



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUL 07 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910


**Refer to
Legislative Secretary**

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 227 (COR), "AN ACT TO ADD A NEW §22427 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND; TO REPEAL AND REENACT §6 OF P.L. 24-34, RELATIVE TO APPROPRIATIONS TO CAHA FOR TRAINING AND RELATED EXPENSES; TO RESTRICT FUNDING FOR "THE SOLID WASTE CONSTRUCTION AND SERVICE AGREEMENT"; TO APPROPRIATE FIVE THOUSAND DOLLARS (\$5,000.00) TO THE DEPARTMENT OF LAND MANAGEMENT TO FUND P.L. 22-46; TO REPEAL AND RE-ENACT §15 OF P.L. 24-34, RELATIVE TO RE-ENACTING, AND APPROPRIATING TO, CAHA'S OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND; TO AMEND §30 OF CHAPTER IV OF P.L. 23-128, AS AMENDED BY §19 OF P.L. 24-14, RELATIVE TO TEACHER PERSONAL LEAVE; TO APPROPRIATE EIGHTY-THOUSAND DOLLARS (\$80,000.00) TO THE GUAM FIRE DEPARTMENT; TO APPROPRIATE THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO THE GUAM POLICE DEPARTMENT; AND TO APPROPRIATE FIFTEEN THOUSAND DOLLARS (\$15,000.00) TO THE DEPARTMENT OF PARKS AND RECREATION OFF-ISLAND SPORTS TRAVEL FUND.", which was previously vetoed and overridden by the Legislature on June 30, 1997.

This bill is now numbered **Public Law No. 24-57.**


Very truly yours,



Carl T. C. Gutierrez
Governor of Guam

Attachment

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

00316

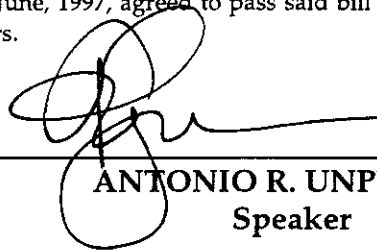
OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By 
Time 4:50pm
Date 7-7-97

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 7-7-97
Time: 4pm
Rec'd by: 
Print Name: Monique


TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

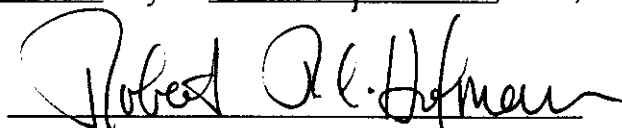
This is to certify that Substitute Bill No. 227 (COR), "AN ACT TO ADD A NEW §22427 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND; TO REPEAL AND RE-ENACT §6 OF P.L. 24-34, RELATIVE TO APPROPRIATIONS TO CAHA FOR TRAINING AND RELATED EXPENSES; TO RESTRICT FUNDING FOR "THE SOLID WASTE CONSTRUCTION AND SERVICE AGREEMENT"; TO APPROPRIATE FIVE THOUSAND DOLLARS (\$5,000.00) TO THE DEPARTMENT OF LAND MANAGEMENT TO FUND P.L. 22-46; TO REPEAL AND RE-ENACT §15 OF P.L. 24-34, RELATIVE TO RE-ENACTING, AND APPROPRIATING TO, CAHA'S OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND; TO AMEND §30 OF CHAPTER IV OF P.L. 23-128, AS AMENDED BY §19 OF P.L. 24-14, RELATIVE TO TEACHER PERSONAL LEAVE; TO APPROPRIATE EIGHTY-THOUSAND DOLLARS (\$80,000.00) TO THE GUAM FIRE DEPARTMENT; TO APPROPRIATE THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO THE GUAM POLICE DEPARTMENT; AND TO APPROPRIATE FIFTEEN THOUSAND DOLLARS (\$15,000.00) TO THE DEPARTMENT OF PARKS AND RECREATION OFF-ISLAND SPORTS TRAVEL FUND," returned to the Legislature without approval of the Governor, was reconsidered by the Legislature and after such consideration, the Legislature did, on the 30th day of June, 1997, agreed to pass said bill notwithstanding the objection of the Governor by a vote of seventeen (17) members.


ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 2nd day of July, 1997, at
4:15 o'clock P.M.


