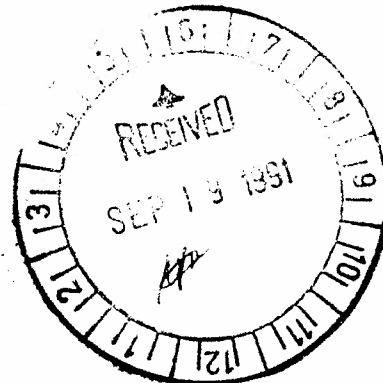


Territory of Guam
Toritorion Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGALAHI
AGANA, GUAM 96910 U.S.A.

SEP 19 1991



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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 491, which I have signed into law this date as Public Law 21-47.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank F. Blas".

FRANK F. BLAS
Governor of Guam
Acting

210434

Attachment

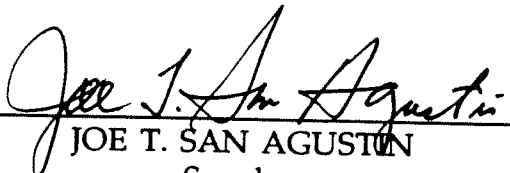


Commonwealth Now!

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

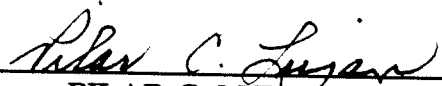
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 491 (COR), "AN ACT TO PROVIDE APPROPRIATIONS FOR THE SUPERIOR COURT OF GUAM AND THE PUBLIC DEFENDER SERVICE CORPORATION FOR FISCAL YEAR 1992," was on the 30th day of August, 1991, duly and regularly passed.



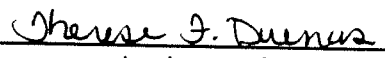
JOE T. SAN AGUSTIN
Speaker

Attested:



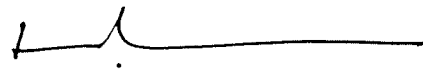
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 10th day of September,
1991, at 7:45 o'clock P.m.



Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: SEP 19 1991

Public Law No: 21-47

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 491 (COR)
Substituted by the Committee
on Ways and Means

Introduced by:

Committee on Ways and Means

C. T. C. Gutierrez

H. D. Dierking

J. P. Aguon

E. P. Arriola

J. G. Bamba

A. C. Blaz

D. F. Brooks

E. M. Espaldon

M. D. A. Manibusan

D. Parkinson

M. J. Reidy

M. C. Ruth

D. L. G. Shimizu

M. Z. Bordallo

P. C. Lujan

G. Mailloux

J. T. San Agustin

F. R. Santos

E. R. Duenas

A. R. Unpingco

AN ACT TO PROVIDE APPROPRIATIONS FOR THE
SUPERIOR COURT OF GUAM AND THE PUBLIC DEFENDER
SERVICE CORPORATION FOR FISCAL YEAR 1992.

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

2 **Section 1. Short title.** This Act may be known as the "Judicial Branch
3 Budget Act of 1992". Except as otherwise provided in this Act, the

1 appropriations made by this Act shall be available to pay for obligations
2 incurred on or after October 1, 1991 but not later than September 30, 1992. In
3 the event that any portion of this Act is found contrary to federal law, all
4 portions not so found shall remain valid.

5 **Section 2. Definitions.** The following definitions shall apply to the
6 appropriations made in Section 4 of this Act:

7 (a) "Capital Outlay" includes:

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

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

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

1 (4) non-structural improvements to buildings, the
2 grading, leveling, draining and landscaping of land or the
3 construction of roadways, fences, ditches, or sanitary or
4 storm sewers.

5 (b) "Contingency" means expenditure for unbudgeted items.

6 (c) "Contractual Services" include:

7 (1) services rendered or performed by business, other
8 government agencies or individuals other than expenses for
9 personnel services;

10 (2) current services or charges for rental of personal
11 property, insurance premiums (not employee benefits), dues,
12 paid subscriptions, and other fixed charges; and

13 (3) telex and other forms of communication except
14 telephone and facsimile.

15 (d) "Equipment" means items having a purchase price of
16 Two Hundred Fifty Dollars (\$250) or less.

