 authorities that will create a hindrance to that pole's accessibility  
16 for line repair maintenance work.

17 (4) Small-sized paper, plastic or cloth signs or posters, not to  
18 exceed eighteen inches (18") by twenty-four inches (24"), may  
19 be stapled, taped or glued to the Authorities' poles, provided  
20 that the person placing the sign shall remove the same no later  
21 than two (2) weeks following the election. Under no  
22 circumstances, however, may roofing tacks or nails of any size  
23 be used in attaching the signs or posters to the authorities'  
24 poles.

25 (c) No building permit shall be required for political signs on  
26 private property; provided, that the person erecting the sign has the  
27 permission of the private property owner first; and further provided, that  
28 all such signs shall be removed within two (2) weeks after the election.

29 (d) It shall be a misdemeanor for any person to remove, knock down,  
30 or take down a political sign, except:

31 (1) A private property owner upon whose land the sign is posted.

32 (2) The person who put up the sign.

33 (3) In the case of a sign advocating the election of a candidate, that  
34 candidate or his designee.

1 (h) Any excess deposits previously paid, whether before or after  
2 the effective date of this Act, by any candidate, group or person for  
3 the purpose of posting signs and held by Guam Power Authority or  
4 Department of Public Works shall be refunded within ten (10) days of the  
5 effective date of this Act.

6 (i) If any candidate, person, or group has had any deposit forfeited  
7 which was posted for purposes of placing signs, by Department of Public  
8 Works or by the Guam Power Authority, such deposits which were forfeited  
9 shall be returned to the candidate, group or person posting such amount  
10 within ten (10) days after the effective date of this Act.

11 (j) Any signs which have been previously confiscated before the  
12 effective date of this Act shall be returned to the group, person or  
13 candidate that put them up.

14 Section 37. A New Section 15009.6 is added to the Government Code to read:

15 "Section 15009.6. (a) The Commissioner of Agana may set a reasonable  
16 fee for the use of Sagan Dinana, according to the provisions of the  
17 Administrative Adjudication Law, and shall collect the fee.

18 (b) There is created a revolving fund within the General Fund,  
19 which is to be accounted for separate from other accounts within the  
20 General Fund, to be known as the 'Sagan Dinana Revolving Fund'. The  
21 fees collected pursuant to Subsection (a) of this Section shall be placed  
22 into this revolving fund.

23 (c) The funds placed in the Sagan Dinana Revolving Fund shall be  
24 used for maintenance and repair of Sagan Dinana, upon certification for  
25 the expenditure of the funds by the Commissioner of Agana."

26 Section 38. The sum of One Hundred Thousand Dollars (\$100,000) is  
27 appropriated from the General Fund to the Student Financial Assistance Fund of the  
28 University of Guam for additional Student Loan awards as approved by the Board of  
29 Regents.

30 Section 39. A new Item 3. is added to Subsection G of Section 1 of Chapter IX  
31 of Public Law 18-15 and the total is amended to read:

- 1 (4) Any government employee or any other person, commencing two  
2 (2) weeks after the general election or special election.
- 3 (5) A public official or employee may remove a sign, after fifteen  
4 (15) days prior notice to the person concerned, because it  
5 violates the provisions of this Section.
- 6 (6) A public official may move a sign to a nearby location if the sign  
7 constitutes an immediate and substantial hazard and threat to the  
8 public health and safety; or if it significantly blocks drivers'  
9 visibility of other vehicles and constitutes a safety hazard to  
10 safe locations nearby. In such a case, the owner of the sign  
11 shall be notified.
- 12 (7) In the case of utility poles, by a utility employee because the  
13 sign or poster constitutes a hinderance to the maintenance of the  
14 poles or utility system.
- 15 (8) A public official may remove wooden or metal freestanding signs  
16 anytime Guam is in typhoon condition 1 or 2. Said sign shall be  
17 held and returned to the persons who put them up as soon as  
18 Guam returns to typhoon condition 4.
- 19 (9) If for any reason a government official or employee needs to  
20 temporarily take down a sign, they shall put it back up within  
21 two (2) days.
- 22 (e) Political signs may not be erected pursuant to this Section  
23 earlier than one hundred eighty (180) days before any special, general, or  
24 primary election.
- 25 (f) Any confiscated sign may be picked up by the group, candidate,  
26 or person who put it up. The treasurer or candidate involved shall be  
27 promptly notified of the confiscation so that the sign may be picked up.
- 28 (g) No other deposit or fee may be required from a candidate or  
29 person posting political signs, other than the single One Hundred Dollar  
30 (\$100.00) deposit required to be posted with the Department of Public  
31 Works. No additional deposit or fees may be charged by the government  
32 of Guam, the Guam Power Authority, the Guam Telephone Authority, or  
33 any other department or agency.