Assistant Staff Officer,
Governor's Office

APPROVED:

CARL T. C. GUTIERREZ
Governor of Guam

Date: _____

Public Law No. 24-57

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 227 (COR)

As substituted by the Committee on Finance and Taxation, and as further substituted on the Floor and amended.

Introduced by:

A. C. Blaz
F. E. Santos
T. C. Ada
E. Barrett-Anderson
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
J. C. Salas
A. L.G. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO ADD A NEW §22427 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND; TO REPEAL AND RE-ENACT §6 OF P.L. 24-34, RELATIVE TO APPROPRIATIONS TO CAHA FOR TRAINING AND RELATED EXPENSES; TO RESTRICT FUNDING FOR "THE SOLID WASTE

CONSTRUCTION AND SERVICE AGREEMENT"; TO APPROPRIATE FIVE THOUSAND DOLLARS (\$5,000.00) TO THE DEPARTMENT OF LAND MANAGEMENT TO FUND P.L. 22-46; TO REPEAL AND RE-ENACT §15 OF P.L. 24-34, RELATIVE TO RE-ENACTING, AND APPROPRIATING TO, CAHA'S OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND; TO AMEND §30 OF CHAPTER IV OF P.L. 23-128, AS AMENDED BY §19 OF P.L. 24-14, RELATIVE TO TEACHER PERSONAL LEAVE; TO APPROPRIATE EIGHTY-THOUSAND DOLLARS (\$80,000.00) TO THE GUAM FIRE DEPARTMENT; TO APPROPRIATE THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO THE GUAM POLICE DEPARTMENT; AND TO APPROPRIATE FIFTEEN THOUSAND DOLLARS (\$15,000.00) TO THE DEPARTMENT OF PARKS AND RECREATION OFF-ISLAND SPORTS TRAVEL FUND.

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

2 Section 1. Legislative Intent. The Guam Legislature finds that
3 amounts appropriated directly to territorial agencies for utility operating
4 expenses, including electrical power, water, sewer and telephone services can
5 be better maintained and managed if consolidated and centralized under the
6 Department of Administration. For this reason, a special fund, which is
7 separate and distinct from other funds of the government of Guam, shall be
8 utilized to better manage and track the expenses of the government of Guam
9 in this category.

10 Section 2. A new §22427 is added to Title 5 of the Guam Code
11 Annotated to read:

1 **“Section 22427. Utility Expense Fund.** There is created, separate
2 and apart from other funds of the government of Guam, and under
3 the administration and control of the Department of Administration, the
4 *‘Utility Expense Fund.’* Notwithstanding any other provisions of law,
5 for each fiscal year, all appropriations from the General Fund to any
6 territorial agency for the purpose of paying utility expenses for electrical
7 power, water, sewer and telephone services, shall be deposited in the
8 Utility Expense Fund, and shall be paid out separately by utility
9 category and by the aggregate expenses of agency billings. A report of
10 the status of the Utility Expense Fund shall be made to the Governor
11 and to the Guam Legislature at the end of each quarter. Unexpended
12 funds after the end of each fiscal year shall revert to the General Fund.
13 A report of this transaction shall be made to the Guam Legislature.”

14 **Section 3. Ten Thousand Dollars (\$10,000.00) to the Department of**
15 **Administration.** Ten Thousand Dollars (\$10,000.00) is appropriated from the
16 General Fund to the Department of Administration to implement provisions
17 of §22427 of Title 5 of the Guam Code Annotated, as created herein. The
18 Governor shall not transfer any funds from the Utility Expense Fund for any
19 other purpose other than what has been set forth in this Act.

20 **Section 4. Effective Date.** Provisions of §22427 of Title 5 of the Guam
21 Code Annotated, as created herein, and Section 3, above, shall be
22 implemented no later than October 1, 1997.

23 **Section 5.** Section 6 of Public Law No. 24-34 is hereby repealed and re-
24 enacted as follows:

1 **“Section 6. Forty-five Thousand Dollars (\$45,000.00) to CAHA.**

2 Forty-five Thousand Dollars (\$45,000.00) is appropriated from the
3 General Fund to the Guam Council of the Arts and Humanities Agency
4 (‘CAHA’) Off-island Education, Training and Cultural Enhancement
5 Fund (the ‘Fund’) for the following programs:

6 (a) Fifteen Thousand Dollars (\$15,000.00) for off-island
7 travel, tuition, fees and related expenses for Guam’s participation in the
8 Junior Statesmen Program.

