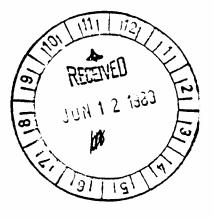
# PRODUCED AT GOVERNMENT EXPENS



Territory of Guam Territorion Guam

OFFICE OF THE GOVERNOR UFISINAN I MAGA'LAHI AGANA, GUAM 96910 U.S.A.

JUN 1 2 1989



The Honorable Joe T. San Agustin Speaker. Twentieth Guam Legislature Post Office Box CB-1 Agana. Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 559, which the Governor signed into law on Saturday.

June 10, 1989 as Public Law 20-18.

Sincerely,

FRANK F. BLAS Governor of Guam, Acting

Attachment

## CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 559 (COR), "AN ACT TC APPROPRIATE THE SUM OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR AN OPEN CULVERT AT FINILE, FINILE SUB-DIVISION AND FOR OTHER PURPOSES," was on the 1st day of June, 1989, duly and regularly passed.

SAN USTIN Speaker

Attested:

Senator and Legislative Secretary

This Act was received by the Governor this <u>sth</u> day of  $\frac{1}{989}$ , at <u>10:30</u> o'clock A.m.

Assistant Staff Officer Governor's Office

**APPROVED:** 

JCSEPH F. ADA Governor of Guam

JUN 1 0 1989 Date:

Public Law No. 20-18

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Bill No. 559 (COR)

Introduced by:

P. C. Lujan

C. T. C. Gutierrez

- T. S. Nelson
- J. P. Aguon H. D. Dierking
- M. Z. Bordallo
- M. D. A. Manibusan
- G. Mailloux
- J. T. San Agustin
- E. P. Arriola
- J. G. Bamba
- D. F. Brooks
- E. R. Duenas
- E. M. Espaldon
- D. Parkinson
- F. J. A. Quitugua
- E. D. Reves
- M. C. Ruth
- F. R. Santos
- T. V. C. Tanaka
- A. R. Unpingco

AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR AN OPEN CULVERT AT FINILE FINILE. SUB-DIVISION AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: 1 Section 1. The Department of Public Works is authorized to construct 2 3 an open culvert at Finile Drive, Finile Sub-Division, Agat.

Section 2. One Hundred Seventy Thousand Dollars (\$170,000) are hereby appropriated from the General Fund to the Department of Public 5 Works to implement Section 1 of this Act. 6

7 Section 3. The Agat Municipal Planning Council shall supervise the 8 construction of the open culvert project at Finile Drive, Finile Subdivision 9 authorized by this Act and shall coordinate with the Department of Public 10 Works in its implementation. The contracting officer shall be the Director of the Department of Public Works. 11

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1 Two Million Four Hundred Forty-Six Thousand Three Section 4. Hundred Sixty-Four Dollars (\$2,446,364) are hereby appropriated from the 2 General Fund of the Government of Guam to the University of Guam for the 3 Student Financial Assistance Fund established under \$15103, Title 17, Guam 4 Code Annotated, and administered by the Board of Regents of the 5 6 University of Guam. The appropriations made under this Act shall be for 7 the period commencing August 1, 1989 and ending July 31, 1990, and shall 8 not be subject to any allotment reserve that could be imposed by the Bureau of Budget and Management Research. 9 The appropriation shall be 10 expended as follows:

11 (a) Professional/Technical Awards \$545,822 12 (b) Student Loans 886,986 13 (c) Merit Awards (Guam 491.134 14 (d) Merit Awards (Off-Island) 507,263 15 (e) Merit Awards (Northern Marianas Citizens) 5,421 16 Merit Awards (Citizens of the T.T. Region) (f) 9.738 17 Section 5. (a). Pursuant to Section 15103, Title 17, Guam Code 18 Annotated, the appropriation made under Section 4 of this Act shall supplement the unexpended balance of Three Hundred Forty Thousand Eight 19 20

Hundred Ten Dollars (\$340,810) in the Student Financial Assistance Fund,
including repayments to the Fund.