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
1           "3. Director's Office				
2            a. Computer System &				
3                Associated Software	\$ 16,149			\$ 16,149
4				
5				
6				
7           TOTAL	\$ 39,286			\$ 39,286"

8           Section 40. Item 5 of Subpart B of Part IX (Social Services Division) of  
9           Section 2 of Chapter VI (Public Health and Social Services) of Public Law 18-15 is  
10          amended to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
11          "5. Equipment				
12          a. Office Equipment	\$ 300			\$ 300"

13          Section 41. Subpart C of Part IX (Social Services Division) of Section 2 of  
14          Chapter VI (Public Health and Social Services) of Public Law 18-15 is amended to  
15          read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
16          "C. Investigative & Recovery				
17          Services				
18          1. Personnel Services	\$ 99,274		\$ 73,833	\$ 173,107
19                (5.7 FTE)			(4.3 FTE)	(10.0 FTE)
20          2. Travel & Transportation				
21            a. Local Mileage				
22                Reimbursement	1,268			1,268
23          3. Contractual Services				
24            a. For the Services of				
25                an Attorney	\$ 41,478			\$ 41,478
26            b. Equipment Maintenance	\$ 1,700			\$ 1,700
27            c. Postal Services	3,000			3,000
28            d. Printing & Copier				
29                Services	2,000			2,000

1	e. Telephone Installation	\$	840		\$	840
2	4. Supplies & Materials					
3	a. Office Supplies		2,469			2,469
4	b. Fuel & Lubricants		1,200			1,200
5	5. Equipment					
6	a. Office Equipment				500	500
7	6. Utilities					
8	a. Telephone	\$	2,229		\$	2,229
9						
10	TOTAL	\$	155,458		\$	74,333
					\$	229,791"

11 Section 42. Subpart D of Part IX (Social Services Division) of Section 2 of  
12 Chapter VI (Public Health and Social Services) of Public Law 18-15 is amended to  
13 read:

14		General	Other	Federal	
15		<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
16	"D. Management Services				
17	1. Personnel Services	\$	210,002	\$	146,482
18			(10.3 FTE)		\$
					356,484
18					(8.7 FTE)
					(19.0 FTE)
19	2. Travel & Transportation				
20	a. Local Mileage				
21	Reimbursement	\$	1,620		\$
					1,620
22	3. Contractural Services				
23	a. Equipment Maintenance		730		730
24	b. Computer System Study/				
25	Development	\$	61,924		\$
					61,924
26	c. Lease of 3				
27	Vehicles & 1				
28	Duplicating Machine	\$	13,195		\$
					13,195
29	d. Postage & Printing		5,800		5,800
30	4. Supplies & Materials				
31	a. Office Supplies		2,440		2,440
32	b. Fuel & Lubricants		2,200		2,200

1	c. Automatic Data			
2	Processing Supplies	1,250		1,250
3	5. Equipment			
4	a. 11 Chairs	1,300		1,300
5	b. 2 Filing Cabinets	480		480
6	c. 2 Work Tables	230		230
7	d. 8 Calculators	1,100		1,100
8				
9	TOTAL	<u>\$ 302,271</u>	<u>\$ 146,482</u>	<u>\$ 448,753"</u>

10 Section 43. Subpart F of Part IX (Social Services Division) of Section 2  
 11 Chapter VI (Public Health and Social Services) of Public Law 18-15 is amended to  
 12 read:

13		General	Other	Federal	
14		<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
15	"F. Foster Care & Residential				
16	1. Contractual Services				
17	a. Foster Care &				
18	Child Care Services	\$ 28,220	50,500*		\$ 78,720
19	b. Guma Mami		80,000*		80,000
20	2. Utilities				
21	a. Toll Call	500			500
22					
23	TOTAL	<u>\$ 28,720</u>	<u>\$ 130,500*</u>		<u>\$ 159,220</u>