9 (b) Thirty Thousand Dollars (\$30,000.00) for off-island
10 travel and related expenses for Guam’s participation in the National
11 Mock Trial and in the National Forensic League Competitions.

12 (c) Notwithstanding the CAHA rules and regulations
13 promulgated by P.L. 22-124, the appropriations in this Section shall not
14 be subject to any requirements except those specified herein.”

15 **Section 6. Funding Restriction for the Solid Waste Construction and**
16 **Service Agreement.** The Governor of Guam and any line or autonomous
17 agency of the government of Guam shall not, for the purposes of financing,
18 funding, paying for or disbursing money pursuant to the proposed contract
19 called the “Solid Waste Construction and Service Agreement” between the
20 government of Guam and Guam Resource Recovery Partners dated July 23,
21 1996, or any projects described in said contract, commit any funds, resources,
22 assets, debts, obligations or property of the government of Guam by any
23 means, including, but not limited to, authorizing payment; transferring,
24 selling, hypothecating, mortgaging or pledging property of any kind;
25 exercising transfer authority regarding government appropriations or

1 government funds; using lapsed funds; and by borrowing money. Any
2 official of the government of Guam who violates this Section shall be
3 personally liable to the government of Guam and the taxpayers of Guam in an
4 amount equal to the value of the property he or she expends, authorizes or
5 commits and shall not be indemnified for said liability from government
6 funds.

7 **Section 7. Five Thousand Dollars (\$5,000.00) to the Department of**
8 **Land Management.** Five Thousand Dollars (\$5,000.00) is appropriated
9 from the Land Survey Revolving Fund to the Department of Land
10 Management to survey, map and do other activities with Block No. 1, Lot No.
11 8, Tract No. 1021 Municipality of Dededo, Guam to complete the intent of P.L.
12 22-46, Section 3. A one (1) acre parcel shall be designated from Block No. 1,
13 Lot No. 8, Tract No. 1021 for the construction of a recreational facility in
14 Machanao, Dededo. Any unused balance from this appropriation shall be
15 returned to the Land Survey Revolving Fund.

16 **Section 8.** Section 15 of Public Law No. 24-34 is hereby repealed and re-
17 enacted as follows:

18 **"Section 15. Re-enactment of the Council of the Arts and**
19 **Humanities Off-Island Educational, Training and Cultural**
20 **Enhancement Fund; Appropriation.** One Hundred Thirty Thousand
21 Dollars (\$130,000.00) is hereby appropriated from the General Fund to
22 the Guam Council on the Arts and Humanities Agency ('CAHA') to be
23 set aside in the Treasury of Guam in a fund hereby established as the
24 'Off-Island Educational, Training and Cultural Enhancement Fund' (the
25 'Fund'). Such appropriation shall be set in a separate account and shall

1 not be considered part of CAHA's annual budget. The Rules and
2 Regulations established pursuant to P.L. 22-124 by the Guam Council on
3 the Arts and Humanities Agency shall apply to this Section. The
4 Governor's fiscal year 1997 reprogramming authority shall be applied.

5 Thirty Thousand Dollars (\$30,000.00) of the appropriation shall be
6 used to fund for the travel, accommodations and other costs for thirteen
7 (13) high school students from the Chief Gadao Academy being sent on
8 an educational, cultural trip to the United Nations, Smithsonian
9 Institute, Plymouth Rock and Jamestown."

10 **Section 9.** Section 30 of Chapter IV, Miscellaneous Provisions, of Public
11 Law No. 23-128, as amended by Section 19 of Public Law No. 24-14, is further
12 amended to read:

13 **"Section 30. Teacher Personal Leave.** For the fiscal year 1997
14 Department of Education Budget, the Territorial Board of Education is
15 hereby authorized to convert any unused personal leave hours earned
16 by teachers during a school year to the cash value of eight (8) hours for
17 each eight (8) hours of unused personal leave, payable in lump sum
18 allotments from the Department of Education."

19 **Section 10. Eighty Thousand Dollars (\$80,000.00) to the Guam Fire**
20 **Department.** Eighty Thousand Dollars (\$80,000.00) is appropriated from
21 the General Fund to the Guam Fire Department for an Emergency Medical
22 Director and for the training and certification of Emergency Medical
23 Technicians-Intermediate ("EMT-I's").

