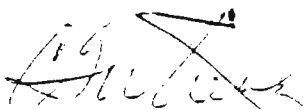


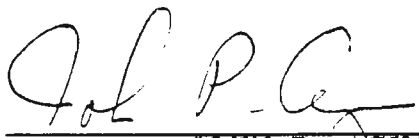
EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 128, "AN ACT TO RE-ESTABLISH A STATE ARTS AGENCY WITHIN THE GOVERNMENT OF GUAM AND FOR OTHER PURPOSES", returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 8th day of July 1985, agree to pass said bill notwithstanding the objections of the Governor by a vote of two-thirds of all members thereof, to wit: by a vote of 18 members.

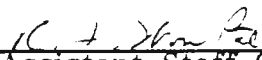
  
\_\_\_\_\_  
CARL T. C. GUTIERREZ  
Speaker

Attested:

  
\_\_\_\_\_  
JOHN P. AGUON  
Senator and Legislative Secretary

-----

This Act was received by the Governor this 9<sup>th</sup> day of July  
1985, at 2:39 o'clock p.m.

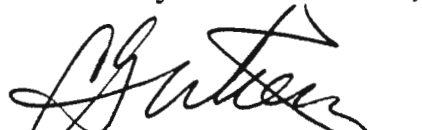
  
\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

Public Law No. 18-8  
(Legislative override)

EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

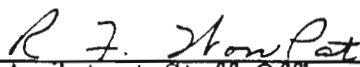
This is to certify that Substitute Bill No. 128 (COR), "AN ACT TO RE-ESTABLISH A STATE ARTS AGENCY WITHIN THE GOVERNMENT OF GUAM AND FOR OTHER PURPOSES", was on the 24th day of June 1985, duly and regularly passed.

  
CARL T. C. GUTIERREZ  
Speaker

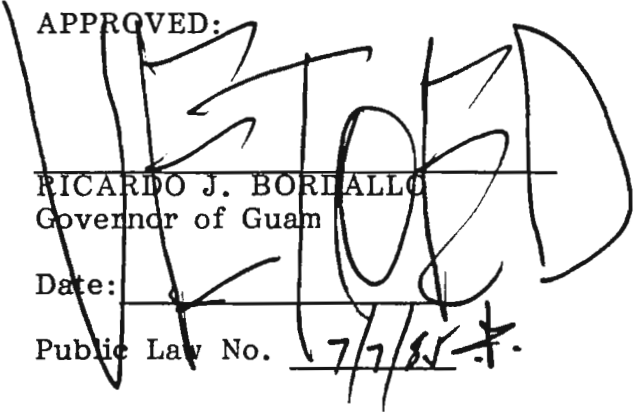
Attested:

  
ELIZABETH P. ARRIOLA  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 26<sup>th</sup> day of June 1985, at 2:35 o'clock P.m.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
RICARDO J. BORDALLO  
Governor of Guam

Date:

Public Law No.

77/85 - 1

EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

Bill No. 128 (COR)  
Substituted by Committee on Rules

Introduced by:

E. P. Arriola  
T. S. Nelson

---

AN ACT TO RE-ESTABLISH A STATE ARTS AGENCY  
WITHIN THE GOVERNMENT OF GUAM AND FOR OTHER  
PURPOSES.

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

2 Section 1. Section 4 of Public Law 16-122, as amended by Public Law  
3 17-81, is repealed.

4 Section 2. The Governor, on behalf of the government of Guam, shall  
5 borrow, and the Board of Directors of the Port Authority of Guam shall  
6 loan, an amount not to exceed Four Million Dollars (\$4,000,000) from the  
7 Port Authority of Guam, from unexpended funds designated as Anticipated  
8 Projects for Fiscal Year 1985 by the Board of Directors of the Port  
9 Authority of Guam. The terms of the loan shall include the following:

10 (a) The loan shall be used exclusively for the purpose of the  
11 payment of teacher preparation periods encumbered by teachers in  
12 School Year 1984-85, as appropriated in Section 10 of Public Law 18-5,  
13 the procurement of textbooks and library books for School Year  
14 1985-86, and the Management Audit of the Department of Education and  
15 the Department of Public Works, and for other purposes as enumerated  
16 in this Act.

