

OFFICE OF THE LEGISLATIVE SECRETARY
 ACKNOWLEDGMENT RECEIPT
 Received By: [Signature]
 Time: 11:01 am
 Date: 6/10/96



CARL T.C. GUTIERREZ
 GOVERNOR OF GUAM

REFER TO
 LEGISLATIVE SECRETARY

JUN 10 1996

The Honorable Don Parkinson
 Speaker
 Twenty-Third Guam Legislature
 Guam Legislature Temporary Building
 155 Hesler Street
 Agana, Guam 96910

OFFICE OF THE SPEAKER
 Date: 6-10-96
 Time: 10:25 A.
 Received By: [Signature]
 Print Name: ALICIA GUZMAN

Dear Mr. Speaker:

Enclosed please find a copy of Substitute Bill No. 655 (LS), "AN ACT TO TRANSFER FROM THE TERRITORIAL HIGHWAY FUND TO THE GENERAL FUND AND TO AMEND THE TOTAL GENERAL FUND REVENUE IN PUBLIC LAW 23-45 ACCORDINGLY; TO REPEAL AND REENACT CERTAIN SECTIONS OF PUBLIC LAW 23-94 TO PROVIDE FUNDING FOR SUPPLEMENTAL APPROPRIATIONS TO CERTAIN GOVERNMENT OF GUAM ENTITIES; TO ALLOW THE GOVERNOR LIMITED TRANSFER AUTHORITY; AND TO ALLOW THE SUPREME COURT LIMITED TRANSFER AUTHORITY", which I have signed into law today as **Public Law No. 23-98**.

These corrections to the Fiscal Year 1996 budget for government agencies are long overdue. The Legislature requested corrections, and the Executive Branch delivered them, back in November of 1995.

In Public Law 23-94, five months into the fiscal year, the Legislature revoked all transfer authority for any funds of the Executive Branch. I wonder if any multimillion-dollar company could operate efficiently or effectively if no funds whatsoever could be transferred from one account to another for over half of a fiscal year. Guam is such a multimillion-dollar company. I doubt if efficiency or effectiveness was served by removal of transfer authority.

One member of the Legislature justified abolishing transfer authority because it was "not used". The member complained that by mid-year, the


General Fund was not yet used to pay the entire year's worth of bills for the Guam Memorial Hospital Authority. Yet, if money had been prematurely transferred to the hospital, what would motivate that agency to use its best efforts to collect money owed from other sources?

Another member of the Legislature justified abolishing transfer authority, saying it had been "abused". Yet, after a week and a half of debate, the Legislature restored transfer authority to the Executive Branch, even broadening it from what was taken away in Public Law 23-94.

More than a week's worth of legislative labor on an emergency measure has brought us full circle, back to the beginning. Political negativity does not produce results; working together, Executive and Legislative Branches, for the good of the people of Guam, delivering service to the people as soon as possible, this is what produces results.

A copy of the bill and this message has also been delivered to the Office of the Legislative Secretary.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment
231169



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY
 ACKNOWLEDGMENT RECEIPT
 Received By: [Signature]
 Time: 3:11 pm
 Date: 6/6/96

JUN 06 1996

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

OFFICE OF THE SPEAKER
 Date: 6/6/96
 Time: 3:11 pm
 Received By: [Signature]
 Print Name: Max Sambo

RE: ENGROSSED BILL NO. 655, CORRECTIONS

Dear Speaker Parkinson:

After review by my legal counsel and Bureau of Budget and Management Research, it was noted that, so far, there seems to be a discrepancy in addition as reflected in the total amount placed in the General Fund pursuant to Section 2 of the bill.

On Page 2, line 14, the amount placed into the General Fund should read "\$547,656,213" instead of "\$547,556,263".

Very truly yours,

[Signature]
 Carl T. C. Gutierrez

231163

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

I, Don Parkinson, Speaker of the Twenty-Third Guam Legislature, hereby certify, pursuant to §2103 of Title 2, Guam Code Annotated, that an emergency condition exists, involving danger to the public health and safety, resulting from the possible closure of the Guam Police Department, the Guam Memorial Hospital, Department of Corrections, welfare functions of Public Health and possibly other Departments waive the statutory requirement for a public hearing on Bill No. 655.