22 Section 5. (b). Two Hundred Ten Thousand Six Hundred Fifty-Seven Dollars (\$210,657) are hereby appropriated from the General 23 24 Fund of the Government of Guam for the Teacher Training Scholarship 25 Program and the Nurses Training Program at the University of Guam 26 established under \$\$18102 and 19102, respectively, of Title 17, Guam Code 27 Annotated to be expended as follows:

28

(a) Teacher Training Scholarship Program \$128,745

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(b) Nurses Training Program 81,812

30 Section 7. (c). Pursuant to Section 15103, Title 17, Guam Code 31 Annotated, the appropriation made under \$6 of this Act shall supplement 32 the unexpended balance of Two Hundred Fifty-Eight Thousand Forty Six 33 Dollars (\$258,046) in the Teacher Training Scholarship Program and the 34 Nurses' Training Program Fund, including repayments to the Fund.

Section 8. (d). Forty-Two Thousand Twenty-Four Dollars (\$42,024) are hereby appropriated from the General Fund of the Government of Guam to the University of Guam to fund the Board of Regents ROTC Program which provides all recipients with free tuition, books and fees and \$100 per month for nine months per year for four years.

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6 Section 9. (e). Sixty-Nine Thousand Eight Hundred Eighty-Six 7 Dollars (\$69,886) are hereby appropriated from the General Fund of the 8 Government of Guam for the operational budget of the University of Guam 9 Student Financial Assistance Program.

10 Section 10. Twenty-Four Thousand Dollars (\$24,000) are hereby 11 appropriated from the General Fund to the Department of Parks and 12 Recreation to make necessary repairs to the Agana Swimming Pool to 13 prepare it for the training camp to be held by the U. S. National Swimming 14 Team in August of 1989.

ROLL CALL SHEET

Bill No. 559

Date: 6-1-89

Resolution No.

QUESTION:

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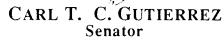
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J. P. Aguon				
E. P. Arriola				
J. G. Bamba				
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D. F. Brooks				
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C. T. C. Gutierrez				
P. C. Lujan				
G. Mailloux				
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T. S. Nelson				
D. Parkinson				
F. J. A. Quitugua				
E. D. Reyes				•
M. C. Ruth				
J. T. San Agustin	$\checkmark$			
F. R. Santos				
T. V. C. Tanaka				
A. R. Unpingco				
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# Twentieth Guam Legislature

163 Chalan Santo Papa St. Agana, Guam U.S.A. 96910 (671) 472-3407/8/9/10



Chairman, Committee on Ways & Means Vice-Chairman, Committee on Tourism & Transportation



May 30, 1989

Honorable Joe T. San Agustin Speaker, Twentieth Guam Legislature 163 Chalan Santo Papa Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Ways & Means and the Committee on General Governmental Operations to which Bill No. 559 was referred, wishes to report back to the full Legislature with the recommendation to do Pass as Amended.

The Committee Voting record is as follows:

	Ways & Means	GGO
TO DO PASS		_13_
NOT TO PASS	<u>D</u>	
TO REPORT OUT ONLY	<u>    0      </u>	
TO PLACE IN INACTIVE FILE	0	0

Copies of the Committee Report and other pertinent information are attached for your information.

Sincerely, CARL T,C. GUTIEBREZ S / NELSON

Attachments

Twentieth Guam Legislature Committee on Ways & Means <u>Voting Sheet</u>

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BILL NO: <u>559</u>

"AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR AN OPEN CULVERT AT FINILE, FINILE SUB-DIVISION.

	TO <u>PASS</u>	NOT <u>TO PASS</u>	TO REPORT OUT ONLY	TO PLACE IN INACTIVE FILE
Marty	1			
Senator Carl F. C. GUTIERREZ Chairman	 V			
Senator Herminia D. DIERKING	$\checkmark$			
Separator John P. AGUON Member				
Senator George BAMBA Member				
Senator Doris BROOKS Member				
Senator Ernesto ESPALDON Member Marilion Manihusan	$\overline{\checkmark}$			
Senator Marilym MANIBUSAN Member				
Senator Ted S. NELSON Member			and the second second second	
Senator Don PARKINSON Member				
Senator Franklin J. A. QUITUGUA Member	/5/30	1/89		
Senator Martha C. RUTH Member	<u></u>			

### TWENTIETH GUAM LEGISLATURE COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS

### VOTE SHEET

on

BIII No. 559 AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED THOUSAND DOLLARS (\$200,000) FOR AN OPEN CULVERT AT FINILE, FINILE SUBDIVISION.