17 (b) The interest rate shall not exceed five percent (5%) per  
18 annum.

19 (c) Funds necessary for such repayment of interest and  
20 principal are appropriated from the General Fund. The duration of  
21 the repayment of the loan shall be two (2) years.

22 Section 3. The sum of One Million One Hundred Sixty-six Thousand  
23 Five Hundred Fourteen Dollars (\$1,166,514) is appropriated from the  
24 General Fund to the Department of Education as an advance appropriation

1 from the FY'86 Budget to procure textbooks and library books from  
2 off-island or on-island vendors for school year 1985-86. The amount  
3 appropriated pursuant to this Section shall be allocated for book purchases  
4 and book transportation costs not to exceed the following:

5 ELEMENTARY

6 a. Textbooks \$ 282,477  
7 b. Library Books \$ 103,337

8 SECONDARY

9 a. Textbooks \$ 671,265  
10 b. Library Books \$ 109,435

11 Receipt documents on procurements shall be submitted to the Committee  
12 on Education by the Director of the Department of Education within ten (10)  
13 days of receiving the books authorized in this Section. No funds  
14 appropriated by this Section shall be utilized for any purpose not specified  
15 herein. No funds appropriated in this Section shall be transferred.

16 Section 4. The sum of Eighty-one Thousand Four Hundred Dollars  
17 (\$81,400) is appropriated from the General Fund to the Department of  
18 Education as an advance appropriation from the FY'86 Budget to procure  
19 life science and history textbooks from off-island or on-island vendors for  
20 school year 1985-86. The appropriation made pursuant to this Section is  
21 subject to the approval of the adoptions of the Textbooks by the Territorial  
22 Board of Education. Receipt documents on procurements shall be submitted  
23 to the Committee on Education by the Director of Education within ten (10)  
24 days of receiving the books authorized in this Section. No funds  
25 appropriated pursuant to this Section shall be used for any purpose not  
26 specified herein. No funds appropriated in this Section shall be  
27 transferred.

28 Section 5. The Department of Youth Affairs is hereby authorized to  
29 expend from the lapsed funds of FY'85 the following:

30 (1). \$5,577.71 for overtime incurred by  
31 Special Services personnel in  
32 FY'83.

1           Section 6. A new Subsection (f) is added to Section 19200.05 of the  
2 Government Code to read:

3           "(f) For the Department of Public Health and Social Services to  
4 assist persons who are referred off-island for treatment after the  
5 effective date of this Act for treatment of a catastrophic illness and  
6 who do not have medical insurance or who are not eligible for medicare  
7 or medicaid."

8           Section 7. A new 10 GCA §2912 is added to read:

9           "§2912. The Department shall adopt rules in accordance with the  
10 Administrative Adjudication Act to administer the catastrophic illness  
11 program. The rules shall be adopted within one hundred twenty (120)  
12 days after the enactment of this Act and a report of the adoption shall  
13 be sent to the Legislature. The program shall provide for care of  
14 victims of catastrophic illnesses whether such care is provided on  
15 Guam or at off-island medical facilities."

16           Section 8. Section 6959.2 of the Government Code is repealed. This  
17 Section 8 shall take effect retroactively as of April 1, 1985.

18           Section 9. Notwithstanding any other provision of law, the sum of  
19 Fifty thousand Dollars (\$50,000) is appropriated from the Port Authority  
20 Fund to the Guam Council on the Arts and Humanities for the purpose of  
21 funding Guam's participation in the South Pacific Festival of the Arts. Any  
22 sums from this appropriation not used for this purpose shall revert to the  
23 Port Authority Fund.