Dated: June 3, 1996



DON PARKINSON
Speaker

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 655 (LS), "AN ACT TO TRANSFER FROM THE TERRITORIAL HIGHWAY FUND TO THE GENERAL FUND AND TO AMEND THE TOTAL GENERAL FUND REVENUE IN PUBLIC LAW 23-45 ACCORDINGLY; TO REPEAL AND REENACT CERTAIN SECTIONS OF PUBLIC LAW 23-94 TO PROVIDE FUNDING FOR SUPPLEMENTAL APPROPRIATIONS TO CERTAIN GOVERNMENT OF GUAM ENTITIES; TO ALLOW THE GOVERNOR LIMITED TRANSFER AUTHORITY; AND TO ALLOW THE SUPREME COURT LIMITED TRANSFER AUTHORITY," was on the 6th day of June, 1996, duly and regularly passed.



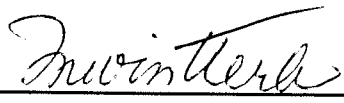
DON PARKINSON
Speaker

Attested:



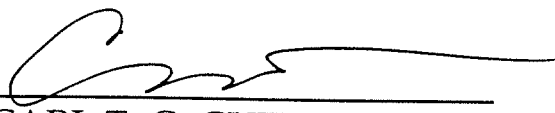
JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 7th day of June,
1996, at 9:00 o'clock 9 .M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: ~~23-98~~ 6-10-96

Public Law No. 23-98



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUN 10 1996

The Honorable Judith Won-Pat Borja
Legislative Secretary
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

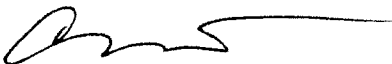
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By:	<i>[Signature]</i>
Time:	10:36
Date:	6/10/96

Dear Madame Legislative Secretary:

Enclosed please find a copy of Substitute Bill No. 655 (LS), "AN ACT TO TRANSFER FROM THE TERRITORIAL HIGHWAY FUND TO THE GENERAL FUND AND TO AMEND THE TOTAL GENERAL FUND REVENUE IN PUBLIC LAW 23-45 ACCORDINGLY; TO REPEAL AND REENACT CERTAIN SECTIONS OF PUBLIC LAW 23-94 TO PROVIDE FUNDING FOR SUPPLEMENTAL APPROPRIATIONS TO CERTAIN GOVERNMENT OF GUAM ENTITIES; TO ALLOW THE GOVERNOR LIMITED TRANSFER AUTHORITY; AND TO ALLOW THE SUPREME COURT LIMITED TRANSFER AUTHORITY", which I have signed into law today as **Public Law No. 23-98**.

A copy of the bill and the original message has also been delivered to the Office of the Speaker.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachments

231168

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

Bill No. 655 (LS)

As substituted by the Committee of the Whole

Introduced by:

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

AN ACT TO TRANSFER FROM THE TERRITORIAL HIGHWAY FUND TO THE GENERAL FUND AND TO AMEND THE TOTAL GENERAL FUND REVENUE IN PUBLIC LAW 23-45 ACCORDINGLY; TO REPEAL AND REENACT CERTAIN SECTIONS OF PUBLIC LAW 23-94 TO PROVIDE FUNDING FOR SUPPLEMENTAL APPROPRIATIONS TO CERTAIN GOVERNMENT OF GUAM ENTITIES; TO ALLOW THE GOVERNOR LIMITED TRANSFER AUTHORITY; AND TO ALLOW

THE SUPREME COURT LIMITED TRANSFER
AUTHORITY.

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

2 **Section 1. Transfers from Territorial Highway Fund to the General**
3 **Fund.** Notwithstanding any other provision of law, Seven Million Four
4 Hundred Fifty-Eight Thousand Six Hundred Sixty-Four Dollars (\$7,458,664)
5 arising from the surplus from the Territorial Highway Bond Year ended May
6 4, 1996 is transferred to the General Fund, to be used only for the purposes
7 enumerated in this Act.

