



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By: [Signature]

Time: 12:10

Date: 6/29/95

JUN 28 1995

The Honorable Ted S. Nelson
Acting Speaker
Twenty-Third Guam Legislature
424 West O'Brien Drive
Julale Center - Suite 222
Agana, Guam 96910

Via: Office of Speaker Don Parkinson

Dear Speaker Nelson:

OFFICE OF THE SPEAKER

Date: June 28, 1995

Time: 3:45 pm

Received By: [Signature]

Received By: [Signature]

RECEIVED
JUN 28 1995
[Signature]

Enclosed please find a copy of Substitute Bill No. 286 (LS), "AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 1995; TO REQUIRE AN AUDIT AND AUSTERITY PLAN FOR THE DEPARTMENT OF EDUCATION; TO GIVE THE GOVERNOR FIVE PERCENT TRANSFER AUTHORITY; TO REPEAL 17 GCA §4108, RELATIVE TO MANDATING A COURSE ON THE ORGANIC ACT; TO REPEAL 17 GCA §4109, RELATIVE TO MANDATING A COURSE ON DRUG ABUSE; TO REPEAL 17 GCA §4110, RELATIVE TO ECONOMIC EDUCATION; TO REPEAL 17 GCA §4119, RELATIVE TO FAMILY LIVING-PARENTING EDUCATION; TO REPEAL AND REENACT 17 GCA §4111, RELATIVE TO THE LENGTH OF THE SCHOOL YEAR; AND TO ADD A NEW 17 GCA §31116 (c), RELATIVE TO GUAM COMMUNITY COLLEGE TUITION", which I have signed into law today as **Public Law No. 23-32**.

Very truly yours,

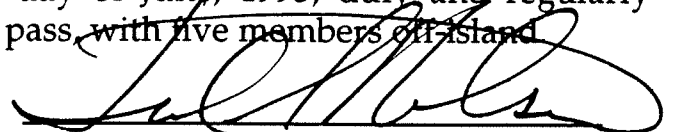
[Signature]
Carl T. C. Gutierrez

Attachment
230527

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 286 (LS), "AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 1995; TO REQUIRE AN AUDIT AND AUSTERITY PLAN FOR THE DEPARTMENT OF EDUCATION; TO GIVE THE GOVERNOR FIVE PERCENT TRANSFER AUTHORITY; TO REPEAL 17 GCA §4108, RELATIVE TO MANDATING A COURSE ON THE ORGANIC ACT; TO REPEAL 17 GCA §4109, RELATIVE TO MANDATING A COURSE ON DRUG ABUSE; TO REPEAL 17 GCA §4110, RELATIVE TO ECONOMIC EDUCATION; TO REPEAL 17 GCA §3127, RELATIVE TO A CRIME PREVENTION PROGRAM; TO REPEAL 17 GCA §4119, RELATIVE TO FAMILY LIVING-PARENTING EDUCATION; TO REPEAL AND REENACT 17 GCA §4111, RELATIVE TO THE LENGTH OF THE SCHOOL YEAR; AND TO ADD A NEW 17 GCA §31116 (c), RELATIVE TO GUAM COMMUNITY COLLEGE TUITION," was on the 23rd day of June, 1995, duly and regularly passed. The Bill received sixteen votes to pass, with five members off-island.



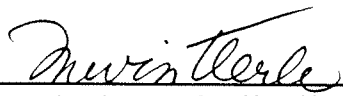
TED S. NELSON
Acting Speaker

Attested:




JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 27th day of June, 1995, at
8:40 o'clock 9 .M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 6-28-95

Public Law No. 23-32

TWENTY - THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 286 (LS)

Introduced by:

F. E. Santos
J. Won Pat-Borja
T. S. Nelson

M. Forbes
S. L. Orsini
J. M. S. Brown
A. R. Unpingco
A. C. Blaz
E. Barrett-Anderson
F. P. Camacho
A. C. Lamorena V
J. T. San Agustin
T. C. Ada
J. P. Aguon
M. C. Charfauros
H. A. Cristobal
C. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
D. Parkinson
A. L. G. Santos

AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 1995; TO REQUIRE AN AUDIT AND AUSTERITY PLAN FOR THE DEPARTMENT OF EDUCATION; TO GIVE THE GOVERNOR FIVE PERCENT TRANSFER AUTHORITY; TO REPEAL 17 GCA §4108, RELATIVE TO MANDATING A COURSE ON THE ORGANIC ACT; TO REPEAL 17 GCA §4109, RELATIVE TO MANDATING A COURSE ON DRUG ABUSE; TO REPEAL 17 GCA §4110, RELATIVE TO ECONOMIC EDUCATION; TO REPEAL 17 GCA §3127, RELATIVE

TO A CRIME PREVENTION PROGRAM; TO REPEAL
17 GCA §4119, RELATIVE TO FAMILY LIVING-
PARENTING EDUCATION; TO REPEAL AND
REENACT 17 GCA §4111, RELATIVE TO THE LENGTH
OF THE SCHOOL YEAR; AND TO ADD A NEW 17
GCA §31116 (c), RELATIVE TO GUAM COMMUNITY
COLLEGE TUITION.

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

2 **Section 1. (a). Supplemental Appropriation.** The Fiscal Year 1995
3 budget for the Department of Education, in the amount of **ONE HUNDRED**
4 **THIRTY-TWO MILLION EIGHT HUNDRED THIRTY-ONE THOUSAND**
5 **EIGHT HUNDRED SEVENTY DOLLARS (\$132,831,870)** is supplemented by
6 the appropriation contained in this Section. **TWENTY MILLION FOUR**
7 **HUNDRED THIRTY-SIX THOUSAND EIGHT HUNDRED EIGHTY-**
8 **NINE DOLLARS (\$20,436,889)** are hereby appropriated from the General
9 Fund to the Department of Education to supplement its Fiscal Year 1995
10 operations.

11 The appropriation contained in this Section shall be added to prior
12 Fiscal Year 1995 appropriations to the Department of Education and the total
13 budget of the Department of Education for Fiscal Year 1995 shall be spent as
14 follows:

15	110 REGULAR SALARIES AND BENEFITS	\$130,618,522
16	TOTAL PERSONNEL SERVICES:	\$130,618,522
17	220 TRAVEL AND TRANSPORTATION	\$ 483,587
18	230 CONTRACTUAL SERVICES	\$ 6,860,870
19	233 OFFICE SPACE RENTAL	\$ 129,024
20	240 SUPPLIES AND MATERIALS	\$ 8,151,244
21	250 EQUIPMENT	\$ -0-
22	290 MISCELLANEOUS	\$ 1,394,976

1	360 UTILITIES	
2	361 POWER	\$ 4,993,638
3	362 WATER/SEWER	\$ 166,824
4	363 TELEPHONE	\$ 468,000
5	364 TOLL CALLS	\$ 2,074
6	TOTAL UTILITIES:	\$ 5,630,536
7	450 CAPITAL OUTLAY	\$ -0-
8	TOTAL FY 1995 BUDGET:	\$153,268,759

9 (b) The appropriation of \$20,436,889 in subsection (a) herein, shall
10 be included as part of the FY 1995 budget amount for purposes of calculating
11 the average budget for the preceding three years pursuant to 17 GCA
12 §3102(i).

13 **Section 2. Audit.** The Office of the Public Auditor shall cause an
14 independent audit to be performed on the Department of Education. The
15 audit shall cover the period of Fiscal Years 1993, 1994 and 1995. The Office of
16 the Public Auditor shall request the assistance of the Department of Defense
17 in providing the results of any audit, statement, or report completed with
18 reference to Department of Defense funds during Fiscal Years 1993, 1994 and
19 1995, to the Department of Education. The Office of the Public Auditor shall
20 determine the amount necessary to accomplish the audit and such sums are
21 hereby appropriated from the revenues to be collected during Fiscal Year
22 1996. A report of the results of the audit shall be transmitted to the Legislature
23 within 30 days of completion of the audit.