17 (e) "Expenditures" means all amounts of money, other than
18 refunds authorized by law, paid out or encumbered for payment
19 by a territorial agency other than for investment securities or as
20 agent or trustee for other governmental entities or private
21 persons.

22 (f) "FTE" means the equivalent of one (1) permanent
23 position continuously filled for two thousand eighty (2,080) hours
24 per year for the year commencing October 1, 1991, and, if
25 applicable, for the year commencing October 1, 1992.

1 (g) "Federal Funds" means payments by the United States
2 Government to the territorial government or territorial agencies
3 for specific purposes or in lieu of taxes, including grants,
4 reimbursements, and payments made in accordance with
5 contracts but does not include payments pursuant to Section 30 of
6 the Organic Act of Guam.

7 (h) "General Fund" means that Fund as defined by Section
8 6309 of the Government Code.

9 (i) "Office Space Rental" means payment to an entity for
10 rental of office space and may include the cost of maintenance,
11 power, and other utility expenses.

12 (j) "Match" means direct cost sharing or in-kind General
13 Fund support required as a condition for acceptance for federal
14 funds.

15 (k) "Other Fund" means:

16 (1) unencumbered balances in territorial agency
17 accounts appropriated by this Act, the Executive Branch
18 Budget Act of 1992, or the Guam Memorial Hospital
19 Authority Budget Act of 1992; and

20 (2) all revenue available to territorial agencies from
21 sources other than the General Fund and federal funds.

22 (l) "Personnel Services" include:

23 (1) salaries and wages payable to persons employed
24 by the Government;

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

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

7 (m) "Power" includes all expenses incurred for the use of
8 electricity or natural gas.

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

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

18 (p) "Telephone" includes all charges for telephone services.

19 (q) "Toll Calls" includes all charges for long distance
20 telephone calls and facsimile.

21 (r) "Territorial Agency", for purposes of this Act, means the
22 Superior Court of Guam and the Public Defender Service
23 Corporation.

1 (s) "Travel & Transportation" means off-island travel
2 expenses and local mileage reimbursement in accordance with the
3 laws of Guam.

4 (t) "Water/Sewer" includes all expenses for the purchase of
5 water and all expenses for waste-water treatment.

6 **Section 3. General Provisions.** The following General Provisions shall
7 apply to the appropriations made in Section 4 of this Act:

8 (a) Amounts designated as "Totals" are provided for
9 informational purposes only and are not appropriations.

10 (b) The total number of FTE authorized for Fiscal Year 1992
11 and, if applicable for Fiscal Year 1993, is indicated by a number in
12 parentheses following the line item or subtotal under the column
13 showing the fund source. The total number of FTE shall not be
14 exceeded. All regular and overtime hours of work performed and,
15 except for hours of accrued leave paid upon separation from the
16 government, hours for which leave is granted and compensation
17 given, shall be applied against the total FTE. No FTE shall be
18 used to employ more than one (1) person at the same time,
19 whether on a full-time, part-time, or limited term basis.

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

1 (d) Prior to the payment of overtime, a territorial agency
2 shall submit for payroll processing at the end of each pay period, a
3 statement of the amount of overtime due an employee, the
4 purpose for which the employee worked in excess of regular
5 working hours, and an explanation and justification as to the
6 need for the overtime.

7 (e) Payment for overtime claims shall be prepared only if
8 the claims are properly documented, and shall be paid to the
9 employee in the employee's next pay check.

10 (f) In keeping with the doctrine of separation of powers, the
11 Superior Court of Guam shall be as independent as possible from
12 the control of the other co-equal branches of the government of
13 Guam. Such independence shall include provision for a year-to-
14 year budget appropriation measure for the operations of the
15 Superior Court of Guam which is separate and apart from the
16 portions of the Act making general appropriations for the
17 operations of the Executive Branch.

18 (g) Notwithstanding any other provision of law, no
19 reclassification/reassignment of pay ranges of any positions not
20 funded by appropriations of the Legislature may be implemented.