24 **Section 11. Thirty-Five Thousand Dollars (\$35,000.00) to the Guam**
25 **Police Department.** Thirty-five Thousand Dollars (\$35,000.00) is

1 appropriated from the General Fund to the Guam Police Department to
2 supplement the cost of the first Annual Pacific Rim Vehicular Homicide/DUI
3 Seminar.

4 **Section 12. Fifteen Thousand Dollars (\$15,000.00) to the Department**
5 **of Parks and Recreation.** Fifteen Thousand Dollars (\$15,000.00) is
6 appropriated from the General Fund to the Department of Parks and
7 Recreation Off-Island Sports Travel Fund to supplement the cost of air-fare
8 transportation to the U.S.A. Junior National Volleyball Championship to be
9 held in Denver, Colorado in July, 1997.

10 **Section 13. Severability.** If any provision of this Law or its application
11 to any person or circumstance is found to be invalid or contrary to law, such
12 invalidity shall not affect other provisions or applications of this Law which
13 can be given effect without the invalid provisions or application, and to this
14 end the provisions of this Law are severable.

OFFICE OF THE LEGISLATIVE SECRETARY

ACKNOWLEDGMENT RECEIPT

Received By [Signature]Time 3:35 pmDate 6-20-97CARL T.C. GUTIERREZ
GOVERNOR OF GUAMRefer to
Legislative SecretaryOffice of the Speaker
ANTONIO R. UNPINGCODate: 6.20.97Time: 2pmRec'd by: [Signature]Print Name: Monique Yvette

JUN 20 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 227 (COR), "AN ACT TO ADD A NEW §22427 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND; TO REPEAL AND REENACT §6 OF P.L. 24-34, RELATIVE TO APPROPRIATIONS TO CAHA FOR TRAINING AND RELATED EXPENSES; TO RESTRICT FUNDING FOR 'THE SOLID WASTE CONSTRUCTION AND SERVICE AGREEMENT'; TO APPROPRIATE FIVE THOUSAND DOLLARS (\$5,000.00) TO THE DEPARTMENT OF LAND MANAGEMENT TO FUND P.L. 22-46; TO REPEAL AND RE-ENACT §15 OF P.L. 24-34, RELATIVE TO RE-ENACTING, AND APPROPRIATING TO, CAHA'S OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND; TO AMEND §30 OF CHAPTER IV OF P.L. 23-128, AS AMENDED BY §19 OF P.L. 24-14, RELATIVE TO TEACHER PERSONAL LEAVE; TO APPROPRIATE EIGHTY-THOUSAND DOLLARS (\$80,000.00) TO THE GUAM FIRE DEPARTMENT; TO APPROPRIATE THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO THE GUAM POLICE DEPARTMENT; AND TO APPROPRIATE FIFTEEN THOUSAND DOLLARS (\$15,000.00) TO THE DEPARTMENT OF PARKS AND RECREATION OFF-ISLAND SPORTS TRAVEL FUND.", which I have vetoed.

This legislation provides for a group of appropriations, each of which is less than \$100,000, to Guam Council on the Arts and Humanities Agency, Department of Land Management, Guam Fire Department, Guam Police Department, and the Department of Parks and Recreation. The funding is intermeshed with legislation directed solely towards impeding a specific government contract. The legislation is not a "clean" bill.

This legislation puts together wildly unrelated topics, paring together a special strict restriction on the spending of government funds on an already-signed contract between Guam Resource Recovery Partners and the

government of Guam for a waste-to-energy project, with funding for youth groups to travel to various destinations, Board of Education responsibility for teacher personal leave conversion, training for Emergency Medical Technicians in the Guam Fire Department, and a Guam Police Department Pacific Rim Vehicular Homicide/DUI Seminar.

I want to support the students who are competing in the National Forensic League Competitions, as well as those participating in the National Mock Trial. This appropriation is contained in this bill, mixed in with restrictions on contractual spending.

I also want to construct basketball courts in Dededo for much needed recreational facilities, yet this too is mixed in with restrictions on contractual spending.


I intend that the students from the Chief Gadao Academy participate and be supported in their educational and cultural trip to the United Nations, Smithsonian Institute, and to Plymouth Rock and Jamestown. This has been mixed in with restrictions on contractual spending.

I want the Board of Education to have flexibility in their responsibility for the conversion of personal leave hours earned by teachers during the school year to lump sum payments. This provision is combined with restrictions on contractual spending.

