

TWENTY-FIRST GUAM LEGISLATURE
1992 (SECOND) Regular Session

CERTIFICATION TO THE GOVERNOR OF PASSAGE OF ITEM-VETOED
SECTIONS OF AN ACT

This is to certify that subparagraph (a) of Section 5, subparagraph (c) of Section 9, Section 15, subparagraph (b) of Section 18, subparagraphs (a) and (b) of Section 28, Sections 40 and 41, of Chapter III, Miscellaneous Appropriations, of Substitute Bill No. 856 (COR), "AN ACT TO PROVIDE THE EXECUTIVE BRANCH, THE GUAM MASS TRANSIT AUTHORITY, GUAM MEMORIAL HOSPITAL AUTHORITY, THE GUAM VISITORS BUREAU, THE PUBLIC DEFENDER SERVICE CORPORATION, THE SUPERIOR COURT OF GUAM, THE UNIVERSITY OF GUAM, AND THE GUAM LEGISLATURE FOR FISCAL YEAR 1993, AND TO PROVIDE MISCELLANEOUS APPROPRIATIONS AND PROVISIONS AS SPECIFIED," returned to the Legislature as having been item vetoed or modified by the Governor were, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 29th day of December, 1992, agree to pass said subparagraphs and sections, notwithstanding the objection of the Governor, by a vote of two-thirds or more of all the members thereof, to wit:

Subparagraphs and sections:

Section 5 (a),
Section 9 (c),
Section 15,
Section 18 (b),
Section 28 (a),
Section 28 (b),
Section 40,
Section 41,

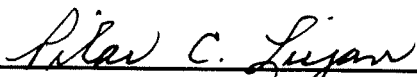
Affirmative votes:

19,
15,
17,
16,
19,
19,
19,
19.




JOE T. SAN AGUSTIN
Speaker

Attested:



PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 2 day of JANUARY, 1993, at
7:45 o'clock P.M.



Assistant Staff Officer
Governor's Office

Public Law No. 21-136

CHAPTER III

MISCELLANEOUS APPROPRIATIONS

Section 1. Six Million Five Hundred Thousand Dollars (\$6,500,000) are appropriated from the Fiscal Year 1994 revenues of the General Fund to the Department of Education as an advance appropriation to procure textbooks, workbooks and library books from local and off-island vendors for the School Year 1993-1994.

Section 2. There are hereby appropriated such sums as are necessary from the Summer School Fund established pursuant to Section 6118 of Title 17 of the Guam Code Annotated to the Department of Education to fund the operations of the 1993 Summer School Program.

Section 3. One Hundred Twenty Thousand Five Hundred Thirty Five Dollars (\$120,535) are appropriated from the General Fund to the Guam State Council on Vocational Educational to supplement federal funds and other operational requirements for Fiscal Year 1993.

Section 4. Two Hundred Eighty-four Thousand Seven Hundred Eighteen Dollars (\$284,718) are appropriated from the General Fund to the Political Status Education Coordinating Commission for its Fiscal Year 1993 operations.

Section 5. (a) One Hundred Twenty-six Thousand Dollars (\$126,000) is appropriated from the General Fund to the Agana Heights Municipal Planning Council for maintenance and operations of the Agana Heights Gymnasium; and

(b) ~~One Hundred Four Thousand Dollars (\$104,000)~~ ^{Twenty Thousand Dollars (\$20,000) J.F.A.} is appropriated from the General Fund to the Tamuning Municipal Planning Council for maintenance and operations of the Tamuning Gymnasium.

Section 6. (a) The existing basketball court in the village of Mangilao is in dire need of repair, as the existing fabric fence is badly torn in places, the boards are dilapidated, and some of the pipes are bending awkwardly.

(b) Twelve Thousand Three Hundred Eighty Dollars (\$12,380) are appropriated from the General Fund to the Department of Public Works to repair the basketball court situated on the Mangilao Mayor's Office Complex.

Section 7. Five Hundred Thousand Dollars (\$500,000) are appropriated from the General Fund for the operations of the Territorial Planning Council.

Section 8. Twenty Seven Million One Hundred Twenty Seven Thousand Three Hundred Twenty Two Dollars (\$27,127,322) are appropriated from the General Fund to the Government of Guam Retirement Fund to continue the provisions of:

- 1 (i) the One Thousand Two Hundred Dollar (\$1,200) annuity
- 2 benefits;
- 3 (ii) the One Thousand Five Hundred Dollar (\$1,500) supplemental
- 4 annuity benefits;
- 5 (iii) the Seven Hundred Dollar (\$700) supplemental annuity benefits;
- 6 (iv) the Eight Hundred Thirty Eight Dollar (\$838) annuity benefits;
- 7 (v) the Governor and Lieutenant Governor Pensions;
- 8 (vi) the Retiree group health, dental, and life insurance premiums;
- 9 (vii) the Retiree life insurance subsidy;
- 10 (viii) the lump sum Cost of Living Allowance to be paid to those
- 11 government of Guam retired employees or survivors consisting
- 12 of One Thousand Eight Hundred Dollars (\$1,800) all for the fiscal
- 13 year ending September 30, 1993.

14 **Section 9.** (a) Legislative Intent. During the course of work on the
15 Guam Tax Code Commission, and most especially while creating and reviewing
16 models which may be used in creating a Guam Tax Code, it has become apparent to
17 the Guam Tax Code Commission that Guam lacks the proper income and product
18 accounts to measure recent economic activity and forecast future economic
19 performance. These processes go hand-in-hand with development of a Guam Tax
20 Code, and unless they are developed and implemented will hinder finalization of
21 the Guam Tax Code Commission's work.

22 The microsimulation models that have been developed for the Guam Tax
23 Code Commission will be integral to developing income and product accounts. The
24 models will be used to forecast the impact of alternative tax and economic policies
25 and extended to data assessment, account building, and forecasting.

26 (b) Implementation. In order to complete the Guam Tax Code
27 Commission's primary task, the Commission shall prepare or cause to be prepared
28 income and product accounts for Guam.

29 (c) Appropriation. Five Hundred Thousand Dollars (\$500,000) are
30 appropriated from the General Fund to the Guam Tax Code Commission to carry out
31 the duties designated in this Section.

32 **Section 10.** Five Hundred Thousand Dollars (\$500,000) are appropriated from
33 the General Fund to the Agency for Human Resources Development to supplement
34 federal funds for its Fiscal Year 1993 operation.

35 **Section 11.** ~~Six Hundred Thousand Dollars (\$600,000)~~ are appropriated from
36 the General Fund to the Department of Administration Employees PCB Recovery

1 Fund for the purposes as created in Section 3 of Public Law 20-32, as amended in
2 Section 49 of Chapter III of P.L. 21-42.

3 **Section 12.** One Hundred Seventeen Thousand Six Hundred Seventy Four
4 Dollars (\$117,674) are appropriated from the General Fund to the Department of
5 Agriculture to plant Ifit, Ahgao, and Pahong trees in order to perpetuate the
6 Chamorro culture through the arts by wood carving, weaving and other cottage
7 industries as contemplated by P.L. 21-54.

8 **Section 13.** One Million Eight Hundred Thousand Dollars (\$1,800,000) are
9 appropriated from the General Fund to the Department of Administration Off-Island
10 Residential Treatment Fund to pay authorized expenses to send persons under the
11 jurisdiction of the Court for residential care arising from physical, mental or
12 emotional handicaps or from severe emotional disturbance.

13 **Section 14.** Sixty Seven Thousand Seven Hundred Sixty Dollars (\$67,760) are
14 appropriated from the General Fund to the Guam Energy Office for office space
15 rental in Fiscal Year 1993.

16 **Section 15.** One Hundred Thousand Dollars (\$100,000) are appropriated from
17 the General Fund to the Bureau of Planning for the Agana Revitalization Plan.
18 Funds appropriated under this Section shall be available until expended.

19 **Section 16.** Four Hundred and Ninety-six Thousand Dollars (\$496,000) are
20 appropriated from the General Fund to the University of Guam to fund the
21 continuance of research on Guam on Lytico, Bodig, and related neurological diseases
22 and the possible causes or risk factors, including research in conjunction with the
23 ongoing research of the Mayo Clinic and Foundation. The following projects are
24 part of the research funded by this appropriation:

25 (a) Continuation of the multi-disciplinary care and family support team
26 and community education;

27 (b) Continuation of the organization and acquisition of materials for the
28 Micronesian Medical Archives, and operation thereof;

29 (c) Continuation of ophthalmological studies to find the cause for Guam's
30 unique retinopathy;

31 (d) Continuation of family studies of occurrence of Amytrophic Lateral
32 Sclerosis (ALS)/Parkinson's Disease (PD);

33 (e) Studies into effects of Manganese in relation to neurological disorders;

34 (f) Therapeutic trial to investigate aluminum poisoning and to chelate
35 excess aluminum from Lytico and Bodig patients;

1 (g) pathological studies on known Lytico and Bodig patients and
2 symptomatic persons;

3 (h) visiting Scientist Program for specialists, scientists and medical
4 personnel;

5 (i) travel and incidental expenses for patients and accompanying
6 caregivers to the University of British Columbia at Vancouver, Canada and to
7 various Mayo Clinic facilities in the United States mainland for purposes related to
8 research.