24           Section 10. The sum of One Hundred Sixty-five Thousand Dollars  
25 (\$165,000) is appropriated from the General fund to the Legislature  
26 Operations Fund for the operation of the Eighteenth Guam Legislature, and  
27 of the amount appropriated pursuant to this Section, One Hundred  
28 Thousand Dollars (\$100,000) shall be allocated to the Minority.

29           Section 11. The sum of One Hundred Forty Thousand Dollars  
30 (\$140,000) is appropriated from the General Fund to the Committee on  
31 Education for the sole purpose of conducting a Management Audit of the  
32 Department of Education.

1 Section 12. Part XXXIII of Section 5 of P.L. 17-70 is amended to  
2 read:

3 "PART XXXIII  
4 GUAM POLICE DEPARTMENT

	General	Other	Federal	
	Fund	Fund	Fund	Total
5				
6				
7	A. Director's Office			
8	1. Personnel Services	\$ 539,687		\$ 539,687
9		(26.0 FTE)		(26.0 FTE)
10	2. Operating Expenses	122,361		122,361
11	3. Lease of Office Space	294,840		294,840
12	4. Utilities			
13	a. Power	276,000		276,000
14	b. Water	5,000		5,000
15	c. Telephone	62,000		62,000
16	TOTAL	\$1,299,888		\$1,299,888
17	B. Police Operations			
18	a. Office of the Chief of			
19	Police Operations			
20	1. Personnel Services	\$ 620,626		\$ 620,626
21		(24.0 FTE)		(24.0 FTE)
22	TOTAL	\$ 620,626		\$ 620,626
23	b. Patrol Operations Bureau			
24	1. Personnel Services	\$4,139,138		\$4,139,138
25		(211 FTE)		(211 FTE)
26	TOTAL	\$4,139,138		\$4,139,138
27	c. Investigative Operations			
28	Bureau			
29	1. Personnel Services	\$1,665,371		\$1,665,371
30		(74.0 FTE)		(74.0 FTE)
31	TOTAL	\$1,665,371		\$1,665,371

1	d. Field Support Bureau			
2	1. Personnel Services	\$1,201,186		\$1,201,186
3		(47.0 FTE)		(47.0 FTE)
4	2. Operating Expenses	58,100	8,000*	66,100
5	3. Capital Outlay	<u>35,200</u>		<u>35,200</u>
6	TOTAL	\$1,294,486	8,000*	\$1,302,486
7	* Tourist Attraction Fund			
8	C. Administrative Operations			
9	a. Chief-Administrative Operations			
10	1. Personnel Services	\$ 42,309		\$ 42,309
11		(2.0 FTE)		(2.0 FTE)
12	TOTAL	\$ 42,309		\$ 42,309
13	b. Management Services Bureau			
14	1. Personnel Services	\$ 561,475		\$ 561,475
15		(35.0 FTE)		(35.0 FTE)
16	2. Operating Expenses	<u>70,000</u>		<u>70,000</u>
17	TOTAL	\$ 631,475		\$ 631,475
18	c. Support Services Bureau			
19	1. Personnel Services	\$ 471,657		\$ 471,657
20		(22.0 FTE)		(22.0 FTE)
21	2. Operating Expenses	28,000		28,000
22	3. Capital Outlay	<u>15,000</u>		<u>15,000</u>
23	TOTAL	\$ 514,657		\$ 514,657
24	d. Technical Services Bureau			
25	1. Personnel Services	\$ 518,359		\$ 518,359
26		(26.0 FTE)		(26.0 FTE)
27	2. Operating Expenses	569,460		569,460
28	3. Capital Outlay	<u>261,667</u>		<u>261,667</u>
29	TOTAL	\$1,349,486		\$1,349,486
30				
31	GRAND TOTAL			
32	PART XXXIII	\$11,507,436	\$8,000*	\$11,515,436
33				