24 \*Territorial Lottery Fund"

25 Section 44. Item 3 of Subpart G of Part IX (Social Services Division) of  
 26 Section 2 of Chapter VI (Public Health and Social Services) of Public Law 18-15 is  
 27 amended to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
1				
2				
3	"3. Contractual Services			
4	a. For the Services of			
5	1 Accountant &			
6	\$ 17,969		\$ 31,674	\$ 49,643
7	b. Lease of 2 Vehicles			
8	\$ 28,332			\$ 28,332
9	\$ 33,445			\$ 33,445
10	d. Printing & Copier			
11	2,500			2,500
12	2,667			2,667
13	2,300			2,300"

14 Section 45. Item 3 of Subpart H Part IX (Social Services Division) of Section 2  
 15 of Chapter VI (Public Health and Social Services) of P.L. 18-15 is amended to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
16				
17				
18	"3. Contractual Services			
19	a. Automated Data			
20	\$ 54,810			\$ 54,810
21	50,000			50,000
22	c. Food Coupon			
23	170,702			170,702
24	4,896			4,896
25	11,088			11,088
26	5,710			5,710"

27 Section 46. Item 6 of Subpart H of Part IX (Social Services Division) of  
 28 Section 2 of Chapter VI (Public Health and Social Services ) of P.L. 18-15 is  
 29 amended to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
30				
31				
32	"6. Utilities			
33	\$ 3,000			\$ 3,000"



	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
1				
2				
3	"A. State Office on Aging			
4	1. Personnel Services	\$ 14,495	\$ 32,959	\$ 47,454
5		(0.9 FTE)	(2.1 FTE)	(3.0 FTE)
6	2. Travel & Transportation			
7	a. Local Mileage			
8	Reimbursement	2,830		2,830
9	3. Contractual Services			
10	a. Governor's Conference			
11	on Aging	10,000		10,000
12	b. Equipment Maintenance	800		800
13	c. Advertisement	400		400
14	4. Supplies & Materials			
15	a. Regular Supplies	1,947		1,947
16	5. Equipment			
17	a. Office Equipment	200		200
18	6. Utilities			
19	a. Telephone	4,759		4,759
20	7. Subscriptions & Books	400		400
21	8. Training	\$ 1,000		\$ 1,000
22				
23	TOTAL	\$ 36,831	\$ 32,959	\$ 69,790"

24 Section 49. Item 6 of Subsection W (Public Health and Social Services) of  
25 Section 1 of Chapter IX (Capital Outlay Budget) of Public Law 18-15 is amended to  
26 read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
27				
28				
29	"6. MANAGEMENT SERVICES SECTION			
30	a. Office Equipment	\$ 11,533	\$ 1,192	\$ 12,725"

31 Section 50. Item 8 of Subsection W (Public Health and Social Services) of  
32 Section 1 of Chapter IX (Capital Outlay Budget) of Public Law 18-15 is amended to  
33 read:

1 Section 47. Subpart I of Part IX (Social Services Division) of Section 2 of  
 2 Chapter VI (Public Health and Social Services) of P.L. 18-15 is amended to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
5 "I. Public Assistance				
6 1. Personnel Services	\$ 437,646			\$ 437,646
7	(27.0 FTE)			(27.0 FTE)
8 2. Contractual Services				
9 a. Automated Data				
10 Processing	45,896			45,896
11 b. Postal Services	20,000			20,000
12 c. Printing, Equipment				
13 Lease/Maintenance, &				
14 Physician Services	36,205			36,205
15 d. Telephone Installation	\$ 2,000			\$ 2,000
16 3. Supplies & Materials				
17 a. Supplies	\$ 16,000			\$ 16,000
18 b. Fuel & Lubricants	500			500
19 4. Direct Transfer				
20 Payments	\$2,881,038	61,500*	3,300,000	\$6,242,538
21 5. Utilities				
22 a. Telephone	\$ 9,000			\$ 9,000
23 6. Equipment				
24 a. Office Equipment	\$ 9,370			\$ 9,370
25				
26 TOTAL	<u>\$3,457,655</u>	<u>\$ 61,500</u>	<u>\$3,300,000</u>	<u>\$6,819,155</u>