9 (j) The appropriation in this Section shall remain in effect until expended.

10 **Section 17.** Four Hundred Twenty-three Thousand Dollars (\$423,000) are
11 appropriated from the General Fund to the Department of Revenue and Taxation to
12 fund the Tax Collection Task Force for the purpose of collecting outstanding
13 delinquent taxes.

14 **Section 18. (a)** Legislative findings and purpose. The Legislature finds
15 that the Department of Administration, in its recent audit of the personnel files of
16 all the employees of the Department of Revenue and Taxation, discovered that fifty
17 (50) employees were inadvertently under compensated due to inconsistencies
18 between the implementing memorandum and the spreadsheet brought about by the
19 Civil Service Commission's creation of new classes of position, reassignment of pay
20 ranges, and abolishment of existing classes of positions, dated May 7, 1985. It is the
21 further finding of the Legislature that to correct these discrepancies and to alleviate
22 further discrimination against these fifty (50) employees, funding is required to
23 compensate the employees affected.

24 (b) Appropriation for back pay. Three Hundred Fifty-seven Thousand
25 Dollars (\$357,000) are appropriated from the General fund to the Department of
26 Revenue and Taxation to compensate these fifty (50) employees affected by the Civil
27 Service Commission's creation of new classes of positions, reassignment of pay
28 ranges, and abolishment of existing classes of positions, dated may 7, 1985.

29 **Section 19.** Thirty Five Thousand Dollars (\$35,000) are appropriated from the
30 General Fund to the Umatac Municipal Planning Council for the Discovery Day
31 Festivities. The Discovery Day Committee shall justify the expenses to the Umatac
32 Municipal Planning Council. This appropriation may also be used to pay any prior
33 years obligations.

34 Notwithstanding any other provision of law, the Governor is authorized to
35 allow the conduct of cockfights for the three (3) day weekend period consisting of
36 Friday, Saturday, and Sunday for every annual village fiesta, for Discovery Day, and

for Fiestan Tasi, with the net proceeds of such cockfights to be given to the Municipal
2 Planning Council of the village in which the cockfight is held.
3 ~~Three Hundred Ninety Seven Thousand Three Hundred Forty~~ ^{046 (THUNDER) FIVE (MOUSAND) DOLLARS}
4 ~~Dollars (\$397,340)~~ ^{(1705,000) (5000)} are appropriated from the General Fund to the Western Pacific
5 Association of the Disabled for its Fiscal Year 1993 operations. The recipient of this
6 appropriation shall make a report of the expenditures of the funds in this
7 appropriation to the Governor and the Legislature.

8 **Section 21.** Six Hundred Thousand Dollars (\$600,000) are appropriated from
9 the General Fund to the Sanctuary Inc. for its Fiscal Year 1993 operations. The
10 recipient of this appropriation shall make a report of the expenditures of the funds
11 in this appropriation to the Governor and the Legislature.

12 ~~Section 22. One Hundred Seventy-five Thousand Dollars (\$175,000) are~~ ^{046 Hundred Twenty-Five Thousand Dollars (175,000) (7000)}
13 appropriated from the General Fund to the Guam Legal Services Corporation to
14 provide legal services to the poor and the elderly. The recipient of this appropriation
15 shall make a report of the expenditures of the funds in this appropriation to the
16 Governor and the Legislature.

17 **Section 23. (a) Legislative Intent.** Due to insufficient classrooms,
18 the Department of Education is authorized for Fiscal Year 1993 to offer over-load pay
19 to teachers who voluntarily accept students above the class sizes agreed to in the
20 Board of Education-Guam Federation of Teachers contract, provided that the
21 formula used in determining the over-load pay is mutually agreed upon between
22 the Board of Education and the Guam Federation of Teachers.

23 **(b) Appropriation.** ~~Two Hundred Thousand Dollars (\$200,000)~~ ^{2500 -0- 9700} are
24 appropriated from the General Fund to the Department of Education to fund the
25 authorization in Subsection (a) of this Section.

26 **(c)** This Section shall expire at the end of School Year 1992-1993.

27 **Section 24.** ~~Nine Thousand One Hundred Thirty-four Dollars (\$9,134)~~ ^{2500 -0- 9700} are
28 appropriated from the General Fund to the Public Utility Agency of Guam to relocate
29 the water lines affecting Lot Nos. 215 and 216-3, Agamham Road, Village of Maina.

30 **Section 25.** The Bureau of Budget and Management Research is authorized
31 to expend audit fees for the purpose of training, travel, and staff development within
32 the Bureau, and Twenty Thousand Dollars (\$20,000) are appropriated from the
33 General Fund to the Committee on Ways and Means for the purpose of training,
34 travel, and staff development within the Committee.

35 **Section 26.** Two Million Six Hundred Ninety-seven Thousand Two
36 Hundred Dollars (\$2,697,200) are appropriated from the General Fund to provide the

1 infrastructure needed at the Talofofu Subdivision, 403-R11. The funds appropriated
2 in this section shall be allocated as follows:

3 (a) One Million Two Hundred Thousand Dollars (\$1,200,000) to the Public
4 Utility Agency of Guam for water installation;

5 (b) One Million One Hundred Forty-seven Thousand Two Hundred
6 Dollars (\$1,147,200) to the Guam Power Authority for power installation; and

7 (c) Three Hundred Fifty Thousand Dollars (\$350,000) to the Department of
8 Public Works for road paving and improvements.

9 The respective agencies shall coordinate the projects authorized in this
10 Section with the Mayor and shall submit a report to the Governor and the Speaker of
11 the Legislature on the status of these projects within one hundred twenty (120) days
12 after the effective date of this Section.

13 **Section 27.** ^{Zero (-0-) J.F.A.} ~~Two Million Three Hundred Twenty-one Thousand Six~~
14 ~~Hundred Dollars (\$2,321,600)~~ are appropriated from the General Fund to the
15 Department of Public Works for construction of an easement road for Lot Nos. 187-2,
16 187-3, 187-4, 187-5 and 187-R5, Village of Yona.

17 **Section 28.** (a) Fifty Thousand Dollars (\$50,000) are appropriated from the
18 General Fund to the Merizo (Malesso) Municipal Planning Council for the removal
19 of homes destroyed by typhoons Russ and Yuri, which project has still not been
20 completed.

21 (b) One Hundred Thirty-five Thousand Dollars (\$135,000) are appropriated
22 from the General Fund to the Department of Public Works to supplement the funds
23 previously appropriated for the extension of the Mayor's Office in the Merizo
24 Community Center and repair and extension of the Merizo Senior Citizens Center.

25 (c) Two Hundred Thirty-eight Thousand Dollars (\$238,000) are
26 appropriated from the General Fund to the Department of Public Works for the
27 completion of the work for renovation of the Merizo (Malesso) Baseball Field.

28 **Section 29.** ^{Zero (-0-) J.F.A.} ~~Thirty-seven Thousand Seven Hundred Fifty-eight Dollars~~
29 ~~(\$37,758)~~ are appropriated from the General Fund to the Department of Education to
30 fund the reallocation of all LAMP positions currently classified as Community
31 Program Aide II retroactively to August 15, 1986, pursuant to Civil Service
32 Commission Memorandum No. 92-417 dated April 8, 1992.

33 **Section 30.** ^{Zero (-0-) J.F.A.} (a) ~~One Thousand One Hundred Fifty-seven Dollars~~
34 ~~(\$1,157)~~ are appropriated from the General Fund to the Dededo Mayor's Office to
35 cover the cost of connecting utilities in the Liguán Terrace Baseball Field and the
36 Astumbo Basketball Court.

1 nineteen (19) districts retroactive to January 1, 1991 through December 31, 1991 in
2 conformity with Public Law 21-69.

3 Section 37. (a) Legislative Findings. the Legislature finds that flood
4 control should be a priority for the community. The absence of appropriate flood
5 control measures has resulted in the loss of homes and substantial property damage,
6 and has endangered Guam's access to federal assistance with respect to the National
7 Flood Insurance Program ("NFIP"). The Legislature finds that previous Executive
8 Orders called for the promulgation of Flood Damage Prevention Rules and
9 Regulations. However, these regulations were not promulgated until 1989. Even
10 with the adjudication of these regulations, the Federal Emergency Management
11 Agency ("FEMA"), in repeated correspondence in 1990 1991, and 1992, to Governor
12 Ada, noted specific deficiencies in Guam's enforcement and administration of
13 floodplain management regulations. FEMA, in its correspondence with Governor
14 Ada, further noted that these deficiencies included violations of Executive Order 88-
15 20, Flood Damage, Prevention, Rules, and Regulations. Due to insufficient response
16 to these deficiencies, Guam was placed on probationary status on April 6, 1992, with
17 respect to NFIP.