I support the U. S. A. Junior National Volleyball Championship their participation in Denver, Colorado in July, 1997, yet this, too, is intertwined with restrictions on contractual spending.

Should the legislature transmit clean bills on these subjects, where apples and oranges are not mixed together, each of the provisions can be given its due attention, undetracted from unrelated handicaps.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment

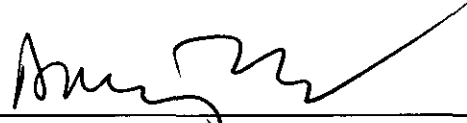
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cc: The Honorable Joanne M. S. Brown
Legislative Secretary

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 227 (COR), "AN ACT TO ADD A NEW §22427 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND; TO REPEAL AND RE-ENACT §6 OF P.L. 24-34, RELATIVE TO APPROPRIATIONS TO CAHA FOR TRAINING AND RELATED EXPENSES; TO RESTRICT FUNDING FOR "THE SOLID WASTE CONSTRUCTION AND SERVICE AGREEMENT"; TO APPROPRIATE FIVE THOUSAND DOLLARS (\$5,000.00) TO THE DEPARTMENT OF LAND MANAGEMENT TO FUND P.L. 22-46; TO REPEAL AND RE-ENACT §15 OF P.L. 24-34, RELATIVE TO RE-ENACTING, AND APPROPRIATING TO, CAHA'S OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND; TO AMEND §30 OF CHAPTER IV OF P.L. 23-128, AS AMENDED BY §19 OF P.L. 24-14, RELATIVE TO TEACHER PERSONAL LEAVE; TO APPROPRIATE EIGHTY-THOUSAND DOLLARS (\$80,000.00) TO THE GUAM FIRE DEPARTMENT; TO APPROPRIATE THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO THE GUAM POLICE DEPARTMENT; AND TO APPROPRIATE FIFTEEN THOUSAND DOLLARS (\$15,000.00) TO THE DEPARTMENT OF PARKS AND RECREATION OFF-ISLAND SPORTS TRAVEL FUND," was on the 7th day of June, 1997, duly and regularly passed.



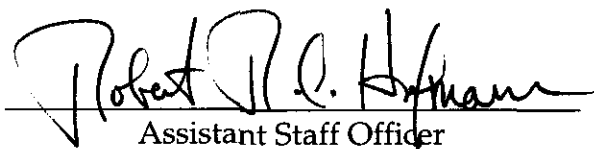
ANTHONY C. BLAZ
Acting Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 11th day of June, 1997, at 2:07 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: _____

Public Law No. _____



April 25, 1997

- LEGISLATIVE COMMITTEE MEMBERSHIP**
- Chairman
Finance & Taxation
 - Vice-Chairman
Rules,
Government Reform
& Federal Affairs
 - Education
 - Natural Resources
 - Health &
Human Services
 - Tourism, Economic
Development & Cultural
Affairs
 - Judiciary,
Public Safety &
Consumer Protection
 - Transportation,
Telecommunications, &
Micronesian Affairs
- MEMBERSHIP**
- Guam Finance
Commission
 - Commission on Self
Determination

The Honorable Speaker Antonio R. Unpingco
24th Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Finance and Taxation, to which was referred Bill No. 227: "AN ACT TO ADD A NEW §22427 TO TITLE 5, GCA RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND," with the recommendation **TO DO PASS.**

Votes of the committee members are as follows:

11 To Pass

_____ Not To Pass

_____ To Place in Inactive File

_____ Abstained

_____ Off-Island

_____ Not Available

Sincerely,

Anthony C. Blaz

Attachments



TWENTY-FOURTH GUAM LEGISLATURE

Office of the Vice-Speaker

ANTHONY C. BLAZ

April 25, 1997

**LEGISLATIVE
COMMITTEE
MEMBERSHIP**

Chairman
Finance & Taxation
Vice-Chairman
Rules,
Government Reform
& Federal Affairs

