



Refer to
Legislative Secretary

CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

FEB 04 1999

The Honorable Antonio R. Unpingco
Speaker
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

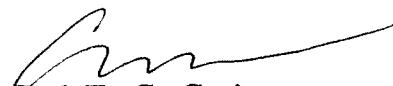
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Antonio</u>
Time	<u>2:35pm</u>
Date	<u>2.5.99</u>

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 60 (COR), "AN ACT TO DEAPPROPRIATE FUNDS FROM PREVIOUSLY COMPLETED CAPITAL IMPROVEMENT PROJECTS, AND TO MAKE AN APPROPRIATION TO THE 1999 SOUTH PACIFIC GAMES COMMISSION AND THE DEPARTMENT OF EDUCATION", which I have signed into law today as **Public Law No. 25-01**.

The 1999 South Pacific Games is a commitment made by the government of Guam back in 1994, and the Executive Branch will carry through on that commitment. The funds that are redirected from the Tourist Attraction Fund by I Liheslatura in this legislation will assist in ensuring that the games take place as planned, for the benefit of Guam.

Very truly yours,


Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 2/5/99
Time: 5:00pm
Rec'd by: [Signature]
Print Name: Lawrence

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

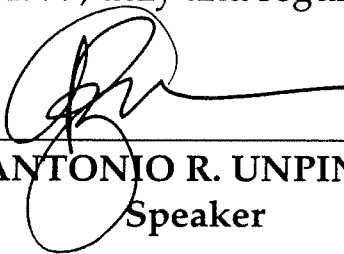
cc: The Honorable Joanne M. S. Brown
Legislative Secretary

01055


MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 60 (COR), "AN ACT TO DEAPPROPRIATE FUNDS FROM PREVIOUSLY COMPLETED CAPITAL IMPROVEMENT PROJECTS, AND TO MAKE AN APPROPRIATION TO THE 1999 SOUTH PACIFIC GAMES COMMISSION AND THE DEPARTMENT OF EDUCATION," was on the 3rd day of February, 1999, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guahan* this 4th day of February, 1999,
at 1:50 o'clock .M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: 2-4-99

Public Law No. 25-01

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
1999 (FIRST) Regular Session

Bill No. 60 (COR)

As amended by the Committee
on Tourism, Economic Development
and Parks, substituted on the Floor
and amended.

Introduced by:

A. C. Lamorena, V

A. R. Unpingco

A. C. Blaz

Mark Forbes

F. B. Aguon, Jr.

E. C. Bermudes

J. M.S. Brown

E. B. Calvo

M. G. Camacho

L. F. Kasperbauer

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

S. A. Sanchez, II

**AN ACT TO DEAPPROPRIATE FUNDS FROM
PREVIOUSLY COMPLETED CAPITAL
IMPROVEMENT PROJECTS, AND TO MAKE AN
APPROPRIATION TO THE 1999 SOUTH PACIFIC
GAMES COMMISSION AND THE DEPARTMENT OF
EDUCATION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds

3 that in just a few months, Guam will be hosting one of the most recognized
4 events in this Region, the South Pacific Games. In the process of preparing for
5 this major event, Guam was faced with the tragic crash of KAL Flight 801, the
6 recovery effort from the devastation of Super Typhoon Paka, and now, the Asian
7 economic crisis. Even in these hard economic times, *I Liheslaturan Guåhan* finds
8 that it is necessary to proceed in preparing for the '99 South Pacific Games.

9 Additionally, *I Liheslaturan Guåhan* is aware that the Interscholastic Program
10 within the Guam Public Schools is on the verge of being discontinued due to a
11 lack of funding. The existence of the interscholastic program is to promote
12 sportsmanlike conduct, team unity, school pride, and more importantly, provides
13 a well balanced educational curriculum, essential for college enrollment. It is
14 therefore the intent of *I Liheslaturan Guåhan* to identify and appropriate funding
15 sufficient to plan, conduct and host the 1999 South Pacific Games, as well as
16 continue the implementation of the Interscholastic Sports and Academic
17 Programs.