8 **Section 2. Amendment to Public Law 23-45 to show fund transfer in**
9 **Section 1 of this Act.** Subsection I of Section 2 of Chapter I of Public Law 23-
10 45 is amended by adding an item F and amending the Total General Fund
11 Revenue to read:

12 “F. TRANSFERS IN

13 1. Transfers in From Territorial Highway Fund \$7,458,664
14 TOTAL GENERAL FUND REVENUE \$547,656,213”

15 **Section 3. Section 14 of Public Law 23-94 is repealed and reenacted to**
16 **read:**

17 “**Section 14. Two Million Eight Hundred Thousand (\$2,800,000)**
18 **to Guam Police Department.** Two Million Eight Hundred Thousand
19 (\$2,800,000) are appropriated from the General Fund to the Guam
20 Police Department for its operations in Fiscal Year 1996, specifically for
21 the following:

22	DIVISION	OBJECT/CATEGORY	AMOUNT
23	Office of the Chief	Personnel	695,000
24	Neighborhood Patrol I	Personnel	1,275,000
25	Criminal Investigation	Personnel	450,000

1	Support Division	Personnel	180,000
2	Operation Division	Personnel	200,000
3	TOTAL		2,800,000"

4 **Section 4. Section 15 of Public Law 23-94 is repealed and reenacted to**
5 **read:**

6 **"Section 15. One Million Two Hundred Thousand Dollars**
7 **(\$1,200,000) to the Guam Fire Department. One Million Two Hundred**
8 **Thousand Dollars (\$1,200,000) are appropriated from the General Fund**
9 **to the Guam Fire Department for its operations in Fiscal Year 1996,**
10 **specifically for the following:**

11	DIVISION	OBJECT/CATEGORY	AMOUNT
12	Suppression	Personnel	600,000
13	Fire Prevention	Personnel	130,000
14	Training Bureau	Personnel	120,000
15	EMS	Personnel	350,000
16	TOTAL		1,200,000"

17 **Section 5. Section 16 of Public Law 23-94 is repealed and reenacted to**
18 **read:**

19 **"Section 16. One Million Five Hundred Thousand Dollars**
20 **(\$1,500,000) to the Department of Public Health & Social Services. One**
21 **Million Five Hundred Thousand Dollars (\$1,500,000) are appropriated**
22 **from the General Fund to the Department of Public Health & Social**
23 **Services for public assistance program payments in Fiscal Year 1996,**
24 **specifically for the following:**

25	DIVISION	OBJECT/CATEGORY	AMOUNT
26	Public Assistance		
27	Program Payments	Miscellaneous	1,500,000"

1 **Section 6. Section 17 of Public Law 23-94 is repealed and reenacted to**
2 **read:**

3 **“Section 17. Three Hundred Thousand Dollars (\$300,000) to the**
4 **Department of Law. Three Hundred Thousand Dollars (\$300,000) are**
5 **appropriated from the General Fund to the Department of Law for its**
6 **operations in Fiscal Year 1996, specifically for the following:**

DIVISION	OBJECT/CATEGORY	AMOUNT
Family Division	Personnel	300,000”

7
8
9 **Section 7. Section 18 of Public Law 23-94 is repealed and reenacted to**
10 **read:**

11 **“Section 18. Eight Hundred Three Thousand Seven Hundred**
12 **Thirty Dollars (\$803,730) to the Guam Supreme Court. Eight Hundred**
13 **Three Thousand Seven Hundred Thirty Dollars (\$803,730) are**
14 **appropriated from the General Fund to the Guam Supreme Court for**
15 **its operations in Fiscal Year 1996. The appropriation shall become**
16 **available upon enactment into law and remain available until**
17 **expended.”**

18 **Section 8. Section 20 of Public Law 23-94 is repealed and reenacted to**
19 **read:**

20 **“Section 20. Eighty-Two Thousand Dollars (\$82,000) to the**
21 **Department of Military Affairs. Eighty-Two Thousand Dollars**
22 **(\$82,000) are appropriated from the General Fund to the Department of**
23 **Military Affairs for its operations in Fiscal Year 1996.”**