18 It is the further finding of the Legislature that it is necessary to provide a Flood
19 Control Plan for Guam and complete the Agana River Flood Control Project in order
20 to lift the probationary status imposed on Guam by FEMA. In their April 8, 1992
21 letter to Governor Ada, FEMA stated that if the required corrective actions are not
22 taken by April 6, 1993, FEMA will recommend to the Administrator of the Federal
23 Insurance Administration that Guam be suspended from NFIP. The Legislature
24 further finds that, notwithstanding FEMA, these measures should be taken in the
25 interests of the safety and well-being of the people of Guam. Although the Governor
26 has not requested funding for these two measures, the Legislature finds that these
27 deficiencies cannot be permitted to continue due to the inaction and inattention of
28 the Executive Branch. The Legislature therefore finds that both the Island-wide
29 Flood Control Plan and the Agana River Flood Control Project should be
30 implemented as expeditiously as possible.

31 (b) Appropriation for Flood Control Plan. ~~Seven Hundred Thousand~~
32 ~~Dollars (\$700,000)~~ ^{2,270,000 - 2,270,000} are appropriated from the Department of
33 Public Works for the preparation and administration of the Island-wide Flood
34 Control Plan for Guam.

35 (c) Appropriation for Agana River Flood Control Project. ~~Two Million~~
36 ~~Five Hundred Thousand Dollars (\$2,500,000)~~ ^{2,270,000 - 2,270,000} are appropriated from the General

1 Fund to the Department of Public Works for the completion of the Agana River
2 Flood Control Project.

3 Section 38. Six Hundred Seventy-four Thousand Five Dollars (\$674,005) are
4 appropriated from the General Fund to the Guam Memorial Hospital Authority's
5 End Stage Renal Disease (ESRD) program to be expended as follows:

6 Equipment:

7 High flux Dialysis Machines	\$50,000
8 Therapy Management System Monitors	12,500
9 High Efficiency Dialysis Machines	182,875
10 Cardiac Monitoring Device	60,000
11 Testing/Calibration Equipment	20,000
12 Electronic Temperature Test Equipment	20,000
13 BP/Stethoscope Equipment	3,640
14 Waste Handling Option Dialysis Equipment (WHO)	2,750
15 Equipment Parts (Maintenance)	50,000

16 Medication:

17 Renal Maintenance Medication and	
18 Immunosuppressant Drugs (Cyclosporine)	173,000
19 Renal Diets	103,740
20 Nephrology Consultants	4,000
21 Training and Development	10,000

22 Section 39. (a) Legislative Findings. The Municipality of Mangilao has
23 experienced a rapid rate of growth over the last few years. Public facilities are in need
24 of upgrading because of use by the public and funding being diverted to more
25 pressing needs. The power needs of the people of Mangilao, as well as the need for
26 paved secondary roads has become critical. The baseball field has inadequate
27 facilities to meet the needs of the community.

28 (b) Forty-two Thousand Dollars (\$42,000) are appropriated from the
29 General Fund to upgrade the existing baseball field lighting fixtures and for the
30 relocation of power poles and lighting systems for the baseball field.

31 (c) Thirty Thousand Dollars (\$30,000) shall be appropriated from the
32 General Fund to provide power services to the residents of Bamba's Subdivision in
33 Pagat, Mangilao.

34 (d) ²⁵⁰⁰ ~~Sixty-two Thousand Three Hundred Fifty Dollars (\$62,350)~~ are

35 appropriated from the General Fund to the Mayors Council to pave secondary roads
36 in Mangilao.

1 (e) Subsection (b) of Section 6 of Public Law 20-77 is amended to read:

2 "(b) Forty Seven Thousand Dollars (\$47,000) to install new fencing in the
3 existing baseball field in Mangilao; and the resurfacing and extending the
4 dimensions of the existing baseball field to meet the requirements of the Guam
5 Amateur Baseball Tournaments."

6 **Section 40.** One Million Six Hundred Thousand Twelve Dollars (\$1,612,000)
7 are appropriated from the General Fund to the Public Utility Agency of Guam to
8 provide water services to Tract 212, Block 13, Malojloj, Inarajan.

9 **Section 41.** One Million Two Hundred Thousand Dollars (\$1,200,000) are
10 appropriated from the General Fund to the Public Utility Agency of Guam for the
11 architectural and engineering designs for sewer services to those areas in Inarajan
12 that do not have sewer services.

13 **Section 42.** ^{Zero (-0-) J.F.A.} ~~Three Hundred Thousand Dollars (\$300,000)~~ are appropriated
14 from the General Fund to the Guam Fire Department for the purpose of purchasing
15 one (1) hazardous materials van and necessary personal protection equipment for
16 personnel.

17 **Section 43.** (a) Three Million Five Hundred Thousand Dollars (\$3,500,000) are
18 appropriated from the General Fund to the "CAHAT" Fund established in §4209 of Article 2, Chapter 4,
19 Title 12, Guam Code Annotated, and Five Hundred Thousand Dollars (\$500,000) are appropriated to the
20 "Foreclosure Protection Fund" established in §4214 of such Article 2, for the purpose of carrying out the
21 provisions of such Article 2.

22 (b) One Million Dollars (\$1,000,000) are appropriated from the General fund to the
23 "Government Loan Guarantee Fund" established in §4403 of Article 4, Chapter 4, of Title 12, Guam Code
24 Annotated, for carrying out the provisions of said Article 4.

25 **Section 44.** Two Million Dollars (\$2,000,000) are appropriated from the General Fund to the
26 Guam Housing Corporation Revolving Loan Fund to be used under the provisions set out in Public Law 20-
27 210.

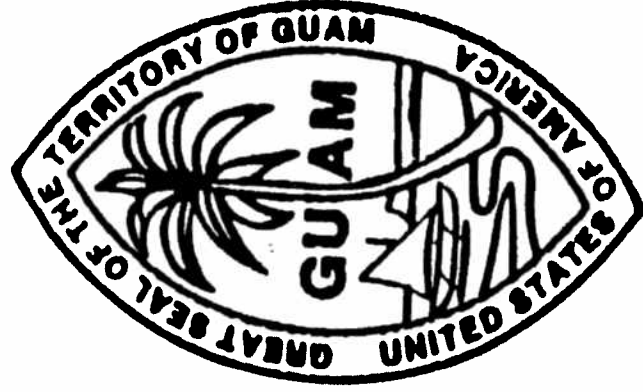
28 **Section 45.** ^{Zero (-0-) J.F.A.} ~~Fifty Thousand Dollars (\$50,000)~~ are appropriated from the General Fund to
29 the Department of Public Works to construct a box culvert with sufficient strength over the pipelines on
30 the road that connects Machanao Sub-division, next to the Dededo Cockpit, with Fern Terrace, GHURA
31 Housing, across upper NCS leading to Route 3 and to pave it to allow motor vehicles to pass over it. Any
32 funds unexpended upon the completion of this project shall revert to the General Fund.

33 **Section 46.** ^{Zero (-0-) J.F.A.} ~~One Hundred Eighty Thousand Dollars (\$180,000)~~ are appropriated from the
34 General Fund to the University of Guam College of Arts and Sciences to help defray the expenses to be
35 incurred by the Federal-Territorial Relations Conference and the Telecommunications Conference for
36 Fiscal Year 1993.

Committee on

Ways & Means

Carl T. C. Gutierrez
Chairman



FY 1993 BUDGET OF GOVERNMENT OF GUAM

Including Appropriations, Digest,
and Committee Report

Twenty-First Guam Legislature

155 Hesler Street
Pacific Arcade
Agana, Guam 96910
Telephone: (671) 472-3407/8/9
FAX: (671) 477-3161



Chairman, Committee
on Ways & Means

Vice-Chairman, Committee
on Tourism & Transportation

CARL T. C. GUTIERREZ
Senator

September 15, 1992

Honorable Speaker Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:


The Committee on Ways & Means wishes to report out its findings on BILL NO. 856 "AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 1993 AND MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS" to the full Legislature with the recommendation to do Pass as Substituted by the Committee on Ways and Means.

The Committee Voting Record is as follows:

TO PASS:	<u>9</u>
NOT TO PASS:	<u>0</u>
ABSTENTIONS:	<u>0</u>
INACTIVE FILE:	<u>0</u>

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

Sincerely,


CARL T. C. GUTIERREZ
Chairman, Committee on
Ways & Means

Twenty-First Guam Legislature
Committee on Ways & Means

VOTING SHEET

BILL NO.