21 **Section 4. Appropriations for the Superior Court of Guam.** Fourteen
22 Million Six Hundred Seventy-Two Thousand Ninety-Six Dollars
23 (\$14,672,096) are appropriated from the General Fund to the Superior Court
24 of Guam to be expended as follows:

1	A. General Administration	
2	1. Personnel Services	\$2,156,992
3		(55.0 FTE)
4	2. Operating Expenses	1,606,195
5	3. Office Rental Space	128,838
6	4. Utilities	
7	a. Power	240,000
8	b. Water/Sewer	19,000
9	c. Telephone	35,000
10	d. Toll Calls	16,000
11	5. Capital Outlay	174,600
12	6. Miscellaneous	
13	a. Miscellaneous	61,670
14	b. Personnel Development	20,216
15	c. Contingency Fund	<u>5,000</u>
16	TOTAL	\$4,463,491
17	B. For Financial Management	
18	1. Personnel Services	\$ 504,906
19		(13.0 FTE)
20	2. Operating Expenses	10,763
21	3. Miscellaneous	
22	a. Personnel Development	2,030
23	4. Capital Outlay	<u>6,548</u>
24	TOTAL	\$ 524,247

1	C. For Courts/Ministerial Offices	
2	1. Personnel Services	\$3,605,062
3		(92.0 FTE)
4	2. Operating Expenses	115,458
5	3. Contingency Fund	15,000
6	4. Jury Services	400,000
7	5. Court Appointed Legal	
8	Services	945,000
9	6. Personnel Development	4,100
10	7. Capital Outlay	<u>156,039</u>
11	TOTAL	\$5,240,659
12	D. For Marshal's Office	
13	1. Personnel Services	\$1,712,419
14		(44.0 FTE)
15	2. Operating Expenses	18,104
16	3. Miscellaneous	
17	a. Personnel Development	7,550
18	4. Capital Outlay	<u>7,072</u>
19	TOTAL	\$1,747,145
20	E. For Probation Services	
21	1. Personnel Services	\$2,014,917
22		(48.0 FTE)
23	2. Operating Expenses	42,119
24	3. Miscellaneous	
25	a. Personnel Development	3,360

1	4. Capital Outlay	<u>17,568</u>
2	TOTAL	\$2,077,964
3	F. For Judicial Council	
4	1. Personnel Services	\$ 17,184
5	2. For the Stipends of the	
6	Judicial Council as required	
7	by Section 121 of the Civil	
8	Procedure Code of Guam	<u>4,800</u>
9	TOTAL	\$ 21,984
10	G. For Board of Law Examiners	
11	1. Personnel Services	\$ 19,281
12	2. Miscellaneous	
13	(a) For the Stipends of the	
14	Board of Law Examiners as	
15	required by Section 28015 of	
16	the Government Code of	
17	Guam	4,800
18	(b) Contingency Fund	<u>3,500</u>
19	TOTAL	\$ 27,581
20	H. For Client Services/Family Counseling	
21	1. Personnel Services	\$ 515,919
22		(11.0 FTE)
23	2. Operating Expenses	17,551
24	3. Miscellaneous	1,600

1	4. Capital Outlay	<u>33,955</u>
2	TOTAL	\$ 569,025
3	GRAND TOTAL	\$14,672,096

4 **Section 5. Appropriations for the Public Defender Service Corporation.**
5 Two Million Two Hundred Fifty-Nine Thousand Two Hundred Fifty-One
6 Dollars (\$2,259,251) are appropriated from the General Fund to the Public
7 Defender Service Corporation to be expended as follows:

8	A. General Administration	
9	1. Personnel Services	\$1,755,098
10		(40.0 FTE)
11	2. Operating Expenses	207,553
12	3. Office Rental Space	233,100
13	4. Miscellaneous	6,000
14	5. Utilities	
15	a. Telephone	30,000
16	6. Capital Outlay	<u>27,500</u>
17	GRAND TOTAL	\$2,259,251