27 Section 48. Subpart A of Part X (Senior Citizens Division) of Section 2 of  
 28 Chapter VI (Public Health and Social Services) of Public Law 18-15 is amended to  
 29 read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
1				
2				
3	"8. FOOD STAMP			
4	a. Office Equipment	\$ 6,192	\$ 6,192	\$ 12,384"

5 Section 51. A new Item 10 is added to Subsection W (Public Health and Social  
6 Services) of Section 1 of Chapter IX (Capital Outlay Budget) of Public Law 18-15 to  
7 read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
8				
9				
10	"10. Public Assistance			
11	a. Computer Terminals &			
12	Equipment	\$ 251,000		\$ 251,000
13	b. Computer Tables and			
14	Desks	6,600		6,600
15	c. 2 Copier Machines &			
16	1 Calculator	36,280		36,280"

17 Section 52. A new Item 11 is added to Subsection W (Public Health and Social  
18 Services) of Section 1 of Chapter IX (Capital Outlay Budget) of Public Law 18-15 to  
19 read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
20				
21				
22	"11. Investigative & Recovery			
23	a. Office Equipment	\$ 2,500		\$ 2,500"

24 Section 53. A new Item 12 is added to Subsection W (Public Health and Social  
25 Services) of Section 1 of Chapter IX (Capital Outlay Budget) of Public Law 18-15 to  
26 read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
27				
28				
29	"12. Senior Citizens			
30	a. Office Equipment	\$ 810		\$ 810"

31 Section 54. Part I (General Administration) of Section 2 of Chapter VI (Public  
32 Health and Social Services) of Public Law 18-15 is amended to read:

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"PART I  
GENERAL ADMINISTRATION

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	
A. Director's Office				
1. Personnel Services	\$ 397,145	\$	\$	\$ 397,145
	(21.0 FTE)			(21.0 FTE)
2. Contractual Services				
a. The lease of				
1 computer printer,				
1 computer terminal,				
1 copier,				
1 vehicle, and				
1 radio system	87,577			87,577
b. Postal Services	3,000			3,000
c. Equipment				
Maintenance	250			250
d. Advertisement	374			374
e. Consultants	39,594			39,594
f. Printing	2,000			2,000
3. Supplies & Materials				
a. Regular Supplies	2,500			2,500
4. Equipment				
a. Office Equipment	800			800
5. Utilities				
a. Toll Call	1,788			1,788
	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
TOTAL	\$ 535,028	\$	\$	\$ 535,028
B. Facilities & Maintenance				
1. Personnel Services	\$ 365,766	\$	\$	\$ 365,766
	(25.0 FTE)			(25.0 FTE)

1	2. Contractual		
2	Services		
3	a. Equipment Preventive		
4	Maintenance	17,000	17,000
5	b. Security Alarm		
6	System	10,400	10,400
7	c. Elevator		
8	Repair &		
9	Maintenance	2,400	2,400
10	d. Central Air		
11	Conditioner		
12	Maintenance &		
13	Repair	41,000	41,000
14	e. Roof Repairs		
15	at the Central		
16	Public Health Center		
17	& the Southern		
18	Regional Health		
19	Center	12,122	12,122
20	f. Replacement of		
21	Flooring	30,000	30,000
22	3. Supplies & Materials		
23	a. Vehicle &		
24	Equipment		
25	Parts	7,500	7,500
26	b. Building &		
27	Grounds Supplies	7,213	7,213
28	c. Fuel &		
29	Lubricants	5,000	5,000
30	d. Custodial		
31	Supplies	48,337	48,337

1	4. Equipment			
2	a. Maintenance			
3	Tools	2,000		2,000
4	5. Utilities			
5	a. Power	643,515		643,515
6	b. Water	27,600		27,600
7	c. Telephone	114,000		<u>114,000</u>
8				
9	TOTAL	<u>\$1,333,853</u>	\$	\$
10				<u>\$1,333,853</u>