856

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 1993 AND MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE INACTIVE</u>
<i>C. Gutierrez</i> Senator Carl T. C. GUTIERREZ Chairman	✓			
<i>H. Dierking</i> Senator Herminia D. DIERKING Vice-Chairman	✓			
<i>John P. Aguon</i> Senator John P. AGUON Member	✓			
<i>E. Arriola</i> Senator Elizabeth P. ARRIOLA Member	✓			
<i>George Bamba</i> Senator George BAMBA Member	Report out			
<i>Anthony Blaz</i> Senator Anthony BLAZ Member	✓			
Senator Doris F. BROOKS Member				
Senator Ernesto M. ESPALDON Member				
<i>Marilyn Manibusan</i> Senator Marilyn MANIBUSAN Member	9/15/92			
<i>Don Parkinson</i> Senator Don PARKINSON Member	✓			
<i>Michael J. Reidy</i> Senator Michael J. REIDY Member	Report only only 9/15/92			
<i>Martha C. Ruth</i> Senator Martha C. RUTH Member	Report only			
<i>David Shimizu</i> Senator David SHIMIZU Member	✓			
<i>Joe T. San Agustin</i> Speaker Joe T. SAN AGUSTIN Ex-Officio Member	✓			

Bill No 856
Substitute Bill by Committee on Ways and Means

Introduced by:

Committee on Ways and Means
at the request of the Governor

C.T.C. GUTIERREZ
H.D. DIERKING
J.P. AGUON
J.T. SAN AGUSTIN
J.G. BAMBA
A.C. BLAZ
E.P. ARRIOLA
D. PARKINSON
D.L.G. SHIMIZU
M.C. RUTH
M.D.A. MANIBUSAN
E.M. ESPALDON
D.F. BROOKS
M.J. REIDY

AN ACT TO PROVIDE APPROPRIATIONS TO THE EXECUTIVE BRANCH, THE GUAM MASS TRANSIT AUTHORITY, GUAM MEMORIAL HOSPITAL AUTHORITY, THE GUAM VISITORS BUREAU, THE PUBLIC DEFENDER SERVICE CORPORATION, THE SUPERIOR COURT OF GUAM, THE UNIVERSITY OF GUAM, AND THE GUAM LEGISLATURE FOR FISCAL YEAR 1993, AND TO PROVIDE MISCELLANEOUS APPROPRIATIONS AND PROVISIONS AS SPECIFIED.

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

2 Chapter I

3 GENERAL PROVISIONS

4 Section 1. Short Title. This Act may be known as the "General Appropriation Act
5 of 1993". Except as otherwise provided by this Act, the appropriations made by this Act
6 shall be available to pay for obligations incurred on or after October 1, 1992 but not later
7 than September 30, 1993. In the event that any appropriation of this Act is found contrary
8 to federal law, all portions not so found shall remain valid.

9 Section 2. Estimated Revenues. The Legislature adopts the following as its
10 revenue forecast for Fiscal Year 1993:

11 I. GENERAL FUND REVENUES	AMOUNT
12 A. TAXES	
13 Income Tax (Corporate and Individual)	\$396,037,954
14 Federal Income Tax Collection (Sec. 30 Funds)	44,500,000
15 Gross Receipts Tax	163,604,975
16 Real Property Tax	9,796,948
17 Other Taxes	6,732,188
18 TOTAL TAXES	\$620,708,065
19 B. BUSINESS LICENSES AND OTHERS	
20 Licenses and Permits	1,239,577
21 C. FEDERAL CONTRIBUTION	3,654,616

1	D.	USE OF MONEY & PROPERTY	
2		Interest/Rental & Public Service Charges	7,287,860
3	E.	OTHERS LICENSES AND FEES	<u>2,457,783</u>
4		TOTAL LICENSES, FEES & OTHERS	14,639,863
5		TOTAL GENERAL FUND REVENUE	\$635,347,901
6	II.	SPECIAL FUND REVENUES (LOCAL)	
7	A.	Abandoned Vehicle and Streetlight Fund	\$ 500,000
8	B.	Guam Community College Non-Appropriated Fund	542,100
9	C.	Guam Contractors License Board Fund	500,000
10	D.	Hospital Operations Fund	37,433,388
11	E.	Housing Revolving Fund	380,000
12	F.	Land Survey Revolving Fund	675,000
13	G.	Parks Fund	100,000
14	H.	Professional Engineers, Architect and Licensing Surveyors Fund	61,000
15	I.	Public Transit Fund (fares)	43,200
16	J.	Public Utility Agency of Guam	12,988,935
17	K.	Special Surplus Property Fund	12,000
18	L.	Tourist Attraction Fund	<u>18,229,806</u>
19		TOTAL SPECIAL FUND REVENUE	\$ 71,465,429
20	III.	FEDERAL GRANTS-IN-AID REVENUE	
21		Federal Grants-In-Aid Requiring Local Match:	
22	A.	Agriculture	\$ 305,000
23	B.	Guam Council on the Arts and Humanities Agency	221,000
24	C.	Guam Environmental Protection Agency	1,519,301
25	D.	Labor	100,419
26	E.	Law	2,430,917
27	F.	Library	77,776
28	G.	Office of Civil Defense	129,054
29	H.	Public Health and Social Services	10,705,476
30	I.	University of Guam	1,357,594
31	J.	Vocational Rehabilitation	<u>1,871,021</u>
32		Subtotal	\$ 18,717,558
33		Federal Grants-In-Aid Requiring In-Kind Match:	
34	A.	Guam Police Department	\$ 195,000
35	B.	Labor	<u>844,257</u>
36		Subtotal	\$1,039,257
37		TOTAL FEDERAL GRANTS-IN-AID REVENUE	\$19,756,815

REVENUE SUMMARY:	
TOTAL GENERAL FUND REVENUE	\$635,347,901
TOTAL SPECIAL FUND REVENUE	71,465,429
TOTAL FEDERAL GRANTS-IN-AID REVENUE REQUIRING LOCAL MATCH	19,756,815
GRAND TOTAL	\$726,570,145

Section 3. The following are estimated receipts for One Hundred Percent (100%) federal grants-in-aid:

AGRICULTURE	1,370,969
AGENCY FOR HUMAN RESOURCE DEVELOPMENT	2,062,923
BUREAU OF PLANNING	1,784,000
CIVIL DEFENSE	183,987
EDUCATION	15,422,448
GOVERNOR'S OFFICE	633,506
GUAM COMMUNITY COLLEGE	817,490
GUAM ENERGY OFFICE	233,959
GUAM MASS TRANSIT	221,438
GUAM OCCUPATIONAL INFORMATION COORDINATING COMMITTEE	84,420
LABOR	745,505
LIBRARY	19,167
MENTAL HEALTH AND SOCIAL SERVICES	747,292
PARKS AND RECREATION	210,000
PUBLIC HEALTH AND SOCIAL SERVICES	22,989,428
PUBLIC WORKS	471,328
REVENUE AND TAXATION	225,000
UNIVERSITY OF GUAM	3,273,382
VOCATIONAL REHABILITATION	600,012
YOUTH AFFAIRS	<u>170,588</u>
SUBTOTAL	\$52,266,842
TOTAL FEDERAL GRANTS	\$72,023,657
GRAND TOTAL ALL FUNDS	\$778,836,987

Section 4. The following are continuing appropriations against FY 1993 revenues:

GENERAL OBLIGATION BOND (P.L. 18-41, "Section 30" funds)	\$6,325,437.50
ABANDONED VEHICLE & STREETLIGHT FUND (P.L. 17-26, vehicle registration fee to GPA)	450,000

1 WATER BOND

2 (P.L. 20-16 "Section 30" funds)

4,612,790

3 GRAND TOTAL

\$11,717,667

4 Section 5. Definitions. The following definitions shall apply to this
5 document.

6 (a) "Budget Digest" consists of all numbers in this document which are
7 contained in Chapter II, and their verbal purposes as stated to the left of them in the
8 left hand column of this document, except for those numbers designated "total",
9 and their verbal purposes as stated to the left of them in the left hand column and
10 which are defined as "appropriations" in Subsection (a) of Section 6 of This Chapter.

11 (b) "Capital Outlay" includes:

12 (1) equipment such as loader trucks, tractors, trailers, automobiles or other
13 vehicles; machinery; reference books; filing cabinets, typewriters, adding and
14 calculating machines, other business machines, office equipment; and tools,
15 implements and instruments which may be used continuously without material
16 change in physical condition and must have a useful life of one (1) year or longer
17 and cost not less than Two Hundred Fifty Dollars (\$250) but not more than Two
18 Hundred Fifty Thousand Dollars (\$250,000);

19 (2) repair, remodeling or alteration of a building or replacement thereof and
20 the replacement and renewal of plumbing, wiring and air conditioning systems
21 costing more than Thirty Thousand Dollars (\$30,000). Capital Outlay does not
22 include normal maintenance expenditures;

23 (3) construction of an entirely new building, including the materials and
24 labor either supplied by an agency of the Government or supplied by contract; and

25 (4) non-structural improvements to buildings, the grading, leveling
26 drainage and landscaping of land or the construction of roadways, fences, ditches, or
27 sanitary or storm sewers.

28 (c) "Committee Report" includes those pages appearing before each territorial
29 agency's operational budget for which appropriations are made in Chapter II of this
30 document entitled "Committee Report", containing public hearing, mark-up, and
31 summary information.

32 (d) "Contingency" means expenditure for unbudgeted items.