6

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Date: 8/30/91

VOTING SHEET

Bill No. 491

Resolution No. _____

Question: _____

	AYE	NO	NOT VOTING	ABSENT/ OUT DURING ROLL CALL
<u>AGUON, John P.</u>	✓			
<u>ARRIOLA, Elizabeth P.</u>	✓			
<u>BAMBA, J. George</u>	✓			
<u>BLAZ, Anthony C.</u>	✓			
<u>BORDALLO, Madeleine Z.</u>	✓			
<u>BROCKS, Doris F.</u>	✓			
<u>DIERKING, Herminia D.</u>	✓			
<u>DUENAS, Edward R.</u>	✓			
<u>ESPALDON, Ernesto M.</u>	✓			
<u>GUTIERREZ, Carl T.C.</u>	✓			
<u>LUJAN, Pilar C.</u>	✓			
<u>MAILLOUX, Gordon</u>	✓			
<u>MANIBUSAN, Marilyn D.A.</u>	✓			
<u>PARKINSON, Don</u>	✓			
<u>REIDY, Michael J.</u>	✓			
<u>RUTH, Martha C.</u>	✓			
<u>SAN AGUSTIN, Joe T.</u>	✓			
<u>SANTOS, Francisco R.</u>	✓			
<u>SHIMIZU, David L.G.</u>	✓			
<u>TANAKA, Thomas V.C.</u>			✓	
<u>UNPINGCO, Antonio R.</u>	✓			

20 0 1

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

14 August 1991

The Honorable Joe T. San Agustin
Speaker
Twenty First Guam Legislature
155 Hesler Place
Pacific Arcade Building
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Ways and Means wishes to report out its findings on **Bill No. 491, "AN ACT TO PROVIDE APPROPRIATIONS FOR THE SUPERIOR COURT OF GUAM FOR FISCAL YEAR 1992"** to the full Legislature with the recommendation to do Pass as Substituted.

The Committee Voting Record is as follows:

TO PASS:	<u>12</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 yours,

A handwritten signature in black ink, appearing to read "C. Gutierrez", is written over a light-colored background.

CARL T.C. GUTIERREZ

Attachments

Twenty-First Guam Legislature
Committee on Ways & Means

VOTING SHEET

BILL NO.
491

"AN ACT TO PROVIDE APPROPRIATIONS FOR THE
SUPERIOR COURT OF GUAM FOR FISCAL YEAR 1992"

	TO PASS	NOT TO PASS	ABSTAIN	TO PLACE IN INACTIVE FILE
<i>20/21</i> Senator Carl T. C. GUTIERREZ Chairman	✓			
<i>H. Dierking</i> Senator Herminia D. DIERKING Vice-Chairman	✓			
<i>John P. Agdon</i> Senator John P. AGDON Member	✓			
<i>E. Arriola</i> Senator Elizabeth P. ARRIOLA Member	✓			
<i>George Bamba</i> Senator George BAMBABA Member	✓			
<i>Anthony Blaz</i> Senator Anthony BLAZ Member	✓			
Senator Doris F. BROOKS Member				
<i>Ernesto M. Espaldon</i> Senator Ernesto M. ESPALDON Member	✓			
<i>Marilyn Manibusan</i> Senator Marilyn MANIBUSAN Member	✓			
<i>Don Parkinson</i> Senator Don PARKINSON Member	✓			
<i>Michael J. Reedy</i> Senator Michael J. REEDY Member	✓			
<i>Martha C. Ruth</i> Senator Martha C. RUTH Member	✓			
<i>David Shimizu</i> Senator David SHIMIZU Member	✓			
Speaker Joe T. SAN AGUSTIN Ex-Officio Member				

COMMITTEE ON WAYS AND MEANS COMMITTEE REPORT ON

BILL NO. 491

AN ACT TO PROVIDE APPROPRIATIONS FOR THE SUPERIOR COURT OF GUAM FOR FISCAL YEAR 1992.

PURPOSE AND ESSENTIAL ELEMENTS

Bill No. 491 was introduced in order to have an expeditious public hearing on the fiscal year 1992 request of the Superior Court of Guam which was timely provided to the Committee on Ways and Means on approximately June 15, 1991. The Bill, as drafted, listed the eight (8) divisions of the Superior Court of Guam with lump sum appropriations and the level of FTEs, which are full time equivalents, representing the number of employees per division.