11	GRAND TOTAL			
12	PART I	\$1,868,881	\$	\$
13				\$1,868,881"

14 Section 55. Subpart F of Part V (Bureau of Family Health Services) of Section  
 15 2 of Chapter VI (Public Health and Social Services) of Public Law 18-15 is amended  
 16 to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
17				
18				
19	"F. Nutrition Health Services	( 1.0 FTE)		( 1.0 FTE)
20	1. Supplies & Materials			
21	(a) Regular Supplies	\$ 200		\$ 200
22				
23	TOTAL	<u>\$ 200</u>		<u>\$ 200"</u>

24 Section 56. Item 1 of Subpart B (Generalized Nursing) of Part VI (Bureau of  
 25 Community Health and Nursing Services) of Section 2 of Chapter VI of Public Law  
 26 18-15 is amended to read:

	<u>General</u>	<u>Other</u>	<u>Federal</u>	<u>Total</u>
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
27				
28				
29	"1. Personnel Services	\$499,730		\$499,730
30		(27.0 FTE)		(27.0 FTE)"

31 Section 57. Item 5 of Subpart B (Health Professional Licensure) of Part VII  
 32 (Bureau of Professional Support Services) of Section 2 of Chapter VI (Public Health  
 33 and Social Services) of Public Law 18-15 is amended to read:

1	General	Other	Federal	
2	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
3	"5. For the Stipend of the			
4	following Boards			
5	a. Board of Nurse			
6	6,000			6,000
7	b. Commission on			
8	6,000			6,000"

9 Section 58. Item 1 of Subpart A (Administration) of Part VI (Bureau of  
10 Community Health and Nursing Services) of Section 2 of Chapter VI (Public Health  
11 and Social Services) of Public Law 18-15 is amended to read:

12	General	Other	Federal	
13	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
14	"1. Personnel			
15	\$ 186,352	\$	\$	\$ 186,352
16	(8.0 FTE)			(8.0 FTE)"

17 Section 59. Item 1 of Subpart A (Administration) of Part VII (Bureau of  
18 Professional Support Services) of Section 2 of Chapter VI (Public Health and Social  
19 Services) of Public Law 18-15 is amended to read:

20	General	Other	Federal	
21	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
22	"1. Personnel			
23	\$ 75,738			\$ 75,738
24	(4.0 FTE)			(4.0 FTE)"

25 Section 60. Item 1 of Subpart D (Medical Support Services) of Part VII  
26 (Bureau of Professional Support Services) of Section 2 of Chapter VI (Public Health  
27 and Social Services) of Public Law 18-15 is amended to read:

28	General	Other	Federal	
29	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
30	"1. Personnel			
31	\$416,821			\$416,821
32	(22.0 FTE)			(22.0 FTE)"

1 Section 61. Part XI of Section 2 of Chapter VI (Public Health and Social  
2 Services) of Public Law 18-15 is amended to read:

3 "PART XI

4 NORTHERN REGIONAL HEALTH CENTER

	General	Other	Federal	
	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
5				
6				
7	A. General Operations			
8	1. Contractual Services			
9	a. Public Address System			
10	Installation	\$ 4,724		\$ 4,724
11	b. Copier Maintenance	1,500		1,500
12	c. Security Alarm			
13	Installation	5,300		5,300
14	d. Dental X-Ray			
15	Installation	1,500		1,500
16	e. Water Softener			
17	Installation	1,800		1,800
18	f. Typhoon Shutter			
19	Installation	12,900		12,900
20	g. Vehicle Lease	1,500		1,500
21	h. Fuel and			
22	Lubrication	210		210
23	2. Supplies & materials			
24	a. Laboratory Supplies	14,157		14,157
25	b. Pharmacy Supplies	30,000		30,000
26	c. ESS Office Supplies	290		290
27	d. MSS Office Supplies	287		287
28	e. Medical Records			
29	Supplies	12,852		12,852
30	f. Nursing Supplies	8,702		8,702
31	g. Dental Supplies	15,551		15,551
32	h. Custodial Supplies	1,600		1,600



1	3. Equipment				
2	a. Office Equipment	3,090			3,090
3					
4	TOTAL	<u>\$ 115,963</u>	<u>\$</u>	<u>\$</u>	<u>\$ 115,963</u>
5					
6	GRAND TOTAL PART XI	<u>\$ 115,963</u>	<u>\$</u>	<u>\$</u>	<u>\$ 115,963</u>
7					