18 **Section 2. Reprogramming of Capital Project Funds.** Tourist

19 Attraction Funds appropriated in Public Law Number 22-56 for certain capital
20 improvement projects listed herein are hereby de-obligated and reverted back to
21 the Tourist Attraction Fund. Available balances are as follows:

1 **See Exhibits A and C.**

2

Project Name	Budget Expended	Encumbered	Available	Balance
3 Streetlights-San Vitores	\$1,057,728.76	0.00	0.00	\$1,057,728.76
4 Streetlights-Route 6	63,000.00	0.00	0.00	63,000.00
5 Traffic Signals-Fujita	86,606.98	0.00	17,703.78	70,903.20
6 Traffic Signals-Route 1/6	250,000.00	0.00	0.00	250,000.00
7 Traffic Signals-Route 2	215,184.10	0.00	0.00	215,184.10
8 Total Available Balance:				\$1,656,816.06

9 **Section 3. Appropriation Authorized.** (a) The sum of One Hundred
10 Fifty-six Thousand Eight Hundred Sixteen Dollars and Six Cents
11 (\$156,816.06) is hereby appropriated from the Tourist Attraction Fund to
12 the Department of Education for the following purposes:

13 (i) The sum of One Hundred Thousand Dollars (\$100,000.00)
14 is hereby appropriated to the Interscholastic Sports Activities Fund
15 for the purposes of paying coach stipends. The Department of
16 Education Interscholastic Sports Program shall incorporate regular
17 season competition schedules with the teams under the Independent
18 Interscholastic Athletic Association of Guam ("IIAAG") for the
19 remaining of the school year for all sports activities, otherwise the
20 funding provided for in this Section shall *not* be released.

21 (ii) The sum of Fifty-six Thousand Eight Hundred Sixteen
22 Dollars and Six Cents (\$56,816.06) is hereby appropriated to the
23 Special Education Division of the Department of Education for the
24 purposes of paying Coach and Judge stipends, television production
25 costs for the Math Olympiad, Math Counts, Academic Challenge
26 Bowl, Mock Trial, Junior Statesmen and the National Forensic League

1 under Interscholastic Academic League. The competition between
2 the private and public schools shall continue in order for the funds
3 to be released. Any surplus funds from the aforementioned
4 appropriations may be used for off-Island travel to National
5 competition for the above-listed teams.

6 (b) Any lapsed funds from the aforementioned appropriations at
7 the end of Fiscal Year '99, shall revert back to the Tourist Attraction Fund.

8 **Section 4. 1999 South Pacific Games Revolving Fund.** (a) The sum
9 of One Million Five Hundred Thousand Dollars (\$1,500,000.00) is hereby
10 appropriated from the Tourist Attraction Fund to the 1999 South Pacific
11 Games Revolving Fund for the purposes of planning, conducting and
12 hosting the 1999 South Pacific Games. The funds appropriated in this
13 Section shall *not* be used to fund either administrative or contractual
14 salaries.

15 (b) For the purposes of this Act, the Director of the Department of
16 Administration shall cause to be established a fund to be known as the,
17 "1999 South Pacific Games Revolving Fund."

18 (c) These funds shall be maintained separate and apart from any
19 other funds of the government of Guam, and that independent records and
20 accounts shall be maintained in connection therewith.

21 (d) It shall take a majority vote of the members of the '99 SPG
22 Commission, at a duly posted meeting, to authorize the disbursement of
23 funds from this account.

24 (e) Funds of the 1999 South Pacific Games Revolving Fund shall be

1 used exclusively for the planning, operations and hosting of the 1999 South
2 Pacific Games.

3 (f) All funds collected from fees levied shall be deposited in the
4 1999 South Pacific Games Revolving Fund.

5 (g) Upon completion of the Games, the Commission shall adopt a
6 Resolution authorizing the disposition of equipment purchased for use
7 during the Games. For Equipment to be disposed locally, first priority
8 would be to dispose of the equipment, in the following order: to the
9 Department of Education, Department of Parks and Recreation and to the
10 Guam Private Schools.

11 (h) The Chairman and the Executive Director of the South Pacific
12 Games Commission shall submit a monthly cash inflow and cash outflow
13 report to the Speaker of *I Liheslaturan Guåhan* and within one hundred
14 twenty (120) days upon the completion of the Games, the Chairman and
15 Executive Director of the 1999 South Pacific Games Commission shall
16 submit a complete report to the Speaker of *I Liheslaturan Guåhan* on the
17 status of the Revolving Fund.

