



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

MAR 25 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	
Time	11:02 am
Date	3.26.99

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 147 (COR), "AN ACT TO AMEND P.L. NOS. 24-59 AND 24-289, RELATIVE TO APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1999, TO MAKING OTHER APPROPRIATIONS, AND TO ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS", which I have **signed** into law today as **Public Law No. 25-03**.

This legislation will allow for the expenditure of funds for Fiscal Year No. 1999, which ends in 6 months on September 30, 1999.

I.

Executive Branch is essentially unfunded.

The Executive Branch budget request transmitted to the Legislature contained an estimated revenue level of \$486 Million. This legislation, reduces the estimated revenue level to \$452.9. On the surface, one might think that the Executive Branch budget has been cut by I Liheslatura, the Legislature, in the amount of \$33 Million. **In fact**, I Liheslatura has cut the Executive Branch budget by an amount of \$56 Million, because it has allocated the rest of this money to the Judiciary and other pet projects.

00138

Office of the Speaker	
ANTONIO R. UNPINGCO	
Date	3-26-99
Time	1010
Rec'd by	
Print Name	Charlene

The appropriations for the Executive Branch in this budget are contained in a lump sum, providing for the flexibility that a lump sum gives, however, this lump sum represents the largest reduction of any of the 3 branches of government. The \$56 Million, or 26%, decrease over the funding level provided last year for Fiscal Year 1998 far outweighs the budget cuts of either the legislative or judicial branches.

The drastically reduced funding level provided to the Executive Branch for Fiscal Year 1999 will not cover the current payroll for even the classified service. In other words, 90% of the Executive Branch agencies will not have the funding to continue their current payroll through September 30, 1999. Unless revised, the Legislature has set a policy forcing layoffs of even classified employees, let alone continuing the limited term employees.

This situation is ironic, considering the funding level provided for the other 2 branches of government.

II.

Funding level for social service programs (MIP, Medicaid, Public Assistance) may be jeopardized.

In Fiscal Year 1998, the government of Guam paid out close to \$45 Million in MIP, Medicaid, Public Assistance, and other health and welfare related programs. It is not likely that this level of required assistance will decline by the end of Fiscal Year 1999. In fact, this level will increase, since a complete stop of hiring, coupled with the lack of funding for the current level of employees, can only increase the social service aid which will be needed.

III.

Public safety will be jeopardized due to blanket reductions in FTE levels throughout all government agencies.

I Liheslatura has taken the number of positions not currently filled and reduced the number of positions, per department and agency, accordingly. Unfortunately, positions are also eliminated as soon as vacated, no matter what the position is.

The highest number of FTEs eliminated, across all agencies, occurs in the Guam Police Department. Of the 760 FTEs (positions) eliminated, 173 of these are within the Guam Police Department. This will have a direct impact on our ability to maintain the public safety of our community.

IV.

Judiciary receives an increase in funding of 5%, and legislative branch only experiences a reduction of 16%.

In contrast to the Executive Branch, our judiciary has received an increase of 5% of funding for Fiscal Year 1999. In these times of austerity, it is hard to see why this policy decision was made. In fact, the Superior Court has received an additional \$1.9 Million for the Judicial Building Fund. This fund was created so that the rentals accruing from the tenants of the Judicial Building -- the Department of Law and the Public Defender Service Corporation -- could be placed there and the mortgage on the Judicial Building could be paid. The situation has changed, however. Currently, the court fees provide enough funds to pay for the mortgage on the Judicial Building, making the rental payments from the Department of Law and the Public Defender Service Corporation unnecessary for this purpose.

Since the payments are up to date on the Judiciary Building, any further payments to be placed into the Judicial Building Fund at this time are simply extra funds for the court.

Turning to the legislative branch of government, one might note that in contrast to the 26% decrease experienced by the Executive Branch, that the legislative branch will only experience a decrease of 16% of their funding. This 16% reduction is despite the fact that the decrease in the number of senators is 24% (from 21 senators to 15 senators), not 16%.

V.

Revolving fund for health insurance off-island retirees doesn't revolve.

This legislation creates a "revolving fund" to pay for health insurance for off-island retirees. There is no source of funding to make this fund "revolve", however. The legislation states that the balance of a one-time

previous outstanding appropriation can be used to pay for health insurance of off-island retirees, yet no further provision is made for a revenue stream.