8 Section 62. Part X of Section 1 of Chapter II of Public Law 18-15 is amended  
9 to read:

10		"PART X			
11		DEPARTMENT OF CORRECTIONS			
12		General	Other	Federal	
13		<u>Fund</u>	<u>Fund</u>	<u>Fund</u>	<u>Total</u>
14	A. For the Director's Office				
15	1. Personnel Services	\$ 247,466			\$ 247,466
16		(13.0 FTE)			(13.0 FTE)
17	2. Operating Expenses	473,713			473,713
18	3. Utilities				
19	a. Power	156,000			156,000
20	b. Water/Sewer	18,752			18,752
21	c. Telephone	20,000			20,000
22					
23	TOTAL	<u>\$ 915,931</u>	<u></u>	<u></u>	<u>\$ 915,931</u>
24	B. For the Adult Correctional				
25	Facility				
26	1. Personnel Services	\$2,705,318			\$2,705,318
27		(139.0 FTE)			(139.0 FTE)
28	2. Operating Expenses	65,708			65,708
29					
30	TOTAL	<u>\$2,771,026</u>	<u></u>	<u></u>	<u>\$2,771,026</u>
31	C. For Detention Facility				
32	1. Personnel Services	\$ 694,921			\$ 694,921
33		(33.0 FTE)			(33.0 FTE)

1	2. Operating Expenses	35,600		35,600
2	3. Utilities			
3	a. Power	12,000		12,000
4	b. Water/Sewer	400		400
5	c. Telephone	500		500
6				
7	TOTAL	<u>\$ 743,421</u>		<u>\$ 743,421</u>
8	D. For Casework and			
9	Counseling Service			
10	1. Personnel Services	\$ 259,914		\$ 259,914
11		(14.0 FTE)		(14.0 FTE)
12	2. Operating Expenses	300		300
13				
14	TOTAL	<u>\$ 260,214</u>		<u>\$ 260,214</u>
15	E. For Parole Services			
16	1. Personnel Services	\$ 157,254		\$ 157,254
17		(9.0 FTE)		(9.0 FTE)
18	2. Operating Expenses	213		213
19				
20	TOTAL	<u>\$ 157,467</u>		<u>\$ 157,467</u>
21	F. Off-Island Transportation			
22	& Maintenance of Prisoners			
23	1. Operating Expenses	\$ 153,344		\$ 153,344
24				
25	TOTAL	<u>\$ 153,344</u>		<u>\$ 153,344</u>
26	G. For stipends of the Territorial			
27	Parole Board as required by			
28	Section 6911 of the Government			
29	Code of Guam	6,000		6,000
30				
31	TOTAL	<u>\$ 6,000</u>		<u>\$ 6,000</u>
32				
33	GRAND TOTAL PART X	<u>\$5,007,403</u>		<u>\$5,007,403"</u>
34				

1 Section 63. Section 19200 of the Government Code, as amended by Section 32  
2 of P.L. 18-33, is further amended to read:

3 "Section 19200. Imposition. A license fee is imposed on each of the  
4 following amusement devices which are operating to produce revenue in Guam on  
5 the effective date of this Chapter (apportioned in accordance with Section  
6 19200.4 of this Chapter), or thereafter manufactured or constructed in,  
7 imported into Guam, maintained or permitted in Guam, and operated to produce  
8 revenue in Guam, and annually thereafter on July 1, at the rate stated:

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

10 (b) on each multiple-coin pinball machine, Two Hundred Fifty Dollars  
11 (\$250.00);

12 (c) on each coin-activated phonograph or other coin-activated music  
13 producing machine, One Hundred Dollars (\$100.00) plus Fifteen Dollars  
14 (\$15.00) for each coin slot in excess of one (1);

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

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

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

20 (ii) One Thousand Dollars (\$1,000.00) from July 1, 1986 until June  
21 30, 1989, Four Hundred Dollars (\$400.00) of which may be paid pro rata in  
22 equal monthly installments throughout the year;

23 (iii) One Thousand Five Hundred Dollars (\$1,500.00) from July 1,  
24 1989 until June 30, 1991;

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

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

29 No slot machine or amusement device set to make automatic payouts shall be  
30 licensed under this Section, provided that such a slot machine or amusement device  
31 may be temporarily licensed at the same rate as devices licensed pursuant (f) of this  
32 section for operation exclusively during any Guam Island Fair, Liberation Day  
33 Carnival or any other fair or carnival for which the Governor has issued a

1 proclamation. 'Slot machine' has the same meaning in this Section as in Subsection  
2 (c) of Section 19200.5 of the Government Code."