PART XXXIII-A  
GUAM FIRE DEPARTMENT

		General Fund	Other Fund	Federal Fund	Total
5	A. Fire Operations				
6	a. Office of the Fire Chief				
7	1. Personnel Services	\$ 591,743			\$ 591,743
8		(34.0 FTE)			(34.0 FTE)
9	2. Operating Expenses	<u>334,433</u>			<u>334,433</u>
10	TOTAL	\$ 926,176			\$ 926,176
11	b. Bureau of Fire Prevention				
12	1. Personnel Services	\$ 304,094			\$ 304,094
13		(11.0 FTE)			(11.0 FTE)
14	2. Operating Expenses	<u>7,500</u>			<u>7,500</u>
15	TOTAL	\$ 311,594			\$ 311,594
16	c. Bureau of Fire Operations				
17	1. Personnel Services	\$4,101,257			\$4,101,257
18		(162.0 FTE)			(162.0 FTE)
19	2. Operating Expenses	91,360			91,360
20	3. Capital Outlay	438,500			438,500
21	4. Utilities				
22	a. Power	31,783			31,783
23	b. Water	2,927			2,927
24	c. Telephone	<u>7,900</u>			<u>7,900</u>
25	TOTAL	\$4,673,727			\$4,673,727
26	<hr/>				
27	GRAND TOTAL				
28	PART XXXIII-A	\$ 5,961,497			\$ 5,961,497
29	<hr/>				

30           Section 13. The Department of Mental Health and Substance Abuse is  
31 hereby authorized to utilize lapses within its Fiscal Year 1985 operational  
32 budget for the purpose of implementing the Guma Man Hoben program.



1 Section 14. Item D of Part XX of Section 5 of Public Law 17-70 is  
2 amended to read:

	General	Other	Federal	Total
	Fund		Fund	
3				
4				
5	D. For Technical Processing			
6	under C.F.D.A. No. 13.464			
7	1. Personnel Services	\$ 79,464		\$ 79,464
8		(5.0 FTE)		(5.0 FTE)
9	2. Operating Expenses	100,900	\$65,686	166,586
10	3. Capital Outlay	<u>15,000</u>		<u>15,000</u>
11	TOTAL	\$195,364	\$65,686	\$261,050

12 Section 15. Four Hundred Thirty Six Thousand Dollars (\$436,000) is  
13 appropriated from the General Fund to the Eighteenth Guam Legislature  
14 Committee on Ways and Means to accomplish the purposes set out in Section  
15 1400 of the Government Code.

16 Section 16. 12 GCA Section 8104(2) is amended to read:

17 "(2) acquire, in accordance with Title VII-A of this Code and  
18 subject to the laws of Guam, by grant, purchase, gift, devise or  
19 lease, or by the exercise of the right of eminent domain in accordance  
20 with the provisions and subject to the limitations of Title V of Part III  
21 of the Code of Civil Procedure of Guam, and hold and use any real or  
22 personal property necessary or convenient or useful for the carrying  
23 on of any of the powers pursuant to the provisions of this Chapter;  
24 provided further that the Authority shall not enter any agreement for  
25 the purchase of oil or any other petroleum product which extends  
26 longer than five (5) years;"

27 Section 17. Notwithstanding any law or rule the Board of Directors of  
28 the Port Authority of Guam shall implement the Port Authority of Guam's  
29 employment reclassification plan which provides raises for employees.

30 Section 18. A new Subsection (g) is added to Section 19200.05 of the  
31 Government Code to read:

32 "(g) For the Department of Public Health and Social Services to  
33 assist in funding the costs of administering and operating the Medically  
34 Indigent Program as established by Public Law 17-83."