PUBLIC HEARING

The Committee on Ways and Means conducted a public hearing on Wednesday, July 24, 1991 at 8 o'clock a.m. to gather testimony on Bill No. 491. Present at the hearing were Senator Carl T.C. Gutierrez, Chairman of the Committee, conducting the hearing, being joined by Senators Michael J. Reidy, David L.G. Shimizu, Elizabeth P. Arriola, Ernesto M. Espaldon, Anthony C. Blaz, Herminia D. Dierking, Marilyn D.A. Manibusan, and John P. Aguon.

TESTIMONY

The Superior Court of Guam, having timely submitted their budget on approximately June 15, 1991, the budget submittal constituted their testimony. The budget personnel from the Superior Court of Guam, not having received the letter designating the time and place of the public hearing, did not appear in person to testify concerning the Bill.

COMMITTEE ACTION

The budget request of the Superior Court of Guam was analyzed, and a substitute version of the Bill was prepared which incorporated the figures presented in the fiscal year 1992 request, utilizing the categories of appropriation which were previously used for the Superior Court of Guam in fiscal year 1991, specifically Public Law 20-221, Section 82.

Additionally, the Public Defender Service Corporation was added as Section 5 of the Bill and the same procedure was adopted wherein the fiscal year 1992 budget request was placed into the categories previously used to appropriate funding into the Public Defender Service Corporation, specifically in Public Law 21-03.

Both the Public Defender Service Corporation and the Superior Court of Guam appropriation levels in Substitute Bill 491 represent the requests by those two entities in their fiscal year 1992 budget documents. These figures, for Personnel Services, include the \$5440 level of funding appropriated separately in 1991, not included in any of the 1991 General Appropriation budget acts. The funding in Substitute Bill 491 also takes into account programs created in Fiscal Year 1991, such as the new Client Services and Family Counseling Division of the Superior Court of Guam and a Hearing Officer for Child Support Enforcement Services.

COMMITTEE RECOMMENDATION

The Committee on Ways and Means, after analysis of the requests of the Superior Court of Guam and the Public Defender Service Corporation, and due consideration of all the items requested, recommends that Bill 491, as substituted, be reported out to the full Legislature to do pass as substituted.

Bill No. 171

Introduced by:


Committee on Ways and Means

AN ACT TO PROVIDE APPROPRIATIONS FOR THE
SUPERIOR COURT OF GUAM FOR FISCAL YEAR 1992.

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

2 **Section 1.** Appropriations. Fourteen Million Six Hundred Seventy-Two
3 Thousand Ninety-Six Dollars (\$14,672,096) are appropriated from the General Fund
4 to the Superior Court of Guam to be expended as follows:


5			
6	A.	General Administration	\$4,463,491
7			(55.0 FTE)
8			
9	B.	Financial Management	\$524,247
10			(13.0 FTE)
11			
12	C.	Courts and Ministerial Offices	\$5,240,659
13			(92.0 FTE)
14			
15	D.	Marshals Office	\$1,747,145
16			(44.0 FTE)
17			
18	E.	Probation Services	\$2,077,964
19			(48.0 FTE)
20			
21	F.	Judicial Council	\$21,984
22			(0.0 FTE)
23			
24	G.	Board of Law Examiners	\$27,581
25			(0.0 FTE)
26			
27	H.	Client Services and Family Counseling	\$569,025
28			(11.0 FTE)

32

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 491
Substitute by the
Committee on Ways and Means

Introduced by: 

Committee on Ways and Means
C.T.C. GUTIERREZ
H.D. DIERKING
J.P. AGUON
E.P. ARRIOLA
J.G. BAMBA
A.C. BLAZ
D.F. BROOKS
E. M. ESPALDON
M.D.A. MANIBUSAN
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G. MAILLOUX
J.T. SAN AGUSTIN
F.R. SANTOS
E.R. DUENAS
T.V.C. TANAKA
A.R. UNPINGCO

**AN ACT TO PROVIDE APPROPRIATIONS FOR THE
SUPERIOR COURT OF GUAM AND THE PUBLIC
DEFENDER SERVICE CORPORATION FOR FISCAL
YEAR 1992.**

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

2 **Section 1. Short Title.** This Act may be known as "the Judicial Branch Budget Act of
3 1992". Except as otherwise provided by this Act, the appropriations made by this Act shall be
4 available to pay for obligations incurred on or after October 1, 1991 but not later than
5 September 30, 1992. In the event that any appropriation of this Act is found contrary to federal
6 law, all portions not so found shall remain valid.