33 (e) "Contractual Services" include:

34 (1) services rendered or performed by business, other government agencies
35 or individuals other than expenses for personnel services;

- 1 (2) current services or charges for rental of personal property, insurance
2 premiums (not employee benefits), dues, paid subscriptions, and other fixed charges,
3 and
- 4 (3) telex and other forms of communication except telephone and facsimile.
- 5 (f) "Document" includes "General Appropriation Act of 1993", "Committee
6 Report", and "Digest".
- 7 (g) "Equipment" means items having a purchase price of Two Hundred Fifty
8 Dollars (\$250) or less.
- 9 (h) "Expenditures" means all amounts of money, other than refunds authorized
10 by law, paid out or encumbered for payment by a territorial agency other than for
11 investment securities or as agent or trustee for other governmental entities or private
12 persons.
- 13 (i) "FTE" means the equivalent of one (1) permanent position continuously
14 filled for two thousand eighty (2,080) hours per year for the year commencing October 1,
15 1992.
- 16 (j) "Federal Funds" means payments by the United States Government to the
17 territorial government or territorial agencies for specific purposes or in lieu of taxes,
18 including grants, reimbursements, and payments made in accordance with contracts but
19 does not include payments pursuant to Section 30 of the Organic Act of Guam.
- 20 (k) "General Appropriation Act of 1993" or "this Act" consists of Chapter I,
21 General Provisions; Chapter II, Appropriations as defined in Section 6 of this Chapter; and
22 Chapters III, IV, and V of this document.
- 23 (l) "General Fund" means that Fund as defined by Section 6309 of the
24 Government Code.
- 25 (m) "Office Space Rental" means payment to an entity for rental of office space
26 and may include the cost of maintenance, power, and other utility expenses.
- 27 (n) "Match" means direct cost sharing or in-kind General Fund support required
28 as a condition for acceptance for federal funds.
- 29 (o) "Other Fund" means:
- 30 (1) unencumbered balances in territorial agency accounts appropriated by
31 this Act; and
- 32 (2) all revenue available to territorial agencies from sources other than the
33 General Fund and federal funds.
- 34 (p) "Personnel Services" include:
- 35 (1) salaries and wages payable to persons employed by the Government;

1 (2) the Government's contributions to the Government of Guam
2 Retirement Fund and the employer's contribution under the Federal Insurance
3 Contribution Act; and

4 (3) the Government's contribution for health, dental and life insurance
5 plans.

6 (q) "Power" includes all expenses incurred for the use of electricity or LPG.
7 propane, or butane gas.

8 (r) "Revenue" means all amounts received by a territorial agency from sources
9 external to that agency, net of refunds and other correcting transactions, other than from
10 issue of debt liquidation of investment or as agent or trustee for other governmental
11 agents, entities, or private persons.

12 (s) "Supplies and Materials" means materials which by their nature are
13 consumable, which have a useful lifetime of less than one (1) year, and which, after use,
14 undergo an impairment or a material change in physical condition.

15 (t) "Telephone" includes all charges for telephone service.

16 (u) "Toll Calls" includes all charges for long distance telephone calls and
17 facsimile.

18 (v) "Territorial Agency", for purposes of this Act, means any office, department,
19 institution, board, bureau, commission, council, authority, or committee of the territorial
20 government, the Guam Mass Transit Authority, the Guam Memorial Hospital Authority,
21 the Guam Visitors Bureau, the Public Defender Service Corporation, the Superior Court of
22 Guam, and the University of Guam.

23 (w) "Travel & Transportation" means off-island travel expenses and local
24 mileage reimbursement in accordance with the laws of Guam.

25 (x) "Water/Sewer" includes all expenses for the purchase of water and all
26 expenses for waste-water treatment.

27 **Section 6. General Provisions.** The following General Provisions shall apply to the
28 appropriations made in Chapter II of this Act:

29 (a) Except as otherwise specifically provided, and except for all pages with the
30 heading "Summary", amounts which are designated as "totals" in the left hand column of
31 this document and are set out under the column heading "FY 1993 GENERAL FUND
32 APPROVED" are appropriated from the General Fund. Except as otherwise specifically
33 provided, amounts set out under the column heading "FY 1993 FED/OTHER APPROVED"
34 are appropriated matching funds. Amounts which are not designated as "totals" are
35 provided for use as the Budget Digest only, and are not appropriations, however, the
36 appropriations were derived from the representation that the items and prices in the digest
37 were anticipated expenditures of the government.

1 (b) For Fiscal Year 1993, appropriations are those amounts as defined in
2 Subsection (a) of this Section and set out in Chapter II of this Act and unless otherwise
3 specified, amounts set out in Chapters III, IV and V of this Act, which are effective October
4 1, 1992, from the General Fund or other funds, as indicated, to territorial agencies named,
5 for the purposes expressed, or so much thereof as may be necessary, within available
6 revenues and unencumbered balances, and unless otherwise specified, amounts which are
7 stated to be appropriated in Chapters III, IV, and V of this Act.

8 (c) Except for the Guam Visitors Bureau, the Superior Court of Guam, and the
9 Public Defender Service Corporation, and the Legislature, the governor or his official
10 designee shall monitor revenue received by territorial agencies from sources other than
11 the General fund and shall order reductions in the operating budget of any territorial
12 agency whose revenue from these sources is not meeting budgeted projection.

13 (d) The total number of FTE authorized for Fiscal Year 1993 is indicated by a
14 number in the row labelled "TOTAL NUMBER OF PERSONNEL (FTE)" AND THE
15 COLUMN HEADED "FY 1993 GENERAL FUND APPROVED" OR "FY 1993 FED/OTHER
16 APPROVED", OR "PUAG FUND APPROVED", as relevant. The total number of FTE shall
17 not be exceeded. All regular and overtime hours of work performed and, except for hours
18 of accrued leave paid upon separation from the Government, hours for which leave is
19 granted and compensation given, shall be applied against the total FTE. No FTE shall be
20 used to employ more than one (1) person at the same time, whether on a full-time, part-
21 time, or limited term basis.

22 (e) It shall be a petty misdemeanor for any person to knowingly employ in the
23 government of Guam more than one (1) person at a time on a part-time, limited term, or
24 temporary basis so that more than one (1) person receives salary at the same time from
25 funds appropriated for the utilization of one (1) FTE.

26 (f) The Governor or his official designee shall transmit to the Speaker of the
27 Legislature, no later than the seventh day of each month, a schedule showing actual cash
28 receipts, actual cash disbursements, and encumbrances during the previous month.

29 (g) Prior to the payment of overtime, a territorial agency shall submit for payroll
30 processing at the end of each pay period, a statement of the amount of overtime due an
31 employee, the purpose for which the employee worked in excess of regular working hours,
32 and an explanation and justification as to the need for the overtime.

33 (h) Payment for overtime claims shall be prepared only if the claims are properly
34 documented, and shall be paid to the employee in the employee's next pay check.

35 (i) The Governor or his official designee shall conduct periodic spot audits to
36 determine if any employee of the Executive Branch claiming overtime compensation was
37 on duty at the time the overtime was earned.

1 (j) The Director or chief officer of any territorial agency upon whose decision a
2 payment for overtime is authorized shall be personally liable to the government for any
3 payment of overtime made contrary to the provisions of Paragraph (h) of this Section, or
4 for any payment of overtime found to have been made for unauthorized expenditure of
5 government funds.

6 (k) In keeping with the doctrine of separation of powers, the Superior Court of
7 Guam shall be as independent as possible from the control of the other co-equal branches
8 of the government of Guam. Such independence shall include provision for a year-to-year
9 budget appropriation measure for the operations of the Superior Court of Guam which is
10 separate and apart from the appropriations for the operations of the Executive Branch.

11 (l) Notwithstanding any other provision of law, no
12 reclassification/reassignment of pay ranges of any positions not funded by appropriations
13 of the Legislature may be implemented, unless non-appropriated funds from another
14 source are available for this purpose.

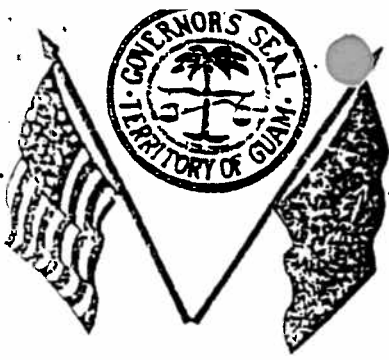
15 (m) Notwithstanding any other provision of law, it is prohibited to expend
16 General, Other, or Federal Funds for in-service training or other professional development
17 training, excluding seminars, to persons occupying unclassified or temporary positions
18 within the Executive Branch.

CHAPTER II

APPROPRIATIONS

DIGEST

COMMITTEE REPORT FOR TERRITORIAL AGENCIES



Territory of Guam
Territorio de Guam

OFFICE OF THE GOVERNOR
UPISINAN I MAGALANI
AGANA, GUAM 96910 U.S.A.

AUG 19 1992

The Honorable Joe T. San Agustin
Speaker, Twenty-first Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

As Fiscal Year 1993 draws ever closer, it is vital that we address certain funding commitments present in legislation passed this Fiscal Year, but unfunded for the next.

Specifically, I refer to the CAHAT program, the low interest housing loan program, and the Affordable Housing Master Plan, all of these administered in accordance with statute by the Guam Housing Corporation.

CAHAT requires an appropriation of \$6 million for FY 93, the low interest direct loan program requires \$4 million, and the Master Plan requires an appropriation of \$900,000.

All of these initiatives were approved by the Legislature and are vital, as we work to address one of the most important needs of our people at this time; the need for affordable housing. The CAHAT program will allow for low interest loans and will liberate millions in private funds for these purposes as you are aware. The direct low interest loan program is a continuation of the initiative sponsored by Sen. Frank Santos which will provide 6% housing loans. The Master Plan is the first step in our program to provide an affordable housing development on Government property, combining single family and multi family dwellings.