18 **Section 5. Compliance with Procurement Law; Waived.** For the
19 purposes of procuring needed supplies and equipment in an expeditious manner,
20 the 1999 South Pacific Games Commission is granted a waiver from the
21 requirements of the Procurement Law. This waiver shall *not* exceed the
22 cumulative amount of Five Hundred Thousand Dollars (\$500,000.00), and shall
23 expire at the time the final expenditure report is submitted to *I Liheslaturan*
24 *Guåhan*. **See Exhibit B.** The Commission shall adopt a policy to

1 ensure that no funds shall be expended for off-Island purchases of supplies and
2 equipment, *unless* preference is first given to local vendors with comparable
3 prices. Prudence must be exercised when the Procurement Law is waived.

4 A minimum of three (3) published quotes must accompany all purchase
5 orders used under this waiver provision and be shown in all cash flow reports.

6 Expenditures of all funds other than funds appropriated from government
7 sources shall be spent according to regulations adopted by the Commission.

8 **Section 6. Severability.** *If* any provision of this Law or its application
9 to any person or circumstance is found to be invalid or contrary to law, such
10 invalidity shall *not* affect other provisions or applications of this Law which can
11 be given effect without the invalid provisions or application, and to this end the
12 provisions of this Law are severable.



DEPARTMENT OF ADMINISTRATION
 (DIPATTAMENTON ATMENESTRASION)
 DIRECTOR'S OFFICE
 (UFISINAN DIREKTOT)

Post Office Box 884 ■ Agaña, Guam 96932
 Tel.: (671) 475-1101/1250 ■ Fax: (671) 477-6788

CARL T.C. GUTIERREZ
 Governor

MADELEINE Z. BORDALLO
 Lieutenant Governor

January 8, 1999

The Honorable Alberto A.C. Lamorena
 Chairman, Committee on Tourism, Economic
 Development and Cultural Affairs
 Suite 215, Union Bank Building
 194 Hernan Cortez Avenue
 Agana, Guam 96910

1/13/99 [Signature]

Dear Senator Lamorena:

Håfa Adai!

You have inquired regarding the possibility of funding the South Pacific Games (SPG) from the Tourist Attraction Fund. At this time, we believe this would be possible by reprogramming available balances from existing project accounts. It will be necessary to pass legislation in which balances from the reserve for continuing appropriations of certain TAF's capital projects are to be de-obligated and become available for the purpose of funding the SPG project.

Identified below are the following projects and their respective activities and available balances as of December 31, 1998, as follows:

<u>Project Name</u>	<u>Budget</u>	<u>Expended</u>	<u>Encumbered</u>	<u>Available Balances</u>
Streetlights-San Vitores (PL 22-056)	\$ 1,057,728.76	0.00	0.00	\$ 1,057,728.76
Streetlights-Route 6 (PL 22-056)	63,000.00	0.00	0.00	63,000.00
Traffic Signals-Fujita (PL 22-056)	88,606.98	0.00	17,703.78	70,903.20
Traffic Signals-Route 1/6 (PL 22-056)	250,000.00	0.00	0.00	250,000.00
Traffic Signals-Route 2 (PL 22-056)	215,184.10	0.00	0.00	215,184.10

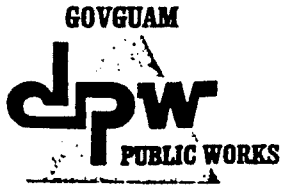
Should you have any questions, please do not hesitate to contact me.

Dangkolo na Si Yu'us Må'ase.

Sincerely,

 MICHAEL J. REIDY

Exhibit "A"



Dipattamenton Che'cho' Pubbleko

RECEIVED
1/29/99
11:30 AM

JAN 29 1999

The Honorable Alberto A.C. Lamorena
Chairperson, Committee on Tourism, Economic
Development and Cultural Affairs
25th Guam Legislature
Suite 219, Union Bank Building
194 Hernan Cortez Avenue
Hagåtña, Guam 96910

Dear Senator Lamorena:

This is to inform you that the remaining balances of the appropriations for the capital improvement projects listed in Section 2 of Bill No. 60 are no longer needed by the Department of Public Works. These projects either have been completed or are not to be implemented.

Should you require additional information, please call me.

Sincerely yours,


GIL A. SHINOHARA
Acting Director

Enclosure

Exhibit "C"