Committee Members	To do	Not to		
Committee Members	Pass	Pass	Abstain	Other
Ted S. Nelson, Chairperson		·····		
Abierting	V			
Herminia D. Dierking, Vice Chairperson				
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Elizabeth P. Arriola				
Madeline & Bardallo	/			
Madeleine Z. Bordallo				
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Edward R., Duenas,				
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Carl T.C. Gutierrez	······	·····		
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Gordon Mailloux				
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Don Parkinson				
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Eddie D. Reyes				
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Joe T, San Agustin, Speaker				
.R. Panto				
Frank R. Santos				

Tommy V.C. Tanaka

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## COMMITTEE ON WAYS & MEANS REPORT ON BILL NO. 559

# BILL NO. 559: AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED THOUSAND DOLLARS (\$200,000) FOR AN OPEN CULVERT AT FINILE, FINILE SUBDIVISION.

A joint public hearing was held by the Committee on Ways & Means and the Committee on General Governmental Operations on Friday, May 5, 1989 to gather testimony on Bill No. 459. Committee Chairs Carl T.C. Gutierrez and Ted S. Nelson conducted by the hearing, being joined by Senators E. P. Arriola, F. J.A. Quitugua, J. G. Bamba, and D. F. Brooks.

### BACKGROUND

Bill No. 559 proposes to fund the construction of a culvert to channel flood water from the hills above Finile to the ocean.

### TESTIMONY

Commissioner Antonio Babauta testified about the work done so far to alleviate flooding in this area and how the appropriation in this measure could continue the project (see Attachment A). There are sixty-two families living in this area and they need the protection the culvert would give.

Assistant Commissioner John Quidachay testified in favor of Bill No. 559, citing the experience with flooding on April 28th of this year (see Attachment B).

A Fiscal Note was submitted by the Bureau of Budget and Management Research indicating that the amount proposed will be sufficient for design and construction of the project which should cost \$170,000 (see Attachment C).

# RECOMMENDATION

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The Committee on Ways & Means recommends that Bill No. 559 by passed by the Twentieth Guam Legislature as Amended.

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Bill No. <u>559 (COR)</u> As Amended by the Committee on Ways & Means and Committee on General Governmental Operations

Introduced by:

P. C. LUJAN C. T.C. GUTIERREZ T. S. NELSON

M. W. Maintan

# AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR AN OPEN CULVERT AT FINILE, FINILE SUB-DIVISION.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
Section 1. The Department of Public Works is authorized to
construct an open culvert at Finile Drive, Finile Sub-Division, Agat.
Section 2. The sum of One Hundred Seventy Thousand Dollars
(\$170,000) is appropriated from the General Fund to the Department
of Public Works to implement Section 1 of this Act.

# Introduced

APR 10 '89

#### TWENTIETH GUAM LEGISLATURE 1989 (FIRST) REGULAR SESSION

Bill No. 559

Introduced by:

P.C. Lujan

AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED THOUSAND DOLLARS (\$200,000) FOR AN OPEN CULVERT AT FINILE, FINILE SUB-DIVISION.

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

2 Section 1. The Department of Public Works is authorized to construct

3 an open culvert at Finile Drive, Finile Sub-Division, Agat.

4 Section 2. The sum of TWO HUNDRED THOUSAND DOLLARS (\$200,000)

5 is appropriated from the General Fund to the Department of Public Works to implement

6 Section 1 of this Act.

AGAT COMMISSIONER'S OFFICE P.O. BOX 7388 AGAT, GUAM 96928 565-2524

May 5, 1989

GOOD MORNING MR. CHAIRMAN AND SENATORS....MY NAME IS ANTONIO C. BABAUTA, COMMISSIONER OF AGAT, AND IN BEHALF OF THE PEOPLE OF AGAT, I AM HERE TO TESTIFY IN SUPPORT OF BILL 559, 575, 442, AND 593.

THE \$200,000.00 IN THIS BILL #559 SHOULD BE ENOUGH TO COVER THE A & E, AND THE PHASE ONE CONSTRUCTION OF AN OPEN CULVERT AT FINILE DRIVE, FINILE SUB-DIVISION IN AGAT.