24 **Section 3. Austerity Plan.** (a) The Board of Education shall submit to
25 the Legislature an austerity plan to streamline the services of the department.
26 The plan shall contain measures which develop and delineate cost-cutting
27 and/or cost containment measures, to include reorganization, which are

1 aimed at eliminating waste, abuse or misallocation of resources that are
2 charged or allocated to the Department of Education. The plan shall be
3 prepared and submitted to the 23rd Guam Legislature for the purpose of
4 analyzing future Department of Education expenditures and budget
5 requirements. The austerity plan shall be incorporated into the Department
6 of Education's Fiscal Year 1996 budget request and transmitted on or before
7 July 31, 1995.

8 (b) The Department of Administration, the Bureau of Budget &
9 Management Research and the Civil Service Commission shall conduct a
10 joint review with the Department of Education on its procurement,
11 personnel, payroll and accounting functions. The findings and
12 recommendations shall serve as the basis for instituting greater efficiency and
13 accountability in each of the functions. The review shall be completed within
14 sixty (60) days of the enactment into law of this legislation. A copy of the
15 findings and recommendations shall be transmitted to the 23rd Guam
16 Legislature on or before August 15, 1995.

17 **Section 4. Five Percent (5%) transfer authority.** Notwithstanding any
18 other provision of law, for Fiscal Year 1995 the Governor is authorized to
19 transfer from one appropriation of the Executive Branch to another
20 appropriation of the Executive Branch; provided, that not more than Five
21 Percent (5%) of the funds of any department or agency shall be transferred
22 out of the department or agency; provided, further, that notice of each
23 transfer and justification therefore are delivered by the end of the month in
24 which the transfer takes place to the Speaker of the Legislature and that no
25 transfer shall be permitted in which funds are transferred out of the budgets
26 for the Department of Education, the Guam Community College, and the
27 University of Guam."

1 **Section 5.** 17 GCA §4108 is repealed.

2 **Section 6.** 17 GCA §4109 is repealed.

3 **Section 7.** 17 GCA §4110 is repealed.

4 **Section 8.** 17 GCA §4119 is repealed.

5 **Section 9.** 17 GCA §4111 is hereby repealed and reenacted to read as
6 follows:

7 "§4111. School Year; Length of. The Board shall establish a
8 school calendar."

9 **Section 10.** 17 GCA §3127 is repealed.

10 **Section 11.** Nothing in this Act shall prevent or preclude the Board
11 of Education from implementing courses on Drug Abuse, on the Organic
12 Act, on Economic Education, or on Family Living-Parenting, or from
13 implementing a Crime Prevention Program.

14 **Section 12.** A new subsection (c) is added to §31116 of Title 17, Guam
15 Code Annotated, to read:

16 "(c) The Legislature hereby supports the recommendation of
17 the Board of Trustees that, effective August 1995, tuition at the
18 Guam Community College shall be set at THIRTY DOLLARS (\$30)
19 per credit hour for resident students, FORTY-FIVE DOLLARS (\$45)
20 per credit hour for non-resident students, and SIXTY DOLLARS
21 (\$60) per credit hour for foreign students."

TWENTY-THIRD GUAM LEGISLATURE

1995 (FIRST) Regular Session

Date: 6/23/95

VOTING SHEET

Bill No. 286

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>ABSENT/ OUT DURING ROLL CALL</u>
ADA, Thomas C. /	✓			
AGUON, John P.				✓
BARRETT-ANDERSON, Elizabeth /	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C. /	✓			
CRISTOBAL, Hope A.				✓
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou				✓
NELSON, Ted S.	✓			
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C				✓
PARKINSON, Don				✓
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith /	✓			

TOTAL 16 0 0 5



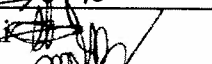

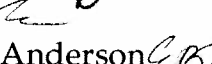
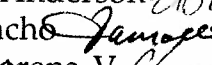
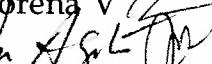


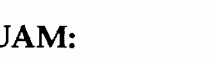
CERTIFIED TRUE AND CORRECT:

Recording Secretary

JUN 23 1995

TWENTY - THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 286 (LS)
Introduced by:

F. E. Santos	
T. S. Nelson	
M. Forbes	
S. L. Orsini	
J.M.S. Brown	
A.R. Unpingco	
A.C. Blaz	
E. Barrett-Anderson	
F. P. Camacho	
A. C. Lamorena V	

AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION
TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 1995

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

Section 1. (a). Supplemental Appropriation. The budget for the Department of Education provided for by Subsection (b) of Section 1 of Chapter II of Public Law 22-140 in the amount of **ONE HUNDRED THIRTY-TWO MILLION EIGHT HUNDRED THIRTY-ONE THOUSAND EIGHT HUNDRED SEVENTY DOLLARS (\$132,831,870)** is supplemented by an appropriation of **TWENTY MILLION FOUR HUNDRED THIRTY-SIX THOUSAND EIGHT HUNDRED EIGHTY-NINE DOLLARS (\$20,436,889)** to be spent as follows:

110 Regular Salaries and Benefits	\$130,618,522
TOTAL PERSONNEL SERVICES:	\$130,618,522
220 TRAVEL AND TRANSPORTATION	\$ 483,587
230 CONTRACTUAL SERVICES	\$ 6,860,870
233 OFFICE SPACE RENTAL	\$ 129,024
240 SUPPLIES AND MATERIALS	\$ 8,151,244

1	250 EQUIPMENT	\$ -0-
2	290 MISCELLANEOUS	\$ 1,394,976
3	360 UTILITIES	
4	361 POWER	\$ 4,993,638
5	362 WATER/SEWER	\$ 166,824
6	361 TELEPHONE	\$ 468,000
7	364 TOLL CALLS	\$ 2,074
8	TOTAL UTILITIES:	\$ 5,630,536
9	450 CAPITAL OUTLAY	\$ -0-
10	TOTAL FY 1995 BUDGET:	\$153,268,759

11 (b) The appropriation in subsection (a) of this section shall be from the
12 General Fund. This appropriation is contingent upon the sale of bonds and receipt
13 of the proceeds of the issue as authorized by Section 2 (m)(8) of P.L. 23-14.

14 (c) The Department of Education Fiscal Year 1995 supplemental budget
15 shall not be subject to the provisions of §3102 (i) of Chapter 3, Title 17, Guam Code
16 Annotated.

17 (d) The appropriation of \$20,436,889 in subsection (b) herein, shall be
18 included as part of the FY 1995 budget amount for purposes of calculating the
19 average budget for the preceding three years pursuant to 17 GCA §3102(i).

20 **Section 2. Audit.** The Office of the Public Auditor shall cause an independent
21 audit to be performed on the Department of Education. The audit shall cover the
22 period of Fiscal Years 1993, 1994 and 1995. The Office of the Public Auditor shall
23 request the assistance of the Department of Defense in providing the results of any
24 audit, statement, or report completed with reference to Department of Defense
25 funds during Fiscal Years 1993, 1994 and 1995, to the Department of Education. The
26 Office of the Public Auditor shall determine the amount necessary to accomplish the
27 audit and such sums are hereby appropriated from the revenues to be collected

1 during Fiscal Year 1996. A report of the results of the audit shall be transmitted to
2 the Legislature within 30 days of completion of the audit.

3 **Section 3. Austerity Plan.** (a) The Board of Education shall submit to the
4 Legislature an austerity plan to streamline the services of the department. The plan
5 shall contain measures which develop and delineate cost-cutting and/or cost
6 containment measures which are aimed at eliminating waste, abuse or
7 misallocation of resources that are charged or allocated to the Department of
8 Education. The plan shall be prepared and submitted to the 23rd Guam Legislature
9 for the purpose of analyzing future Department of Education expenditures and
10 budget requirements. The austerity plan shall be incorporated into the Department
11 of Education's Fiscal Year 1996 budget request and transmitted on or before July 31,
12 1995.