7 **Section 2. Definitions.** The following definitions shall apply to the appropriations
8 made in Section 4 of this Act:

1 (a) "Capital Outlay" includes:

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

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

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

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

18 (b) "Contingency" means expenditure for unbudgeted items.

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23 premiums (not employee benefits), dues, paid subscriptions, and other fixed charges;
24 and

25 (3) telex and other forms of communication except telephone and facsimile.

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27 Dollars (\$250) or less.

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2 by law, paid out or encumbered for payment by a territorial agency other than for
3 investment securities or as agent or trustee for other governmental entities or private
4 persons.

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7 1991, and, if applicable, to the year commencing October 1, 1992.

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20 this Act, the Executive Branch Budget Act of 1992, or the Guam Memorial Hospital
21 Authority Budget Act of 1992; and

22 (2) all revenue available to territorial agencies from sources other than the
23 General Fund and federal funds.

24 (l) "Personnel Services" include:

25 (1) salaries and wages payable to persons employed by the Government;

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

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

3 (m) "Power" includes all expenses incurred for the use of electricity or natural gas.

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

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

11 (p) "Telephone" includes all charges for telephone service.

12 (q) "Toll Calls" includes all charges for long distance telephone calls and
13 facsimile.

14 (r) "Territorial Agency", for purposes of this Act, means The Superior Court of
15 Guam, and the Public Defender Service Corporation.

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

18 (t) "Water/Sewer" includes all expenses for the purchase of water and all
19 expenses for waste-water treatment.

20 **Section 3. General Provisions.** The following General Provisions shall apply to the
21 appropriations made in Section 4 of this Act:

22 (a) Amounts designated as "Totals" are provided for informational purposes
23 only and are not appropriations.

24 (b) The total number of FTE authorized for Fiscal Year 1992 and, if applicable for
25 fiscal Year 1993 is indicated by a number in parentheses following the line item or subtotal
26 under the column showing the fund source. The total number of FTE shall not be
27 exceeded. All regular and overtime hours of work performed and, except for hours of
28 accrued leave paid upon separation from the Government, hours for which leave is

1 granted and compensation given, shall be applied against the total FTE. No FTE shall be
2 used to employ more than one (1) person at the same time, whether on a full-time, part-
3 time, or limited term basis.

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

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

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

14 (f) In keeping with the doctrine of separation of powers, the Superior Court of
15 Guam shall be as independent as possible from the control of the other co-equal branches
16 of the government of Guam. Such independence shall include provision for a year-to-year
17 budget appropriation measure for the operations of the Superior Court of Guam which is
18 separate and apart from the portions of the Act making general appropriations for the
19 operations of the Executive Branch.

20 (g) Notwithstanding any other provision of law, no
21 reclassification/reassignment of pay ranges of any positions not funded by appropriations
22 of the Legislature may be implemented.

23 **Section 4. Appropriations for the Superior Court of Guam.** Fourteen Million
24 Six Hundred Seventy-Two Thousand Ninety-Six Dollars (\$14,672,096) are appropriated from
25 the General Fund to the Superior Court of Guam to be expended as follows:

26 **A. General Administration**

27 1. Personnel Services \$2,156,992
28 (55.0 FTE)

1	2.	Operating Expenses	1,606,195
2	3.	Office Rental Space	128,838
3	4.	Utilities	
4	a.	Power	240,000
5	b.	Water/Sewer	19,000
6	c.	Telephone	35,000
7	d.	Toll Calls	16,000
8	5.	Capital Outlay	174,600
9	6.	Miscellaneous	
10	a.	Miscellaneous	61,670
11	b.	Personnel Development	20,216
12	c.	Contingency Fund	<u>5,000</u>
13		TOTAL	\$4,463,491

14 **B. For Financial Management**

15	1.	Personnel Services	\$504,906
16			(13.0 FTE)
17	2.	Operating Expenses	10,763
18	3.	Miscellaneous	
19	a.	Personnel Development	2,030
20	4.	Capital Outlay	<u>6,548</u>
21		TOTAL	\$524,247