EIGHTEENTH GUAM LEGISLATURE

ROLL CALL SHEET

Bill No.: 122

DATE: 10-24-85

Resolution No.: \_\_\_\_\_

QUESTION: \_\_\_\_\_

<u>SENATOR</u>	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
J. F. Ada	✓			
J. P. Aguon	✓			
E. P. Arriola	✓			
J. G. M. Bamba	✓			
F. F. Blas	✓			
H. D. Dierking	✓			
E. R. Duenas				✓
C. T. C. Gutierrez	✓			
F. J. Gutierrez	✓			
A. C. Lamorena III	✓			
P. C. Lujan	✓			
M. D. A. Manibusan	✓			
<del>J. ...</del>				
T. S. Nelson	✓			
D. Parkinson	✓			
F. J. Quitugua	✓			
J. M. Rivera	✓			
J. T. San Agustin	✓			
F. R. Santos	✓			
T. V. C. Tanaka				✓
A. R. Unpingco	✓			

18

2

# EIGHTEENTH GUAM LEGISLATURE

## CHAIRMAN, COMMITTEE ON RULES

Members: Speaker Carl T.C. Gutierrez  
Sens. Elizabeth P. Arriola,  
Herminia D. Dierking,  
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

June 24, 1985

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

Dear Mr. Speaker:

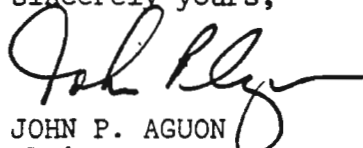
The Committee on Rules at its meeting on June 24, 1985, approved the placement of Bill No. 128, second item on Second Reading File; and hereby transmits to the full Legislature Bill No. 128 as Substituted by the Committee on Rules.

The Committee voting record for passage of Bill No. 128 is as follows:

TO DO PASS	<u>8</u> 9
TO NOT PASS	_____
ABSTAIN	_____
COMMENTS	<u>2</u> 1

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

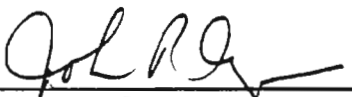

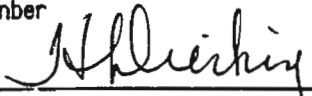
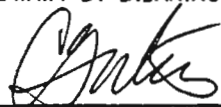

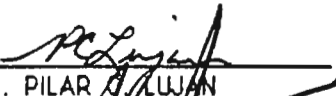
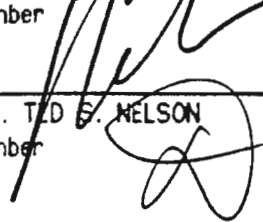
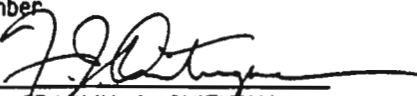
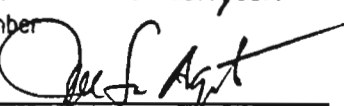
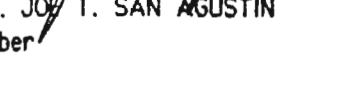
Sincerely yours,

  
JOHN P. AGUON  
Chairman

Attachments

VOTING SHEET  
COMMITTEE ON RULES

BILL NO. 128 AS SUBSTITUTED BY THE COMMITTEE ON RULES

<u>MEMBERS</u>	<u>TO DO PASS</u>	<u>TO NOT PASS</u>	<u>ABSTAINED</u>	<u>COMMENTS</u>
 SEN. JOHN P. AGUON Chairperson	✓	_____	_____	_____
 SEN. ELIZABETH P. ARRIOLA Member	✓	_____	_____	_____
 SEN. HERMINIA D. DIERKING Member	_____	_____	_____	To report out
 SEN. CARL T.C. GUTIERREZ Member	✓	_____	_____	_____
 SEN. FRANKLIN J. GUTIERREZ Member	✓	_____	_____	_____
 SEN. PILAR COLLUYAN Member	✓	_____	_____	_____
 SEN. TED S. NELSON Member	✓	_____	_____	_____
 SEN. DON PARKINSON Member	✓	_____	_____	_____
 SEN. FRANKLIN J. QUITUGUA Member	✓	_____	_____	_____
 SEN. JOE T. SAN AGUSTIN Member	✓	_____	_____	_____
SEN. FRANCISCO R. SANTOS Member	_____	_____	_____	_____
SEN. EDWARD R. DUENAS Member	_____	_____	_____	_____

COMMITTEE REPORT

Substitute Bill 128

Committee Report of

Committee on Rules

The Committee on Rules of the Eighteenth Guam Legislature met on Monday, June 24, 1985, at approximately 11:30 a.m. in the Legislative Conference room.