I ask you to use your good offices to introduce measures to provide these programs with funding necessary to ensure that in each case they become a reality and fulfill our mutual commitment and goal to help our people obtain that which is their right -- a decent and affordable home of their own.



The Honorable Joe T. San Agustin
Page Two

The Administration is making provision for these expenditures in determining spending levels in keeping with revenue projections for FY 93.

Sincerely,



FRANK F. BLAS
Governor of Guam
Acting

CHAPTER III

MISCELLANEOUS APPROPRIATIONS

Section 1. Six Million Five Hundred Thousand Dollars (\$6,500,000) are appropriated from the Fiscal Year 1994 revenues of the General Fund to the Department of Education as an advance appropriation to procure textbook workbooks and library books from local and off-island vendors for the School Year 1993-1994.

Section 2. There are hereby appropriated such sums as are necessary from the Summer School Fund established pursuant to Section 6118 of Title 17 of the Guam Code Annotated to the Department of Education to fund the operations of the 1993 Summer School Program.

Section 3. One Hundred Twenty Thousand Five Hundred Thirty Five Dollars (\$120,535) are appropriated from the General Fund to the Guam State Council on Vocational Educational to supplement federal funds and other operational requirements for Fiscal Year 1993.

Section 4. Two Hundred Eighty-four Thousand Seven Hundred Eighteen Dollars (\$284,718) are appropriated from ~~the General Fund~~ to the Political Status Education Coordinating Commission for its Fiscal Year 1993 operations.

Section 5. (a) ~~One Hundred Twenty-six Thousand Dollars~~ ^{Twenty Thousand Dollars} ~~(\$126,000)~~ ^(\$20,000) is appropriated from the General Fund to the Agana Heights Municipal Planning Council for maintenance and operations of the Agana Heights Gymnasium; and

(b) ~~One Hundred Four Thousand Dollars~~ ^(\$40,000) ~~(\$104,000)~~ is appropriated from the General Fund to the Tamuning Municipal Planning Council for maintenance and operations of the Tamuning Gymnasium.

Section 6. (a) The existing basketball court in the village of Mangilao is in dire need of repair, as the existing fabric fence is badly torn in places, the boards are dilapidated, and some of the pipes are bending awkwardly.

(b) Twelve Thousand Three Hundred Eighty Dollars (\$12,380) are appropriated from the General Fund to the Department of Public Works to repair the basketball court situated on the Mangilao Mayor's Office Complex.

Section 7. Five Hundred Thousand Dollars (\$500,000) are appropriated from the General Fund for the operations of the Territorial Planning Council.

Section 8. Twenty Seven Million One Hundred Twenty Seven Thousand Three Hundred Twenty Two Dollars (\$27,127,322) are appropriated from the General Fund to the Government of Guam Retirement Fund to continue the provisions of:

- 1 (i) the One Thousand Two Hundred Dollar (\$1,200) annuity
- 2 benefits;
- 3 (ii) the One Thousand Five Hundred Dollar (\$1,500) supplemental
- 4 annuity benefits;
- 5 (iii) the Seven Hundred Dollar (\$700) supplemental annuity benefits;
- 6 (iv) the Eight Hundred Thirty Eight Dollar (\$838) annuity benefits;
- 7 (v) the Governor and Lieutenant Governor Pensions;
- 8 (vi) the Retiree group health, dental, and life insurance premiums;
- 9 (vii) the Retiree life insurance subsidy;
- 10 (viii) the lump sum Cost of Living Allowance to be paid to those
- 11 government of Guam retired employees or survivors consisting
- 12 of One Thousand Eight Hundred Dollars (\$1,800) all for the fiscal
- 13 year ending September 30, 1993.

14 **Section 9. (a) Legislative Intent.** During the course of work on the
 15 Guam Tax Code Commission, and most especially while creating and reviewing
 16 models which may be used in creating a Guam Tax Code, it has become apparent to
 17 the Guam Tax Code Commission that Guam lacks the proper income and product
 18 accounts to measure recent economic activity and forecast future economic
 19 performance. These processes go hand-in-hand with development of a Guam Tax
 20 Code, and unless they are developed and implemented will hinder finalization of
 21 the Guam Tax Code Commission's work.

22 The microsimulation models that have been developed for the Guam Tax
 23 Code Commission will be integral to developing income and product accounts. The
 24 models will be used to forecast the impact of alternative tax and economic policies
 25 and extended to data assessment, account building, and forecasting.

26 (b) Implementation. In order to complete the Guam Tax Code
 27 Commission's primary task, the Commission shall prepare or cause to be prepared
 28 income and product accounts for Guam.

29 (c) Appropriation. ^{2,470} ~~Five Hundred Thousand Dollars (\$500,000)~~ ⁻⁰⁻ are
 30 appropriated from the General Fund to the Guam Tax Code Commission to carry out
 31 the duties designated in this Section.

32 **Section 10.** Five Hundred Thousand Dollars (\$500,000) are appropriated from
 33 the General Fund to the Agency for Human Resources Development to supplement
 34 federal funds for its Fiscal Year 1993 operation

35 **Section 11.** ^{2,470} ~~Six Hundred Thousand Dollars (\$600,000)~~ ⁻⁰⁻ are appropriated from
 36 the General Fund to the Department of Administration Employees PCB Recovery

1 Fund for the purposes as created in Section 3 of Public Law 20-32, as amended
2 Section 49 of Chapter III of P.L. 21-42.

3 Section 12. One Hundred Seventeen Thousand Six Hundred Seventy Fo
4 Dollars (\$117,674) are appropriated from the General Fund to the Department
5 Agriculture to plant Ifit, Ahgao, and Pahong trees in order to perpetuate th
6 Chamorro culture through the arts by wood carving, weaving and other cottag
7 industries as contemplated by P.L. 21-54.

8 Section 13. One Million Eight Hundred Thousand Dollars (\$1,800,000) ar
9 appropriated from the General Fund to the Department of Administration Off-Island
10 Residential Treatment Fund to pay authorized expenses to send persons under the
11 jurisdiction of the Court for residential care arising from physical, mental or
12 emotional handicaps or from severe emotional disturbance.

13 Section 14. Sixty Seven Thousand Seven Hundred Sixty Dollars (\$67,760) are
14 appropriated from the General Fund to the Guam Energy Office for office space
15 rental in Fiscal Year 1993.

16 Section 15. ~~One Hundred Thousand Dollars (\$100,000)~~ ^{Fifty Thousand Dollars (\$50,000)} are appropriated from
17 the General Fund to the Bureau of Planning for the Agana Revitalization Plan.
18 Funds appropriated under this Section shall be available until expended.

19 Section 16. Four Hundred and Ninety-six Thousand Dollars (\$496,000) are
20 appropriated from the General Fund to the University of Guam to fund the
21 continuance of research on Guam on Lytico, Bodig, and related neurological diseases
22 and the possible causes or risk factors, including research in conjunction with the
23 ongoing research of the Mayo Clinic and Foundation. The following projects are
24 part of the research funded by this appropriation:

- 25 (a) Continuation of the multi-disciplinary care and family support team
26 and community education;
- 27 (b) Continuation of the organization and acquisition of materials for the
28 Micronesian Medical Archives, and operation thereof;
- 29 (c) Continuation of ophthalmological studies to find the cause for Guam's
30 unique retinopathy;
- 31 (d) Continuation of family studies of occurrence of Amytrophic Lateral
32 Sclerosis (ALS)/Parkinson's Disease (PD);
- 33 (e) Studies into effects of Manganese in relation to neurological disorders;
- 34 (f) Therapeutic trial to investigate aluminum poisoning and to chelate
35 excess aluminum from Lytico and Bodig patients;

1 (g) pathological studies on known Lytico and Bodig patients and
2 symptomatic persons;

3 (h) visiting Scientist Program for specialists, scientists and medical
4 personnel;

5 (i) travel and incidental expenses for patients and accompanying
6 caregivers to the University of British Columbia at Vancouver, Canada and to
7 various Mayo Clinic facilities in the United States mainland for purposes related to
8 research.

9 (j) The appropriation in this Section shall remain in effect until expended.

10 **Section 17.** Four Hundred Twenty-three Thousand Dollars (\$423,000) are
11 appropriated from the General Fund to the Department of Revenue and Taxation to
12 fund the Tax Collection Task Force for the purpose of collecting outstanding
13 delinquent taxes.

14 **Section 18. (a) Legislative findings and purpose.** The Legislature finds
15 that the Department of Administration, in its recent audit of the personnel files of
16 all the employees of the Department of Revenue and Taxation, discovered that fifty
17 (50) employees were inadvertently under compensated due to inconsistencies
18 between the implementing memorandum and the spreadsheet brought about by the
19 Civil Service Commission's creation of new classes of position, reassignment of pay
20 ranges, and abolishment of existing classes of positions, dated May 7, 1985. It is the
21 further finding of the Legislature that to correct these discrepancies and to alleviate
22 further discrimination against these fifty (50) employees, funding is required to
23 compensate the employees affected.