22 **C. For Courts/Ministerial Offices**

23	1.	Personnel Services	\$3,605,062
24			(92.0 FTE)
25	2.	Operating Expenses	115,458
26	3.	Contingency Fund	15,000
27	4.	Jury Services	400,000

1	5. Court Appointed Legal	
2	Services	945,000
3	6. Personnel Development	4,100
4	7. Capital Outlay	<u>156,039</u>
5	TOTAL	\$5,240,659
6	D. For Marshal's Office	
7	1. Personnel Services	\$1,712,419
8		(44.0 FTE)
9	2. Operating Expenses	18,104
10	3. Miscellaneous	
11	a. Personnel Development	7,550
12	4. Capital Outlay	<u>7,072</u>
13	TOTAL	\$1,747,145
14	E. For Probation Services	
15	1. Personnel Services	\$2,014,917
16		(48.0 FTE)
17	2. Operating Expenses	42,119
18	3. Miscellaneous	
19	a. Personnel Development	3,360
20	4. Capital Outlay	<u>17,568</u>
21	TOTAL	\$2,077,964
22	F. For Judicial Council	
23	1. Personnel Services	\$17,184
24	2. For the Stipends of the Judicial	
25	Council as required by Section 121	
26	of the Civil Procedure Code of Guam	<u>\$4,800</u>
27	TOTAL	\$21,984

1	G. For Board of Law Examiners	
2	1. Personnel Services	\$19,281
3	2. Miscellaneous	
4	(a) For the Stipends of the Board	
5	of Law Examiners as required by Section	
6	28015 of the Government Code of	
7	Guam	\$4,800
8	(b) Contingency Fund	<u>3,500</u>
9	TOTAL	\$27,581
10	H. For Client Services/Family Counseling	
11	1. Personnel Services	\$515,919
12		(11.0 FTE)
13	2. Operating Expenses	17,551
14	3. Miscellaneous	1,600
15	4. Capital Outlay	<u>33,955</u>
16	TOTAL	\$569,025
17	GRAND TOTAL	\$14,672,096

18 **Section 5. Appropriations for the Public Defender Service Corporation.** Two
19 Million Two Hundred Fifty-Nine Thousand Two Hundred Fifty-one Dollars (\$2,259,251)
20 are appropriated from the General Fund to the Public Defender Service Corporation to be
21 expended as follows:

22	A. For Operations	
23	1. Personnel Services	\$1,755,098
24		(40.0 FTE)
25	2. Operating Expenses	207,553
26	3. Office Space Rental	233,100
27	4. Miscellaneous	6,000

1	5.	Utilities	
2		a. Telephone	30,000
3	6.	Capital Outlay	<u>27,500</u>
4	GRAND TOTAL		\$2,259,251

5 ~~Section 6. For purposes of this Act, the estimated revenues of the Executive Branch~~
6 Budget Act of 1992 is adopted.

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Introduced

Aug 27 '91

Bill No. 491 (COR)

Introduced by:


Committee on Ways and Means

AN ACT TO PROVIDE APPROPRIATIONS FOR THE
SUPERIOR COURT OF GUAM FOR FISCAL YEAR 1992.

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

2 **Section 1.** Appropriations. Fourteen Million Six Hundred Seventy-Two
3 Thousand Ninety-Six Dollars (\$14,672,096) are appropriated from the General Fund
4 to the Superior Court of Guam to be expended as follows:

5			
6	A.	General Administration	\$4,463,491
7			(55.0 FTE)
8			
9	B.	Financial Management	\$524,247
10			(13.0 FTE)
11			
12	C.	Courts and Ministerial Offices	\$5,240,659
13			(92.0 FTE)
14			
15	D.	Marshals Office	\$1,747,145
16			(44.0 FTE)
17			
18	E.	Probation Services	\$2,077,964
19			(48.0 FTE)
20			
21	F.	Judicial Council	\$21,984
22			(0.0 FTE)
23			
24	G.	Board of Law Examiners	\$27,581
25			(0.0 FTE)
26			
27	H.	Client Services and Family Counseling	\$569,025
28			(11.0 FTE)