Committee Recommendations

The Committee decided to recommend passage of Bill 128 as originally introduced with several amendments, which were included in Sections 3 through 11, as explained below.

Section 3 of the Bill requires the Governor to borrow an amount not to exceed Four Million Dollars (\$4,000,000) from the Port Authority of Guam, from unexpended funds designated as Anticipated Projects for Fiscal Year 1985 by the Board of Director of the Port Authority of Guam. The loan shall be used exclusively for the purpose of the payment of teacher preparation periods encumbered by teachers in school year 1984-85, the procurement of textbooks and library books for school year 1985-86, and the Management Audit of the Department of Education. The interest rate for such loan may not exceed five percent (5%). Funds necessary for such repayment of interest and principal are appropriated from the General Fund. The duration of the repayment of the loan shall be two (2) years.

Section 4 of the bill appropriates One Million One Hundred Sixty-six Thousand Five Hundred Fourteen Dollars (\$1,166,514) from the General Fund to the Department of Education as an advance appropriation from

the FY'86 Budget for the procurement of textbooks and library books from off-island or on-island vendors for school year 1985-86.

Section 5 of the bill appropriates Eighty-one Thousand Four Hundred Dollars (\$81,400) from the General Fund to the Department of Education as an advance appropriation from the FY'86 Budget to procure life science and history textbooks from off-island or on-island vendors for school year 1985-86.

Section 6 of the bill authorizes the Department of Youth Affairs to expend from the lapsed funds of FY'85 Five Thousand Five Hundred Seventy-seven and seventy-one cents (\$5,577.71) for overtime incurred by Special Services personnel in FY'83, ~~and Three Thousand Eight Hundred Nineteen Dollars and thirty-four cents (\$3,819.34) for overexpenditures incurred in the 1984 Summer Youth Employment Program.~~

Section 7 of the bill adds a new Subsection (f) to Section 19200.05 of the Government Code to allow distribution of money in the fund established in that Section to the Guam Memorial Hospital Authority to assist persons who are referred off-island for treatment of a catastrophic illness and do not have medical insurance or who are not eligible for medicare or medicaid.

Section 8 of the bill adds a new 10 GCA §80106.1 providing that the Board of Trustees of the Guam Memorial Hospital Authority shall adopt rules to administer the catastrophic illness program.

Section 9 of the bill repeals Section 6959.2 of the Government Code, effective April 1, 1985.

Section 10 of the bill appropriates Fifty Thousand Dollars (\$50,000) from the Port Authority Fund to the Guam Council on the Arts and Humanities to fund Guam's participation in the South Pacific Festival of the Arts.

Section 11 of the bill appropriates One Hundred Sixty-five Thousand Dollars (\$165,000) from the General Fund to the Legislature Operations Fund for the operation of the Eighteenth Guam Legislature, One Hundred Thousand Dollars (\$100,000) of which is allocated to the ~~Committee on Rules~~ *Minority*.

Section 12 of the bill appropriates One Hundred Forty Thousand Dollars (\$140,000) from the General Fund to the Committee on Education for the purpose of conducting a Management Audit of the Department of Education.

EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

Introduced

FEB 06 '85

Bill No. 128 (COR)

Introduced by:

E. P. Arriola *EPA*

---

**AN ACT TO RE-ESTABLISH A STATE ARTS AGENCY WITHIN  
THE GOVERNMENT OF GUAM.**

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

2 **Section 1.** Section 4 of P. L. 16-122 is hereby repealed.

3 **Section 2.** Section 5 of P. L. 17-81 is also repealed.

4  
5  
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