FOUR (4) YEARS AGO, AN ASSESSMENT OFFICER FROM DEPARTMENT OF PUBLIC WORKS ESTIMATED \$300,000.00 FROM ROUTE 2 TO THE END OF FINILE DRIVE (1,700 FEET). HOWEVER, SINCE THAT TIME, WE HAVE INSTALLED AN ENCLOSED CULVERT ABOUT 200 FEET LONG FROM FINILE DRIVE TO GAAN RIVER FOR \$25,000.00, THANKS TO SENATOR NELSON AND GOVERNOR BORDALLO, AND WE HAVE ALSO WIDEN THE DRAINAGE DITCH WITH THE MUNICIPAL FUNDS YOU PROVIDED US ANNUALLY. I FEEL THE \$200,000.00 REQUEST IS ENOUGH TO CONTINUE THIS PROJECT REALISTICALLY AND SINCE IT IS NOT TOO HIGH THE GOVERNOR MIGHT JUST RELEASE THE FUNDS, IF THIS APPROPRIATION BECOMES LAW. MR. CHAIRMAN AND SENATORS, THE PEOPLE IN FINILE NEEDS YOUR HELP IN CHANNELLING THE FLOOD WATER FROM THE HILLS, TO FINILE TO THE OCEAN. THE OPEN CULVERT SHOULD HAVE BEEN DONE YEARS AGO, HOWEVER IT IS NOT TOO LATE FOR US TO RECTIFY THE FLOODING PROBLEMS IN AGAT. MR. CHAIRMAN, SIXTY-TWO (62) FAMILIES AND I HAVE FAITH IN YOU AND YOUR COMMITTEE, AND WE ARE HOPING THAT YOUR CONSIDERATION WILL BE POSITIVE TO THE PEOPLE OF AGAT'S REQUEST FOR A CLEANER AND DRYER STREET DURING THE RAINY SEASON.

#### TESTIMONY IN SUPPORT OF BILL # 575

THIS APPROPRIATION IS URGENTLY NEEDED TO ENSURE SAFETY AND CONTINUITY IN OUR SPORTS PROGRAMS. MR. HYUN IS THE ONLY PERSON ON GUAM WHO RESURFACES BASKETBALL AND TENNIS COURTS AND HE HAS JACKED UP HIS PRICE ACCORDING TO A CONTRACTING ENGINEER AT DEPARTMENT OF PUBLIC WORKS. THE ELECTRICAL PROBLEMS AT THESE COURTS ARE THE WORKS OF VANDALS, AGE AND WEATHER.

#### TESTIMONY IN SUPPORT OF BILL #442

WE NOW HAVE FIFTY-NINE (59) FAMILIES LIVING IN THE R.R. CRUZ AND SALINAS ROAD AREA. WE STILL HAVE MORE FAMILIES WAITING FOR THIS APPROPRIATION AND CONSTRUCTION OF THE SEWER LINES. ONCE THE SEWER LINES BECOME A REALITY, I AM SURE THAT HOMES WILL BE POPPING UP LEFT AND RIGHT FOR THIS IS ONE IMPORTANT PROJECT THAT THE RESIDENTS IN THE AREA HAVE BEEN PRAYING TO GOD AND ALSO PETITIONING OUR GOVERNMENT. MR. CHAIRMAN, WE ARE HOPING AND PRAYING THAT YOU AND THE OTHER SENATORS WILL VOTE POSITIVELY ON BILL #442, SO THE PEOPLE IN R.R. CRUZ AND SALINAS ROAD CAN LOOK FORWARD TO FLUSHING THEIR TOILETS IN 1990. TESTIMONIES IN SUPPORT OF BILL #559, 575, 442, 593 May 5, 1989 Page 3

#### TESTIMONY IN SUPPORT OF BILL #593

I SUPPORT THE BILL IN ITS ENTIRETY AND I THANK YOU AND THE OTHER SPONSORS FOR PROVIDING THE MUNICIPAL COMMISSIONERS' WITH THIS MOST NEEDED FUNDING. THIS SUPPLEMENTAL FUNDS WILL ALLOW US TO PROVIDE MORE SERVICES TO OUR PEOPLE, WHERE SOME AGENCIES ARE REDUCING THEIR MISSION IN AGAT AND OTHERS DUE TO LACK OF FUNDS OR DOWN EQUIPMENT.

I HAVE A FEELING THE MEDIA AND OTHERS WILL CRITICIZE THIS BODY, BUT BELIEVE ME, I WELCOME THIS SUPPLEMENTAL FUNDS, FOR IT WILL ALLOW ME AND MY AGAT MUNICIPAL PLANNING COUNCIL TO CARRY OUT THE MISSION OF THE AGAT COMMISSIONER'S OFFICE.