13 (b) The Department of Administration, the Bureau of Budget &
14 Management Research and the Civil Service Commission shall conduct a joint
15 review with the Department of Education on its procurement, personnel, payroll
16 and accounting functions. The findings and recommendations shall serve as the
17 basis for instituting greater efficiency and accountability in each of the functions.
18 The review shall be completed within sixty (60) days of the enactment into law of
19 this legislation. A copy of the findings and recommendations shall be transmitted to
20 the 23rd Guam Legislature on or before August 15, 1995.

21 **Section 4.** Section 16, Chapter V, of Public Law 22-140 is amended to read:

22 **"Section 16. ~~Two Percent (2%)~~ Five Percent (5%) transfer authority.**

23 Notwithstanding any other provision of law, for Fiscal Year 1995 the Governor is
24 authorized to transfer from one appropriation of the Executive Branch to another
25 appropriation of the Executive Branch; provided, that not more than ~~Two Percent~~
26 ~~(2%)~~ Five Percent (5%) of the funds of any department or agency shall be transferred
27 out of the department or agency; provided, further, that notice of each transfer and

1 justification therefore are delivered by the end of the month in which the transfer
2 takes place to the Speaker of the Legislature and that no transfer shall be permitted
3 in which funds are transferred out of the budget for the Department of Education."

4 **Section 5.** Notwithstanding any other provision of law, the provisions of §
5 22601. , 5GCA are applicable to the Department of Education.

6 **Section 6.** §4108., 17 GCA is repealed.

7 **Section 7.** §4109., 17 GCA is repealed.

8 **Section 8.** §4110., 17 GCA is repealed.

9 **Section 9.** §4119., 17 GCA is repealed.

10 **Section 10.** §4111., 17 GCA is hereby repealed and reenacted to read as
11 follows:

12 "§4111. School Year; Length of. The Board shall establish a
13 school calendar."

14 **Section 11.** §3127., 17 GCA is repealed.



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY

Date: June 21, 1995

Time: 4:30 pm

By: Phil Roberts

JUN 21 1995

The Honorable Don Parkinson
Speaker
Twenty-Third Guam Legislature
424 West O'Brien Drive
Julale Center - Suite 222
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By: [Signature]

Time: 8:40

Date: 6/22

Dear Speaker Parkinson:

Attached please find a draft bill that was prepared to address the concerns of the educational community regarding the budget crunch which is now upon us for the remainder of Fiscal Year 1995.

Unfortunately, Substitute Bill No. 8 combined educational appropriations with a highly controversial hiring freeze. Although the needs of education, as presented in Substitute Bill No. 8, have had a public hearing, the provisions of the hiring freeze did not. Additionally, Substitute Bill No. 8 was irregularly transmitted to the Executive without the necessary eleven (11) votes as required by law.

Before my return to island I had planned to call a Special Session to address the needs of education. I also planned to address the call for a hiring freeze, however this concept still needs public hearing.

I understand that the Legislature now has another bill, Bill No. 272, which will address the needs of education as previously set out in Substitute Bill No. 8. The attached bill is transmitted for the Legislature's consideration in addressing the educational issue.

Very truly yours,

[Signature]
Carl T. C. Gutierrez

Attachment
230507

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 1-S

Introduced by:

by request of the Governor in
accordance with the Organic Act
of Guam.

AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO
THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 1995.

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

2 Section 1. **Supplemental Funding of Twenty Million Four Hundred Thirty-**
3 **six Thousand Eight Hundred Eighty-nine Dollars (\$20,436,889) for Department of**
4 **Education for Fiscal Year 1995. (a) Appropriation.** The Fiscal Year 1995 budget of
5 One Hundred Thirty-Two Million Eight Hundred Thirty-one Thousand Eight
6 Hundred Seventy Dollars (\$132,831,870) for the Department of Education is
7 supplemented by the appropriation contained in this Section. Twenty Million Four
8 Hundred Thirty-six Thousand Eight Hundred Eighty-nine Dollars (\$20,436,889) are
9 appropriated from the General Fund to the Department of Education to supplement
10 its Fiscal Year 1995 operations.