**VI.
Department of Education.**

This legislation provides for temporary placement of the Department of Education under the purview of I Maga'lāhen Guåhan, the Governor, until further notice. The Chief Executive will assume this responsibility to the highest extent. The Department of Education will have the complete attention of the Chief Executive, with the assistance of a wide level of community involvement.

**VII.
Summary.**

This legislation provides for the temporary continuation of the Executive Branch of government beyond April 1, 1999, however, there are serious deficiencies. Further additional details will be forwarded to I Liheslatura as the legislation is studied further, for possible amendments.

Very truly yours,



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

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

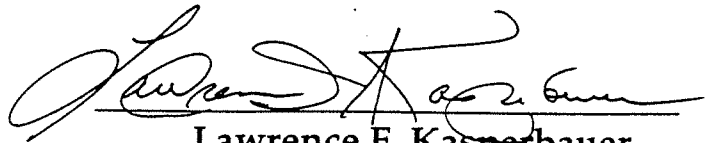
cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

00138

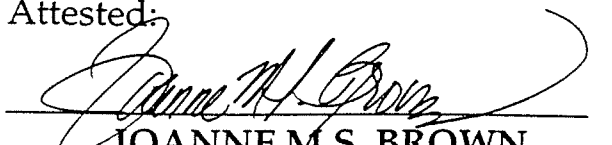
MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

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


This is to certify that Substitute Bill No. 147 (COR), "AN ACT TO AMEND P.L. NOS. 24-59 AND 24-289, RELATIVE TO APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1999, TO MAKING OTHER APPROPRIATIONS, AND TO ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS," was on the 23rd day of March, 1999, duly and regularly passed.


Lawrence F. Kasperbauer
Acting Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by I Maga'lahaen Guahan this 24th day of March, 1999,
at 4:10 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 3-25-99

Public Law No. 25-03

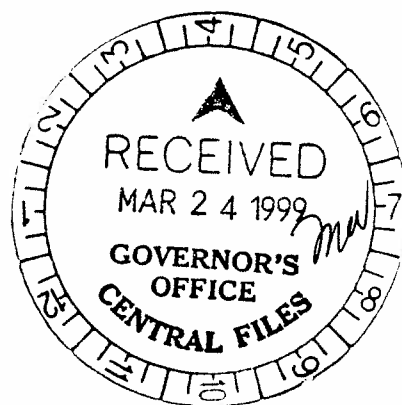


MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

March 24, 1999

COPY


The Honorable Carl T.C. Gutierrez
I Maga'lahaen Guahan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Gutierrez:

Transmitted herewith is Substitute Bill No. 147(COR) which was passed by *I Mina'Bente Singko Na Liheslaturan Guahan* on March 23, 1999.

Sincerely,


JOANNE M.S. BROWN
Legislative Secretary

Enclosure (1)

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

Bill No. 147 (COR)

As substituted by the Committee on
Rules, Government Reform, Reorganization
and Federal Affairs and amended on the
Floor.

Introduced by:

Committee on Rules, Government
Reform, Reorganization and
Federal Affairs

by request of *I Maga'laha*
Guåhan in accordance with the
Organic Act of Guam

Mark Forbes

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

E. B. Calvo

M. G. Camacho

L. F. Kasperbauer

A.C. Lamorena, V

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

S. A. Sanchez, II

A. R. Unpingco

AN ACT TO AMEND P.L. NOS. 24-59 AND 24-289,
RELATIVE TO APPROPRIATIONS FOR THE
OPERATIONS OF THE EXECUTIVE BRANCH OF
THE GOVERNMENT OF GUAM FOR THE FISCAL

YEAR ENDING SEPTEMBER 30, 1999, TO MAKING
OTHER APPROPRIATIONS, AND TO
ESTABLISHING MISCELLANEOUS AND
ADMINISTRATIVE PROVISIONS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 CHAPTER I.

3 GENERAL PROVISIONS.

4 Section 1. Short Title. This Act shall be known as the "*General*
5 *Appropriations Act of 1999*". Except as otherwise provided by this Act, the
6 appropriations made by this Act shall be available to pay for obligations incurred
7 on or after October 1, 1998, but no later than September 30, 1999.

8 Section 2. Expenditures and Encumbrances. All expenditures and
9 encumbrances incurred or obligated against appropriations made pursuant to
10 Public Law Number 24-59, as amended by Public Law Number 24-289 and
11 Public Law Number 25-02, shall apply to appropriations pursuant to this Act.