3 Section 64. 9 GCA §64.62 16-120 is amended to read:

4 "§64.62. Authorization for Gambling at Fairs and possession of gambling  
5 devices. Section 64.10 of this Title does not apply to any gambling  
6 conducted by a person who has been issued a permit by the Governor for  
7 concessions operated during a fair or carnival, and Section 64.20 of this  
8 title does not apply to possession of any temporarily licensed gambling  
9 device during any Guam Island Fair, Liberation Day Carnival or any other  
10 fair or carnival for which the Governor has issued a proclamation."

11 Section 65. Subsection (a) of Section 19200.5 of the Government Code is  
12 amended to read:

13 "(a) Pursuant to Section 2 of that certain Act of the Congress of the  
14 United States entitled 'An Act to prohibit transportation of gambling devices in  
15 interstate and foreign commerce,' approved January 2, 1951, being c. 1194, 65  
16 Stat. 1134, and also designated as 15 U.S.C. 1171-1177 and hereinafter referred  
17 to in this Section as the 'Act,' the territory of Guam, acting by and through  
18 the duly elected and qualified members of its Legislature, does hereby in this  
19 §19200.5 and in accordance with and in compliance with the provisions of  
20 Section 2 of the Act, declare and proclaim that the following devices described  
21 under Section 1 of the Act are lawful in Guam: Pinball machines, multiple-coin  
22 pinball machines, and poker machines, and other coin-activated devices taxed  
23 under §19200 of the Government Code; provided, however, that this declaration  
24 of legality shall not be deemed to apply to any so-called 'slot machine' as  
25 defined in Subsection (c) of this Section, which 'slot machine' device is  
26 declared to be and remains unlawful in Guam, except during any Guam Island  
27 Fair, Liberation Day Carnival or any other fair or carnival for which the  
28 Governor has issued a proclamation."

29 Section 66. If any Section, portion or application of this Act shall be declared  
30 invalid, such declaration shall not affect the validity of any remaining Section,  
31 portion or application and to this end such remaining Section, portion or application  
32 shall be severable.

1 Section 67. The Guam Legislature considers termination of the Navy Power Pool  
2 Agreement (Island Wide Power System), one of the most critical issues facing the  
3 Government of Guam; therefore,

4 (a) The Guam Power Authority shall provide the Public Utilities  
5 Commission and the Speaker of the Guam Legislature with copies of all interim  
6 copies, all draft copies, and all complete copies, all final copies of the Ernst  
7 and Whinney study relative to terminating the Navy Power Pool Agreement of  
8 the Island Wide Power System (IWPS) and all other copies with the Guam Power  
9 Authority, within ten (10) days of submission or inspection of such report by  
10 the Guam Power Authority or its directors, agents or officers. The copies shall  
11 be certified by the General Manager as true and complete copies, and

12 (b) The Guam Power Authority shall provide the Public Utilities  
13 Commission, the Governor, and the Speaker of the Guam Legislature, with  
14 certified copies of the one hundred percent completed Ernst and Whinney study  
15 relative to terminating the Navy Power Pool Agreement of the IWPS with the  
16 Guam Power Authority for comments and position statements by the Public  
17 Utilities Commission, the Governor, and the Guam Legislature no less than two  
18 (2) months prior to submittal of said report to the United States Congress, and

19 (c) Failure to comply with provisions of this Section shall be deemed  
20 unlawful in addition to any other provisions of law. The General Manager and  
21 the Board of Directors of the Guam Power Authority shall be held personally  
22 liable to a fine not to exceed Eight Thousand Dollars (\$8,000.00) per day for  
23 every day the Guam Power Authority fails to provide any copies of the Ernst  
24 and Whinney report (in any state of completion) to the Public Utilities  
25 Commission, the Governor, and the Speaker of the Guam Legislature as  
26 requested by this Section, and