11 (b) **Appropriation in this Section is in addition to prior Fiscal Year 1995**
12 **appropriations.** The appropriation contained in Subsection (a) of this Section shall
13 be added to prior Fiscal Year 1995 appropriations to the Department of Education and
14 the total budget of the Department of Education for Fiscal Year 1995 shall be spent as
15 follows:

16	Object Category	Amount
17	110 Regular Salaries and Benefits	\$130,618,522
18	Total Personnel Services:	130,618,522
19	220 Travel and Transportation	483,587
20	230 Contractual Services	6,860,870

1	233	Office Space Rental	129,024
2	240	Supplies and Materials	8,151,244
3	250	Equipment	-0-
4	290	Miscellaneous	1,394,976
5	360	Utilities	
6		361 Power	4,993,638
7		362 Water/Sewer	166,824
8		363 Telephone	468,000
9		364 Toll Calls	2,074
10		Total Utilities:	5,630,536
11	450	Capital Outlay	-0-
12		Total FY 1995 Budget:	\$153,268,759

13 (c) **Appropriation in this Section is contingent upon sale of bonds**
14 **authorized by Public Law 23-14.** The additional Fiscal Year 1995 appropriation
15 contained in Subsection (a) of this Section is contingent upon the sale of bonds and
16 receipt of the proceeds of the issue as authorized by Item 8 of Subsection (m) of
17 §22430 of Title 5, Guam Code Annotated, enacted in Section 2 of Public Law 23-14.

18 **Section 2. Audit of the Department of Education.** The Office of the
19 Public Auditor shall cause an independent audit to be performed on the Department
20 of Education. The audit shall cover the period of Fiscal Years 1993, 1994, and 1995, and
21 shall specifically include a review of the Department of Defense Funds. The Office of
22 the Public Auditor shall request the assistance of the Department of Defense in
23 providing the results of any audit, statement, or report completed with reference to
24 Department of Defense funds during Fiscal Years 1993, 1994, and 1995 to the
25 Department of Education. The Office of the Public Auditor shall determine the
26 amount necessary to accomplish the audit and such sums are appropriated from the
27 revenues to be collected during Fiscal Year 1996. A report of the results of the audit

1 shall be transmitted to the Legislature within Thirty (30) days of completion of the
2 audit.

3 **Section 3. Austerity plan and review of functions of the Department of**
4 **Education. (a) Requirement for Board of Education to submit austerity and**
5 **reorganization plan.** The Board of Education shall submit to the Legislature an
6 austerity and reorganization plan to streamline the services of the department. The
7 plan shall contain measures which develop and delineate cost-cutting or cost
8 containment provisions which are aimed at eliminating waste, abuse or
9 misallocation of resources, human or otherwise, that are charged or allocated to the
10 Department of Education. The plan shall be prepared and submitted to the
11 Legislature for the purpose of analyzing future Department of Education
12 expenditures and budget requirements. The austerity plan shall be incorporated into
13 the Department of Education's Fiscal Year 1996 budget request and transmitted to the
14 Governor and to the Legislature by July 31, 1995

15 **(b) Requirement for review of procurement, personnel, payroll, and**
16 **accounting functions of Department of Education by the Department of**
17 **Administration, the Bureau of Budget and Management Research, and the Civil**
18 **Service Commission.** The Department of Administration, the Bureau of Budget
19 and Management Research, and the Civil Service Commission shall conduct a joint
20 review with the Department of Education on its procurement, personnel, payroll
21 and accounting functions. The findings and recommendations shall serve as the
22 basis for instituting greater efficiency and accountability in each of the functions.
23 The review shall be completed within Sixty (60) days of the enactment of this
24 Section. A copy of the findings and recommendations shall be transmitted to the
25 Legislature by August 15, 1995.

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

JUN 14 1995

Bill No. 272(LS)

Introduced by:

J. Won Pat-Borja *JB*

AN ACT TO PROVIDE A SUPPLEMENTAL
APPROPRIATION TO THE DEPARTMENT OF
EDUCATION FOR FISCAL YEAR 1995.