24 **Section 9. Section 21 of Public Law 23-94 is repealed and reenacted to**
25 **read:**

26 **“Section 21. Three Hundred Thousand Dollars (\$300,000) to the**
27 **Department of Corrections. Three Hundred Thousand Dollars**

1 (\$300,000) are appropriated from the General Fund to the Department
2 of Corrections for its operations in Fiscal Year 1996, specifically for the
3 following:

4	DIVISION	OBJECT/CATEGORY	AMOUNT
5	Agana Lock-Up Renovation	CIP	300,000"

6 **Section 10. Section 19 of Public Law 23-94 is repealed and reenacted to**
7 **read:**

8 "Section 19. One Hundred Thousand Dollars (\$100,000) to the
9 Guam South Pacific Games Council. One Hundred Thousand Dollars
10 (\$100,000) are appropriated from the General Fund to the 1999 Guam
11 South Pacific Games Council for its operations in Fiscal Year 1996."

12 **Section 11.** Notwithstanding any other provision of law, and with the
13 exceptions of the Tourist Attraction Fund (TAF) and the Government of
14 Guam Retirement Fund and all appropriations to the retirement fund, the
15 Governor is authorized to spend or transfer money from any available fund
16 or account of the Executive Branch of government not restricted under bond
17 covenants, only in the amounts specified in the various sections of this Act, to
18 the respective departments, branches, and entities specified in this Act, and
19 for the respective purposes specified in this Act. This authority shall be
20 exercised by executive order. No transfers into the departments specified
21 herein shall cause the total amounts received by the departments pursuant to
22 this Act to exceed the total amount appropriated in this Act. All such transfers
23 shall not be effective until the executive order therefore is transmitted to and
24 received by the Speaker of the Legislature.

25 In addition, notwithstanding any other provision of law, and with the
26 exceptions of the Tourist Attraction Fund (TAF) and the Government of
27 Guam Retirement Fund and all appropriations to the retirement fund, the

1 Governor is authorized to transfer appropriations to and to spend or transfer
2 money from any available fund or account of the Executive Branch of
3 government not restricted under bond covenants, in amounts not to exceed
4 Five Million Two Hundred Thousand Dollars (\$5,200,000), to the Guam
5 Memorial Hospital Authority. This authority shall be exercised by executive
6 order. All such orders shall not be effective until the executive order therefore
7 is transmitted to and received by the Speaker of the Legislature. This transfer
8 authority shall expire on September 30, 1996.

9 **Section 12.** Notwithstanding any other provision of law, the Chief
10 Justice of the Supreme Court is authorized to transfer from the Fiscal Year
11 1996 budget of the Supreme Court to the Superior Court of Guam's Fiscal
12 Year 1996 budget such funds as are necessary to reimburse the Superior Court
13 for any direct personnel costs expended on its behalf between April 28, 1996,
14 until the passage of this Act.

Date: 6/6/96

VOTING SHEET

Bill No. 655
 Resolution No. _____
 Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			X
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	X	✓		
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		X		
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith		✓		

TOTAL

16 4 21

CERTIFIED TRUE AND CORRECT:

Recording Secretary

* 3 pages - no vote
 note: Pursuant to motion of JTSA
 Sen. JMB was allowed to cast

JUN 03 1996

TWENTY-THIRD GUAM LEGISLATURE
1996 (FIRST) Regular Session
(SECOND)

Bill No. 655 (LS)

Introduced by:

D. Parkinson 
F. E. Santos 

AN ACT TO AMEND CERTAIN SECTIONS RELATIVE TO PUBLIC LAWS 23-45 AND 23-46, THE GENERAL APPROPRIATION ACT OF 1996, BY MAKING CORRECTIONS TO PUBLIC LAW 23-94; AND TO APPROPRIATE MONEY TO GUAM MEMORIAL HOSPITAL AUTHORITY TO COVER ITS FY 1996 SHORTFALL.

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

2 Section 1. Four Million Dollars (\$4,000,000) are hereby appropriated
3 from the General Fund to the Guam Memorial Hospital Authority to cover
4 the FY 1996 shortfall.