27 (d) Furthermore, the Legislature shall be represented at any further  
28 meetings, conferences and/or briefings between the Navy, the Guam Power  
29 Authority, Ernst and Whinney and the Department of the Interior relative to the  
30 termination of said Power Pool Agreement of the IWPS. The Speaker shall  
31 appoint three (3) members of the legislature, one (1) of whom shall be a  
32 member of the legislature's committee with oversight of utilities, one (1) of  
33 whom shall be a member of the legislature's committee with oversight of federal,  
34 foreign and legal affairs, and one (1) of whom shall be a member of the

1 minority, to represent the Legislature at all said meetings, conferences and  
2 briefings, and

3 (e) In any event, neither the government of Guam nor any of its  
4 agencies, autonomous agencies, instrumentalities or autonomous  
5 instrumentalities, officers, agents or employees shall be bound by the  
6 negotiations entered into, or decisions reached with respect to said Ernst and  
7 Whinney study unless the comments of the Public Utilities Commission and the  
8 Legislature are included in the submittal of said Ernst and Whinney report to  
9 the United States Congress, and such termination shall not be effective until  
10 the terms of the termination of the Navy Power Pool Agreement (IWPS) have  
11 been ratified by law, and

12 (f) The Guam Power Authority shall not have authority, directly or  
13 indirectly, to designate any document, records or correspondence as  
14 non-public, and

15 (g) All meetings of government of Guam departments, agencies,  
16 autonomous instrumentalities, and their agents, officers and employees with each  
17 other or with the United States government or any other person concerning any  
18 aspect of termination of the Power Pool Agreement (IWPS) shall be open and  
19 public meetings, noticed and conducted pursuant to the Open Government Law."

20 Section 68. Subsections (i) and (ii) of 3 GCA §19108(a)(1) are amended to  
21 read:

22 "(i) In the case of the candidate, to his own campaign which may  
23 include donations to charitable organizations, sponsorship of sports  
24 activities, purchase of gifts not to exceed One Hundred Dollars (\$100) to  
25 any one (1) donee, or purchase of raffle tickets; or

26 (ii) In the case of a campaign treasurer or committee, to the  
27 campaign of the candidate, question, or issue with which they are directly  
28 associated but with respect to a candidate may include donations to  
29 charitable organizations, sponsorship of sports activities, purchase of gifts  
30 not to exceed One Hundred Dollars (\$100) to any one (1) donee, or  
31 purchase of raffle tickets."

32 Section 69. Subsection (2) of 3 GCA §19108(a) is amended to read:

33 "(2) To campaign against any other candidate not directly opposing  
34 the candidate for whom the funds are collected or with whom the campaign

1 treasurer is directly associated; provided that a candidate, campaign  
2 treasurer or committee may purchase from its campaign fund tickets for  
3 each testimonial or fund raising affair held by another candidate,  
4 committee, or political party."

5 Section 70. Subsection (b) of 3 GCA §19108 is amended to read:

6 "(b) This Section shall not construed to prohibit a political party  
7 from supporting more than one candidate or to prohibit joint expenditure  
8 by two or more candidates seeking election to multiple offices whether the  
9 expenditures are equally or unequally incurred among such candidates.  
10 The political party or candidates, whichever is applicable, shall make the  
11 allocation."

12 Section 71. Section 19397 of the Government Code is amended to read:

13 "Section 19397. Same: Same. Such deed conveys to the government the  
14 absolute title to the property described therein, free of all encumbrances.  
15 Upon execution and acknowledgment or proof of the deed referred to in Section  
16 19394, and thereafter, no action may be brought to set aside such deed except  
17 upon the ground of actual fraud."

18 Section 72. A new Section 19394.4 is added to the Government Code to read:

19 "Section 19394.4. Redemption after Sale. Within one (1) year after the  
20 sale of any property pursuant to Section 19394.3 of this Chapter, the person  
21 who owned the property prior to the public auction may redeem the property by  
22 paying to the purchaser the amount paid to the government plus interest at the  
23 rate of twelve percent (12%) per annum. Once the one-year redemption period  
24 has expired, the person who owned the property prior to the public auction  
25 shall have no further redemption rights or interest whatsoever in said  
26 property."