24 (b) Appropriation for back pay. ~~Three Hundred Fifty-seven Thousand~~
25 ~~Dollars (\$357,000)~~ ^{2000 - 0 - 35,000} are appropriated from the General fund to the Department of
26 Revenue and Taxation to compensate these fifty (50) employees affected by the Civil
27 Service Commission's creation of new classes of positions, reassignment of pay
28 ranges, and abolishment of existing classes of positions, dated may 7, 1985.

29 **Section 19.** Thirty Five Thousand Dollars (\$35,000) are appropriated from the
30 General Fund to the Umatac Municipal Planning Council for the Discovery Day
31 Festivities. The Discovery Day Committee shall justify the expenses to the Umatac
32 Municipal Planning Council. This appropriation may also be used to pay any prior
33 years obligations.

34 Notwithstanding any other provision of law, the Governor is authorized to
35 allow the conduct of cockfights for the three (3) day weekend period consisting of
36 Friday, Saturday, and Sunday for every annual village fiesta, for Discovery Day, and

1 for Fiestan Tasi, with the net proceeds of such cockfights to be given to the Municipi
2 Planning Council of the village in which the cockfight is held
3 Section 20. ~~ONE HUNDRED FIVE THOUSAND DOLLARS~~ ^{ONE HUNDRED FIVE THOUSAND DOLLARS}
4 ~~THREE HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED~~ ^{THREE HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED} For
5 Dollars ~~(\$997,340)~~ are appropriated from the General Fund to the Western Pacific

6 Association of the Disabled for its Fiscal Year 1993 operations. The recipient of this
7 appropriation shall make a report of the expenditures of the funds in this
8 appropriation to the Governor and the Legislature.

9 Section 21. Six Hundred Thousand Dollars (\$600,000) are appropriated from
10 the General Fund to the Sanctuary Inc. for its Fiscal Year 1993 operations. The
11 recipient of this appropriation shall make a report of the expenditures of the funds
12 in this appropriation to the Governor and the Legislature.

13 Section 22. ~~ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS~~ ^{ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS} ~~(\$175,000)~~ ^(\$25,000) are
14 appropriated from the General Fund to the Guam Legal Services Corporation to
15 provide legal services to the poor and the elderly. The recipient of this appropriation
16 shall make a report of the expenditures of the funds in this appropriation to the
17 Governor and the Legislature.

18 Section 23. (a) Legislative Intent. Due to insufficient classrooms,
19 the Department of Education is authorized for Fiscal Year 1993 to offer over-load pay
20 to teachers who voluntarily accept students above the class sizes agreed to in the
21 Board of Education-Guam Federation of Teachers contract, provided that the
22 formula used in determining the over-load pay is mutually agreed upon between
23 the Board of Education and the Guam Federation of Teachers.

24 (b) Appropriation. ~~TWO HUNDRED THOUSAND DOLLARS~~ ²⁵⁰⁰ ~~(\$200,000)~~ are
25 appropriated from the General Fund to the Department of Education to fund the
26 authorization in Subsection (a) of this Section.

27 (c) This Section shall expire at the end of School Year 1992-1993.
28 Section 24. ~~NINE THOUSAND ONE HUNDRED THIRTY FOUR DOLLARS~~ ²⁵⁰⁰ ~~(\$9,134)~~ are
29 appropriated from the General Fund to the Public Utility Agency of Guam to relocate
30 the water lines affecting Lot Nos. 215 and 216-3, Agamham Road, Village of Maina.

31 Section 25. The Bureau of Budget and Management Research is authorized
32 to expend audit fees for the purpose of training, travel, and staff development within
33 the Bureau, and Twenty Thousand Dollars (\$20,000) are appropriated from the
34 General Fund to the Committee on Ways and Means for the purpose of training,
35 travel, and staff development within the Committee.

36 Section 26. Two Million Six Hundred Ninety-seven Thousand Two
Hundred Dollars (\$2,697,200) are appropriated from the General Fund to provide the

1 (b) ~~Five Hundred Fifty-two Dollars (\$552)~~ ^{ZERO} ~~are~~ ⁻⁰⁻ ~~appropriated~~ ^{J. Cole} from the
2 General Fund to the Dededo Mayor's Office to cover the utility bills for the Ligua
3 Terrace Baseball Field and the Astumbo Basketball Court.

4 (c) ~~Thirty-five Thousand Dollars (\$35,000)~~ ^{ZERO} ~~are~~ ⁻⁰⁻ ~~appropriated~~ ^{J. Cole} from the
5 General Fund to the Dededo Mayor's Office to purchase a large heavy duty tractor.

6 Section 31. ~~Three Hundred Thousand Dollars (\$300,000)~~ ^{ZERO} ~~are~~ ⁻⁰⁻ ~~hereby~~ ^{J. Cole}
7 appropriated from the General Fund to the Guam Fire Department for overtime pay.

8 Section 32. Any funds remaining from the appropriation in Section 1 of
9 Public Law 21-59 from the General Fund to the University of Guam College of
10 Business and Public Administration for expenses of the 12th Island Conference on
11 Public Administration shall be available for planning expenses of the 13th Island
12 Conference on Public Administration to be held in November, 1992.

13 Section 33. Seventeen Million Three Hundred Fifty Thousand Dollars
14 (\$17,350,000) are appropriated from the General Fund to the Legislature Operations
15 Fund for the operations of the Guam Legislature for Fiscal Year 1993. All
16 appropriations to the Legislature Operations Fund shall be carried over and continue
17 in Fiscal Year 1993 for use by the Legislature.

18 Section 34. ~~Eighty-one Thousand Dollars (\$81,000)~~ ^{ZERO} ~~are~~ ⁻⁰⁻ ~~appropriated~~ ^{J. Cole} from the
19 General Fund to the Department of Parks and Recreation Sports Fund for Gua
20 Youth Football League's on-island operations for FY 1993. The recipient of this
21 appropriation shall make a report of the expenditures from this appropriation to the
22 Governor and to the Legislature.

23 Section 35. (a) Section 1 of Public Law 21-109 is repealed and reenacted to
24 read:

25 "Section 1. Appropriation. Thirty-five Thousand Nine Hundred Sixty-two
26 Dollars (\$35,962) are appropriated from the Tourist Attraction Fund to the Guam
27 Visitors Bureau ("GVB") to make retroactive salary adjustments as recommended by
28 the Civil Service Commission."

29 (b) Section 3 of Public Law 21-109 is repealed and reenacted to read:

30 "Section 3. GVB Accountability. GVB shall provide a detailed financial
31 breakdown of all disbursements made pursuant to Section 1 of this Act to the Civil
32 Service Commission and to the Committee on Tourism & Transportation of the
33 Legislature."

34 Section 36. ~~Fifty-five Thousand Eight Hundred Fifty Dollars (\$55,850)~~ ^{ZERO} ~~are~~ ⁻⁰⁻ ~~appropriated~~ ^{J. Cole}
35 appropriated from the General Fund to the Mayors' Council of Guam for the
36 purpose of providing compensation for the Municipal Planning Council for the

1 nineteen (19) districts retroactive to January 1, 1991 through December 31, 1991 in
2 conformity with Public Law 21-69.

3 Section 37. (a) Legislative Findings. the Legislature finds that flood
4 control should be a priority for the community. The absence of appropriate flood
5 control measures has resulted in the loss of homes and substantial property damage,
6 and has endangered Guam's access to federal assistance with respect to the National
7 Flood Insurance Program ("NFIP"). The Legislature finds that previous Executive
8 Orders called for the promulgation of Flood Damage Prevention Rules and
9 Regulations. However, these regulations were not promulgated until 1989. Even
10 with the adjudication of these regulations, the Federal Emergency Management
11 Agency ("FEMA"), in repeated correspondence in 1990 1991, and 1992, to Governor
12 Ada, noted specific deficiencies in Guam's enforcement and administration of
13 floodplain management regulations. FEMA, in its correspondence with Governor
14 Ada, further noted that these deficiencies included violations of Executive Order 88-
15 20, Flood Damage, Prevention, Rules, and Regulations. Due to insufficient response
16 to these deficiencies, Guam was placed on probationary status on April 6, 1992, with
17 respect to NFIP.

18 It is the further finding of the Legislature that it is necessary to provide a Flood
19 Control Plan for Guam and complete the Agana River Flood Control Project in order
20 to lift the probationary status imposed on Guam by FEMA. In their April 8, 1992
21 letter to Governor Ada, FEMA stated that if the required corrective actions are not
22 taken by April 6, 1993, FEMA will recommend to the Administrator of the Federal
23 Insurance Administration that Guam be suspended from NFIP. The Legislature
24 further finds that, notwithstanding FEMA, these measures should be taken in the
25 interests of the safety and well-being of the people of Guam. Although the Governor
26 has not requested funding for these two measures, the Legislature finds that these
27 deficiencies cannot be permitted to continue due to the inaction and inattention of
28 the Executive Branch. The Legislature therefore finds that both the Island-wide
29 Flood Control Plan and the Agana River Flood Control Project should be
30 implemented as expeditiously as possible.

31 (b) Appropriation for Flood Control Plan. ~~Seven Hundred Thousand~~
32 ^{2,470,000} ~~Dollars (\$700,000)~~ are appropriated from the General Fund to the Department of
33 Public Works for the preparation and administration of the Island-wide Flood
34 Control Plan for Guam.