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THANK YOU!

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ANTONIO C. BABAUTA Commissioner of AGAT AGAT COMMISSIONER'S OFFICE P.O. BOX 7388 AGAT, GUAM 96928 565-2524

LADIES AND GENTLEMEN, MEMBERS OF THIS COMMITTEE..... AS THE ASSISTANT COMMISSIONER OF AGAT, I WOULD LIKE TO TESTIFY ON BEHALF OF MY PEOPLE. I WOULD LIKE TO SAY THAT I AM IN FAVOR OF BILL #559. THE RESIDENCE OF FINILE HAVE BEEN IN NEED OF AN OPEN CULVERT FOR A LONG TIME. DURING HEAVY RAINS, THIS AREA GETS FLOODED. A VERY GOOD EXAMPLE OF THEIR SITUATION WAS ON THE 28th OF APRIL WHEN WE HAD HEAVY RAIN. THE GOVERNOR HIMSELF CAME DOWN AND SAW THE FINILE SUB-DIVISION FLOODED. THE WATER WENT INTO THE HOMES OF SEVERAL RESIDENCES. DEPARTMENT OF PUBLIC WORKS WORKED ALL THROUGH THE WEEKEND TO CLEAR THAT AREA. THE CULVERTS WERE AVAILABLE AT THE AGAT COMMISSIONER'S OFFICE, BUT THEY DID NOT HAVE A CHAIN SO, I LENT THEM A CHAIN TO LOAD THE CULVERT ON THE TRUCKS AND TRANSFER IT TO FINILE. THE CULVERTS HAD TO BE DOUBLED BECAUSE ONE WAS NOT SUFFICIENT. I STRONGLY URGE YOU TO ACT ON THIS BILL AS SOON AS POSSIBLE! BEFORE IT RAINS AGAIN.

THANK YOU, SI YU'OS MA'ASI', MARAMING SALAMAT PO.

JOHN A. QUIDACHAY ASSISTANT COMMISSIONER

#### Comments on Bill 559

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Bill 559 proposes to appropriate \$200,000 from the General Fund to the Department of Public Works (DPW) for the construction of an open culvert at Finile Drive in the Finile Subdivision of Agat.

Per information received from DPW, the appropriation as proposed by the the bill will be sufficient to accommodate costs of design and construction of an open culvert in the Finile Subdivision of Agat.

The breakdown is as follows:

Project Costs

Materials	\$123,200
Labor	22,800
Design	24,000
	*******
Total Cost	

\$170,000

Joseph E. Ruca Joseph E. Ruca Jos Michael J. Reidy

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	11 No. 559	· · · · · ·	Att Cocerved	April 28, 1	989			
	ondatory Bill Yes / No	X'	ute Ruviewed	May 2, 1989				
	partment/Agency Affected:	Department of P	ublic Works					
	partment/Agency Head: Benigno M. Palomo							
	tal Fiscal Year Appropriation: \$19,351,267							
	11 Title (concise): AN ACT TO APPROPRIATE \$200,000 FOR AN OPEN CULVERT AT FINILE							
	FINILIE SUBDIVISION.							
	<u>,</u>							
	- <mark></mark>							
	ange in Law: None							
	ill Attempts to:		Bill is for:	<u></u>				
			/ Operations					
	X Increase Program Funding / Decrease Program Funding / Reallocate Present Progr	am Funding	X/ Capital Imp // Other	rovement				
		FINANCIAL/PROG	GRAM INPACT					
	PROGRAM CATEGORIES	Minimum B GENERAL FUND	Estimated Require FEDERAL	ed Funds (For Fi	<u>tears</u> ) OTHER			
	Government Wide	See` comment:			•			
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	GRAND TOTAL							
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	SOURCES 1st	2nd	<u>3rd</u>	<u>4 th</u>	<u>3 th</u>			
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	GRAND TOTAL	· · ·						
	Carlos P. Bondatto Carlos P. Bordallo				2 1000			
	PROGRAM ANALYST		Da <b>te</b> Review	Terminated: M	ay 3, 1989			

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Bill No. <u>559 (COR)</u> As Amended by the Committee on Ways & Means and Committee on General Governmental Operations

Introduced by:

P. C. LUJAN C. T.C. GUTIERREZ T. S. NELSON

inau

## AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR AN OPEN CULVERT AT FINILE, FINILE SUB-DIVISION.

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