Education

Natural Resources

Health &
Human Services

Tourism, Economic
Development & Cultural
Affairs

Judiciary,
Public Safety &
Consumer Protection

Transportation,
Telecommunications, &
Micronesia Affairs

MEMBERSHIP

Guam Finance
Commission
Commission on Self
Determination

TO: Senator Mark Forbes, Vice Chairperson
Speaker Antonio R. Unpingco, Ex-Officio Member
Senator Elizabeth Barrett-Anderson, Member
Senator Joanne M.S. Brown, Member
Senator Edwardo J. Cruz, Member
Senator Lawrence F. Kasperbauer, Member
Senator Alberto A.C. Lamorena, V., Member
Senator Carlotta A. Leon Guerrero, Member
Senator John C. Salas, Member
Senator Thomas C. Ada, Member
Senator Mark C. Charfauros, Member
Senator William B.S.M. Flores, Member
Senator Francis E. Santos, Member


FR: Vice Speaker Anthony C. Blaz, Chairperson
Committee on Finance and Taxation

RE: Voting Sheet on Bill No. 227

Transmitted herewith is the voting sheet and Committee Report on Bill No. 227, for your review and signature.

Your attention to this matter is greatly appreciated.

Sincerely,


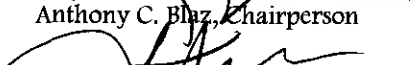
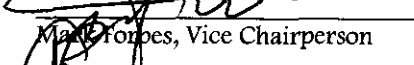
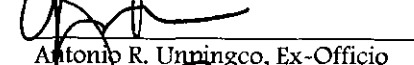
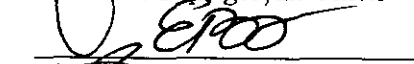
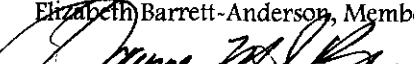
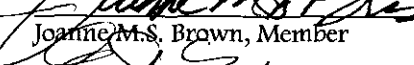
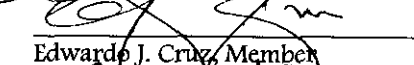


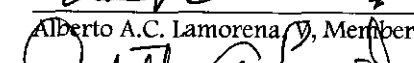

Anthony C. Blaz

Committee on Finance and Taxation

Voting Sheet on Bill No. 227

AN ACT TO ADD A NEW §22427 TO TITLE 5, GCA RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND.



 Anthony C. Blaz, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Mark Forbes, Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Antonio R. Unpingco, Ex-Officio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Elizabeth Barrett-Anderson, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Joanne M.S. Brown, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Edwardo J. Cruz, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Lawrence F. Kasperbauer, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Alberto A.C. Lamorena, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Carlotta A. Leon Guerrero, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John C. Salas, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Thomas C. Ada, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Mark C. Charfauros, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 William B.S.M. Flores, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Francis E. Santos, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TWENTY FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Date: 6/17/97

VOTING SHEET

Bill No. 227
 Resolution No. _____
 Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, Frank B., Jr. <i>111</i>		✓		
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne M. S.	✓			
CAMACHO, Felix P.	✓			
CAMACHO, Francisco P.	✓			
CHARFAUROS, Mark C.	✓			
CRUZ, Eduardo J.	✓			
FLORES, William B. S.M.		✓		
FORBES, Mark	✓			
KASPERBAUER, Lawrence F.	✓			
LAMORENA, Albert C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
PANGELINAN, Vicente C.	✓			
SALAS, John C. <i>1</i>	✓			
SANTOS, Angel L. G. <i>1</i>	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WON PAT-BORJA, Judith	✓			

TOTAL 19 2 0 0

CERTIFIED TRUE AND CORRECT:

 Clerk of the Legislature

VETOED - 6/20/97
 OVERRIDDEN - 6/30/97
 P.L. 24-57

Committee on Finance and Taxation
Report on Bill No. 227
as substituted by the Committee on Finance & Taxation

AN ACT TO ADD A NEW §22427 TO TITLE 5, GCA RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND.

PUBLIC NOTICE:

Pursuant to the requirements of the Standing Rules, notice of the Public Hearing on Bill No. 227 was published in the Pacific Daily News on April 17th and 21st.

PUBLIC HEARING:

The Committee on Finance and Taxation conducted a public hearing on Monday, April 21, 1997 in the Legislative Session Hall to hear testimonies on Bill No. 227.