35 (c) Appropriation for Agana River Flood Control Project. ~~Two Million~~
36 ^{2,470,000} ~~Five Hundred Thousand Dollars (\$2,500,000)~~ are appropriated from the General

1 Fund to the Department of Public Works for the completion of the Agana River
2 Flood Control Project.

3 Section 38. Six Hundred Seventy-four Thousand Five Dollars (\$674,005) are
4 appropriated from the General Fund to the Guam Memorial Hospital Authority's
5 End Stage Renal Disease (ESRD) program to be expended as follows:

6 Equipment:

7 High flux Dialysis Machines	\$50,000
8 Therapy Management System Monitors	12,500
9 High Efficiency Dialysis Machines	182,875
10 Cardiac Monitoring Device	60,000
11 Testing/Calibration Equipment	20,000
12 Electronic Temperature Test Equipment	20,000
13 BP/Stethoscope Equipment	3,640
14 Waste Handling Option Dialysis Equipment (WHO)	2,750
15 Equipment Parts (Maintenance)	50,000

16 Medication:

17 Renal Maintenance Medication and	
18 Immunosuppressant Drugs (Cyclosporine)	173,000
19 Renal Diets	103,740
20 Nephrology Consultants	4,000
21 Training and Development	10,000

22 Section 39. (a) Legislative Findings. The Municipality of Mangilao has
23 experienced a rapid rate of growth over the last few years. Public facilities are in need
24 of upgrading because of use by the public and funding being diverted to more
25 pressing needs. The power needs of the people of Mangilao, as well as the need for
26 paved secondary roads has become critical. The baseball field has inadequate
27 facilities to meet the needs of the community.

28 (b) Forty-two Thousand Dollars (\$42,000) are appropriated from the
29 General Fund to upgrade the existing baseball field lighting fixtures and for the
30 relocation of power poles and lighting systems for the baseball field.

31 (c) Thirty Thousand Dollars (\$30,000) shall be appropriated from the
32 General Fund to provide power services to the residents of Bamba's Subdivision in
33 Pagat, Mangilao.

34 (d) ~~Sixty-two Thousand Three Hundred Fifty Dollars (\$62,350)~~ ^{ZERO} are
35 appropriated from the General Fund to the Mayors Council to pave secondary roads
36 in Mangilao.

1 (e) Subsection (b) of Section 6 of Public Law 20-77 is amended to read:

2 "(b) Forty Seven Thousand Dollars (\$47,000) to install new fencing in the
3 existing baseball field in Mangilao; and the resurfacing and extending the
4 dimensions of the existing baseball field to meet the requirements of the Guam
5 Amateur Baseball Tournaments."

6 Section 40. ²⁷⁰⁰ ~~One Million Six Hundred Thousand Twelve Dollars (\$1,612,000)~~ ⁻⁰⁻ *J. F. Fader*
7 are appropriated from the General Fund to the Public Utility Agency of Guam to
8 provide water services to Tract 212, Block 13, Malojloj, Inarajan.

9 Section 41. ²⁷⁰⁰ ~~One Million Two Hundred Thousand Dollars (\$1,200,000)~~ ⁻⁰⁻ *J. F. Fader*
10 appropriated from the General Fund to the Public Utility Agency of Guam for the
11 architectural and engineering designs for sewer services to those areas in Inarajan
12 that do not have sewer services.

13 Section 42. ²⁷⁰⁰ ~~Three Hundred Thousand Dollars (\$300,000)~~ ⁻⁰⁻ *J. F. Fader*
14 from the General Fund to the Guam Fire Department for the purpose of purchasing
15 one (1) hazardous materials van and necessary personal protection equipment for
16 personnel.

17 Section 43. (a) Three Million Five Hundred Thousand Dollars (\$3,500,000) are
18 appropriated from the General Fund to the "CAHAT" Fund established in §4209 of Article 2, Chapter 4
19 Title 12, Guam Code Annotated, and Five Hundred Thousand Dollars (\$500,000) are appropriated to
20 "Foreclosure Protection Fund" established in §4214 of such Article 2, for the purpose of carrying out the
21 provisions of such Article 2.

22 (b) One Million Dollars (\$1,000,000) are appropriated from the General fund to the
23 "Government Loan Guarantee Fund" established in §4403 of Article 4, Chapter 4, of Title 12, Guam Code
24 Annotated, for carrying out the provisions of said Article 4.

25 Section 44. Two Million Dollars (\$2,000,000) are appropriated from the General Fund to the
26 Guam Housing Corporation Revolving Loan Fund to be used under the provisions set out in Public Law 20-
27 210.

28 Section 45. ²⁷⁰⁰ ~~Fifty Thousand Dollars (\$50,000)~~ ⁻⁰⁻ *J. F. Fader*
29 the Department of Public Works to construct a box culvert with sufficient strength over the pipelines on
30 the road that connects Machanao Sub-division, next to the Dededo Cockpit, with Fern Terrace, GHURA
31 Housing, across upper NCS leading to Route 3 and to pave it to allow motor vehicles to pass over it. Any
32 funds unexpended upon the completion of this project shall revert to the General Fund.

33 Section 46. ^{Eighty Thousand Dollars (\$80,000)} ~~One Hundred Eighty Thousand Dollars (\$180,000)~~ ⁻⁰⁻ *J. F. Fader*
34 General Fund to the University of Guam College of Arts and Sciences to help defray the expenses to be
35 incurred by the Federal-Territorial Relations Conference and the Telecommunications Conference for
36 Fiscal Year 1993.

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CHAPTER IV

MISCELLANEOUS PROVISIONS

Section 1. (a) Section 1 of Public Law 20-99 is amended to read:

"Section 1. Legislative Intent. There will be few events more important and critical in the history of Guam than the current efforts to establish a dynamic and viable political relationship with the United States of America and understanding the cultural history of Guam. The history and record of all that has transpired, successful or otherwise, should not be lost but rather should be made known to all on Guam. It is important for future generations, the children and the youth of Guam, to learn the benefits of past and present political successes and the cultural history of Guam in order to confront the problems which may yet be faced and resolved in the future. It is for the future of Guam, its people, and its children, that the Legislature sees a need to provide continuous educational program which will better prepare the people and pave the way for greater understanding of these efforts toward political growth and maturity.

The Legislature declares it to be the public policy of the government of Guam to provide leadership for and to support the development of courses of studies on Guam's political history and status development and development of course of studies on Guam's cultural history to be taught at all levels; elementary, middle, high school, and post secondary schools, including the private schools.

The Legislature finds that there are no coordinated courses of studies or textual materials available on Guam's political history or on Guam's cultural history. Such course development is needed and can best be achieved by professionals from the Department of Education, the University of Guam, and the Guam Community College with the expertise in the following subject areas: political science, history, economics, cultural anthropology, research, who should be given the responsibility to develop the courses of studies and coordinate the acquisition of the curriculum materials needed of each level."

(b) Section 5 of Public Law 20-99 is amended to read:

"Section 5. Levels of Instruction. The courses will be offered during the first through the twelfth grades and students enrolled in the public and private schools shall be required to successfully complete the courses

1 as part of a civics or social studies unit at the high school level and as part
2 of the social science requirement of a general education course at the
3 postsecondary level."

4 **Section 2.** Section 1103 of Chapter 1, Title 10, Guam Code Annotated is
5 repealed and reenacted to read:

6 "Section 1103. There are created Medical Referral Assistance
7 Offices in Honolulu, Hawaii, in Los Angeles, California, and in Metro
8 Manila, Philippines, which shall be within the responsibility of the
9 Office of the Governor. The Offices shall assist in coordinating
10 appropriate medical appointments, as well as coordinating temporary
11 housing and transportation. No medical referral assistance office shall
12 be located in a building which is under the direct or indirect control of
13 a hospital or a physician's office."

14 **Section 3.** §16118 of Chapter 16 of Title 17, Guam Code Annotated, is
15 amended to read:

16 "§16118. Legislative Appropriation. (a) On February 15, or
17 earlier, of each year, a budget requirement for the following Fiscal Year
18 for personnel and operating costs necessary for carrying out the mission,
19 purposes and general activities of the University, including funds
20 necessary for student loans, scholarships, and financial aid, may be
21 certified by the Board and submitted to the Legislature. Following public
22 budget hearings before the Legislature, an appropriation shall be made
23 available to the University in an amount to be determined by the
24 Legislature based upon the fiscal condition of the government of Guam, to
25 be allotted in four (4) appropriately disproportional quarterly installments
26 which shall be remitted on the first day of each quarter of the appropriate
27 University Year, under the full fiscal control of the Board which shall be
28 fully accountable for the appropriate expenditure of all University funds.
29 Such appropriation shall not include any sums collected by the University
30 from student tuition and fees. University funds derived from student
31 tuition and fees shall be considered non-appropriated funds of the
32 University from student tuition and fees. University funds derived from
33 student tuition and fees shall be considered non-appropriated funds of the
34 University under the fiscal control of the Board. A minimum of seventy
35 per cent (70%) of the funds derived from student tuition and fees shall be
36 earmarked for implementation of the Physical Master Plan.