5 Section 3. Section 14 of Public Law 23-94 is repealed and reenacted to
6 read:

7 "Section 14. Two Million Eight Hundred Thousand (\$2,800,000)
8 to Guam Police Department. Two Million Eight Hundred Thousand
9 (\$2,800,000) are appropriated from the General Fund to the Guam
10 Police Department for its operations in Fiscal Year 1996, specifically for
11 the following:

DIVISION	OBJECT/CATEGORY	AMOUNT
Office of the Chief	Personnel	695,000

1	Neighborhood Patrol I	Personnel	1,275,000
2	Criminal Investigation	Personnel	450,000
3	Support Division	Personnel	180,000
4	Operation Division	Personnel	200,000
5	TOTAL		2,800,000"

6 **Section 4. Section 15 of Public Law 23-94 is repealed and reenacted to**
7 **read:**

8 "Section 15. One Million Two Hundred Thousand Dollars
9 (\$1,200,000) to the Guam Fire Department. One Million Two Hundred
10 Thousand Dollars (\$1,200,000) are appropriated from the General Fund
11 to the Guam Fire Department for its operations in Fiscal Year 1996,
12 specifically for the following:

13	DIVISION	OBJECT/CATEGORY	AMOUNT
14	Suppression	Personnel	600,000
15	Fire Prevention	Personnel	130,000
16	Training Bureau	Personnel	120,000
17	EMS	Personnel	350,000
18	TOTAL		1,200,000"

19 **Section 5. Section 16 of Public Law 23-94 is repealed and reenacted to**
20 **read:**

21 "Section 16. One Million Five Hundred Thousand Dollars
22 (\$1,500,000) to the Department of Public Health & Social Services. One
23 Million Five Hundred Thousand Dollars (\$1,500,000) are appropriated
24 from the General Fund to the Department of Public Health & Social
25 Services for public assistance program payments in Fiscal Year 1996,
26 specifically for the following:

27	DIVISION	OBJECT/CATEGORY	AMOUNT
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1 Public Assistance
2 Program Payments Miscellaneous 1,500,000"

3 **Section 6. Section 17 of Public Law 23-94 is repealed and reenacted to**
4 **read:**

5 **"Section 17. Three Hundred Thousand Dollars (\$300,000) to the**
6 **Department of Law. Three Hundred Thousand Dollars (\$300,000) are**
7 **appropriated from the General Fund to the Department of Law for its**
8 **operations in Fiscal Year 1996, specifically for the following:**

DIVISION	OBJECT/CATEGORY	AMOUNT
Family Division	Personnel	300,000"

11 **Section 7. Section 18 of Public Law 23-94 is repealed and reenacted to**
12 **read:**

13 **"Section 18. Eight Hundred Three Thousand Seven Hundred**
14 **Thirty Dollars (\$803,730) to the Guam Supreme Court. Eight Hundred**
15 **Three Thousand Seven Hundred Thirty Dollars (\$803,730) are**
16 **appropriated from the General Fund to the Guam Supreme Court for**
17 **its operations in Fiscal Year 1996. The appropriation shall become**
18 **available upon enactment into law and remain available until**
19 **expended."**

20 **Section 8. Section 20 of Public Law 23-94 is repealed and reenacted to**
21 **read:**

22 **"Section 20. Eighty-Two Thousand Dollars (\$82,000) to the**
23 **Department of Military Affairs. Eighty-Two Thousand Dollars**
24 **(\$82,000) are appropriated from the General Fund to the Department of**
25 **Military Affairs for its operations in Fiscal Year 1996."**

26 **Section 9. Section 21 of Public Law 23-94 is repealed and reenacted to**
27 **read:**

1
2
3
4
5
6
7

“Section 21. Three Hundred Thousand Dollars (\$300,000) to the Department of Corrections. Three Hundred Thousand Dollars (\$300,000) are appropriated from the General Fund to the Department of Corrections for its operations in Fiscal Year 1996, specifically for the following:

DIVISION	OBJECT/CATEGORY	AMOUNT
Agana Lock-Up Renovation	CIP	300,000”