MEMBERS PRESENT:

The hearing was called to order by the Chairperson of the Committee on Finance and Taxation, Vice Speaker Anthony C. Blaz. Committee members present were:

Senator Elizabeth Barret-Anderson
Senator Edwardo Cruz
Senator Lawrence Kasperbauer
Senator Tom Ada
Senator Mark Charfauros
Senator William B.S.M. Flores
Senator Francis Santos

Other Senators present were:

Senator Vicente C. Pangelinan
Senator Frank B. Aguon, Jr.
Senator Lou Leon Guerrero

BACKGROUND:

The Chairman commented on the proponents of Bill 227 stating the need to create a special fund for the purpose of maintaining and managing a centralized and consolidated accounting of the amounts appropriated directly for the payment of utility services within the Department of Administration.

FINDINGS:

The Committee finds that:

- the intent of Bill 227 as substituted by the committee proposes to add a new §33537 to 5 GCA creating the "Utility Expense Fund," separate, distinct and apart from the

other funds of the Government of Guam and under the administration and control of the Department of Administration.

- Bill 227 as substituted will allow the government of Guam to better manage and track the utility expenses within the government.
- The sum of ten thousand dollars (\$10,000) is needed to implement provisions of this law.

COMMITTEE RECOMMENDATION:

The Committee, having conducted a sufficient hearing, does hereby recommend to the Legislature to do pass Bill 227 as substituted by the Committee on Finance & Taxation- AN ACT TO ADD A NEW §22427 TO TITLE 5, GCA RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND.

11-11-97
S.C.E. 11-11-97

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 227(COR)

Introduced by:

A.C. Blaz
L.F. K. [unclear]
C.A. Leon Guerrero

**AN ACT TO ADD A NEW §22427 TO TITLE 5 OF THE GUAM
CODE ANNOTATED, RELATIVE TO THE CREATION OF A
UTILITY EXPENSE FUND.**

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

2 **Section 1. Legislative Intent.** The Guam Legislature finds that amounts
3 appropriated directly to territorial agencies for utility operating expenses,
4 including electrical power, water, sewer and telephone services can be better
5 maintained and managed if consolidated and centralized under the Department of
6 Administration. For this reason, a special fund, which is separate and distinct
7 from other funds of the government of Guam, shall be utilized to better manage
8 and track the expenses of the government of Guam in this category.

9 **Section 2.** A new §33537 is added to Title 5 of the Guam Code Annotated
10 to read:

11 **“§22427. Utility Expense Fund.** There is created, separate and apart
12 from other funds of the government of Guam, and under the administration and
13 control of the Department of Administration, the **“Utility Expense Fund.”**

14 Notwithstanding any other provisions of law, for each fiscal year, all
15 appropriations from the General Fund to any territorial agency for the purpose of
16 paying utility expenses for electrical power, water, sewer and telephone services,
17 shall be deposited in the Utility Expense Fund, and shall be paid out separately by

1 utility category and by the aggregate expenses of agency billings. A report of the
2 status of the Utility Expense Fund shall be made to the Governor and to the Guam
3 Legislature at the end of each quarter. Unexpended funds after the end of each
4 fiscal year shall revert to the General Fund. A report of this transaction shall be
5 made to the Guam Legislature.”

6 **Section 3. Effective Date.** Provisions of this Act shall be implemented no
7 later than October 1, 1997.

**FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

BBMR-F7

Bill Number: 227 (COR)
Amendatory Bill: No

Date Received: April 18, 1997
Date Reviewed: April 22, 1997

Department/Agency Affected: Department of Administration
Department/Agency Head: Rebecdda Quintanilla, Acting
Total FY Appropriation to Date: \$10,982,126

Bill Title (preamble): **AN ACT TO ADD A NEW §22427 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF A UTILITY EXPENSE FUND.**

Change in Law: Adds a new §22427 to Title 5, GCA

Bill's Impact on Present Program Funding:
Increase _____ Decrease _____ Reallocation _____ No Change XXX

Bill is for:
Operations XXX Capital Improvement _____ Other _____

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
	1/		

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL	1/					
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? N/A -- IF NO, ADD'L AMOUNT REQUIRED \$ _____

AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	N/A					
OTHER						
TOTAL						

ANALYST Jm DATE 4/22/97 DIRECTOR Joseph Rivera DATE **APR 23 1997**
Joseph E. Rivera, Acting

FOOTNOTES:
1/ Bill Number 227 (COR) is an act to add a new §22427 to Title 5, Guam Code Annotated, relative to the creation of a Utility Expense Fund. The passage of this Bill may pose a fiscal impact on the department(s) affected, however, such an impact should be absorbed by the budgets of the agencies involved.