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

3 Section 1. (a). Supplemental Appropriation. The budget for the
4 Department of Education provided for by Subsection (b) of Section 1 of
5 Chapter II of Public Law 22-140 in the amount of ONE HUNDRED
6 THIRTY-TWO MILLION EIGHT HUNDRED THIRTY-ONE
7 THOUSAND EIGHT HUNDRED SEVENTY DOLLARS (\$132,831,870) is
8 supplemented by an appropriation of TWENTY MILLION FOUR
9 HUNDRED THIRTY-SIX THOUSAND EIGHT HUNDRED EIGHTY-
10 NINE DOLLARS (\$20,436,889) to be spent as follows:

11	110 Regular Salaries & Benefits	\$130,618,522
12	TOTAL PERSONNEL SERVICES:	\$130,618,522
13	220 TRAVEL & TRANSPORTATION	\$ 483,587
14	230 CONTRACTUAL SERVICES	\$ 6,860,870
15	233 OFFICE SPACE RENTAL	\$ 129,024
16	240 SUPPLIES & MATERIALS	\$ 8,151,244
17	250 EQUIPMENT	\$ -0-

1	290 MISCELLANEOUS	\$ 1,394,976
2	360 UTILITIES	
3	361 POWER	\$ 4,993,638
4	362 WATER/SEWER	\$ 166,824
5	363 TELEPHONE	\$ 468,000
6	364 TOLL CALLS	\$ 2,074
7	TOTAL UTILITIES:	\$ 5,630,536
8	450 CAPITAL OUTLAY	\$ -0-
9	TOTAL FY 1995 BUDGET:	\$153,268,759

10 (b) The appropriation in subsection (a) of this section shall be
11 from the General Fund. This appropriation is contingent upon the
12 sale of bonds and receipt of the proceeds of the issue as authorized by
13 Section 2(m)(8) of P.L. 23-14.

14 (c) The Department of Education Fiscal Year 1995
15 supplemental budget shall not be subject to the provisions of §3102(i)
16 of Chapter 3, Title 17, Guam Code Annotated.

17 (d) The appropriation of \$20,436,889 in subsection (b) herein,
18 shall be included as part of the FY 1995 budget amount for purposes
19 of calculating the average budget for the preceding three years
20 pursuant to 17 GCA §3102(i).

21 **Section 2. Audit.** The Office of the Public Auditor shall cause an
22 independent audit to be performed on the Department of Education. The
23 audit shall cover the period of Fiscal Years 1993, 1994 and 1995 and shall
24 specifically include a review of the Department of Defense funds. The
25 Office of the Public Auditor shall request the assistance of the Department
26 of Defense in providing the results of any audit, statement, or report

1 completed with reference to Department of Defense funds during Fiscal
2 Years 1993, 1994 and 1995, to the Department of Education. The Office of
3 the Public Auditor shall determine the amount necessary to accomplish the
4 audit and such sums are hereby appropriated from the revenues to be
5 collected during Fiscal Year 1996. A report of the results of the audit shall
6 be transmitted to the Legislature within 30 days of completion of the audit.

7 **Section 3. Austerity Plan.** (a) The Board of Education shall submit
8 to the Legislature an austerity and reorganization plan to streamline the
9 services of the department. The plan shall contain measures which
10 develop and delineate cost-cutting and/or cost containment provisions
11 which are aimed at eliminating waste, abuse or misallocation of resources,
12 human or otherwise, that are charged or allocated to the Department of
13 Education. The plan shall be prepared and submitted to the 23rd Guam
14 Legislature for the purpose of analyzing future Department of Education
15 expenditures and budget requirements. The austerity plan shall be
16 incorporated into the Department of Education's Fiscal Year 1996 budget
17 request and transmitted on or before July 31, 1995.

18 (b) The Department of Administration, the Bureau of
19 Budget & Management Research and the Civil Service
20 Commission shall conduct a joint review with the Department of
21 Education on its procurement, personnel, payroll and accounting
22 functions. The findings and recommendations shall serve as the
23 basis for instituting greater efficiency and accountability in each of
24 the functions. The review shall be completed within sixty (60)
25 days of the enactment into law of this legislation. A copy of the

1 findings and recommendations shall be transmitted to the 23rd
2 Guam Legislature on or above August 15, 1995.