12 Section 3. Estimated Revenues. *I Liheslaturan Guåhan* has adopted the
13 amount of Four Hundred Fifty-two Million Nine Hundred Five Thousand Six
14 Hundred Eleven Dollars (\$452,905,611) as the estimated total General Fund
15 Revenues to be collected for Fiscal Year 1999.

1 CHAPTER II.

2 APPROPRIATIONS FOR EXECUTIVE BRANCH OPERATIONS.

3 Section 1. Executive Branch Appropriations. Section 1 of Chapter II
4 of Public Law Number 24-59, as amended by §9 of Public Law Number 24-289
5 and §1 of Public Law Number 25-02, is hereby *repealed and re-enacted* to read as
6 follows:

7 "Section 1. Executive Branch Appropriation.

8 Three Hundred Sixty Million Nine Hundred Forty-five Thousand
9 Eight Hundred Seventy-two Dollars (\$360,945,872) are appropriated
10 for the operations of the Executive Branch for fiscal year ending
11 September 30, 1999. This sum is composed of Three Hundred Fifteen
12 Million One Hundred Eighty-one Thousand Three Hundred Ninety-
13 one Dollars (\$315,181,391) from the General Fund; Twenty-four
14 Million Sixty-seven Thousand Four Hundred Sixty-seven Dollars
15 (\$24,067,467) from Special Funds; and Twenty-one Million Six
16 Hundred Ninety-seven Thousand Fourteen Dollars (\$21,697,014)
17 from Federal Matching Grants-in-Aid. Of the Twenty-four Million
18 Sixty-seven Thousand Four Hundred Sixty-seven Dollars
19 (\$24,067,467) from Special Funds, Seventeen Million Thirty-seven
20 Thousand Six Hundred Twenty-seven Dollars (\$17,037,627) is from
21 the Tourist Attraction Fund, which shall be expended pursuant to

22 **Exhibit C."**

23 Section 2. Section 8 of Public Law Number 24-289 is hereby *repealed*.

24 Section 3. Except as otherwise provided for in this Act, references to
25 *Exhibits* shall mean those *Exhibits* appendant to this Act.

1 Section 4. In the event that actual revenues for the General Fund for Fiscal
2 Year 1999 exceed the revenue estimate adopted herein, *I Maga'lahaen Guahan* is
3 authorized to expend such additional revenues to support the operations of the
4 Executive Branch, inclusive of the Department of Education, for Fiscal Year 1999,
5 provided that such increase in actual revenue expended shall *not* comprise a sum
6 greater than eight percent (8%) of the estimated revenues for the General Fund
7 adopted herein.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CHAPTER III.

MISCELLANEOUS APPROPRIATIONS.

Section 1. Use Tax Task Force. Notwithstanding any other provision of law, §43 of Chapter III of Public Law Number 24-59 is hereby *repealed*.

Section 2. Appropriations to the University of Guam.

(a) Notwithstanding the provisions of §10 of Public Law Number 24-289, §1(a) of Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

“Section 1. (a) Student Scholarship, Financial Assistance and Program Administration. Two Million Five hundred Fifty-three Thousand Two Hundred Seventy Dollars (\$2,553,270) appropriated from the General Fund to the University of Guam to be expended for the following student scholarships, financial assistance programs and program administrations: Merit Awards, Student Loans, Nurse Training Programs, Professional and Technical Awards, Doctoral Fellowship Programs, Reserve Officer Training Corp. ('ROTC'), Regent Scholarships, Marine Lab Graduates Assistance Programs, Advanced High School Placement Programs, Senior Citizens and administration of all student financial assistance programs. The University of Guam shall determine the allocation of this appropriation in order to fund the various student scholarships, financial assistance programs and program administrations; *provided*, that the expenditures do *not* exceed the total appropriation made in this Subsection (a).”

1 (b) Notwithstanding the provisions of §10 of Public Law Number 24-289,
2 Subsection (b) of §1 of Chapter III of Public Law Number 24-59 is hereby *repealed*
3 *and reenacted* to read as follows:

4 “(b) Section 15107 of Article 1, Chapter 15, Division 3 of Title 17 of
5 the Guam Code Annotated is hereby *repealed and re-enacted* to read as
6 follows:

7 **“Section 15107. Application Forms and Notices.** The Board
8 shall prescribe by regulation necessary application forms and
9 procedures for all awards granted pursuant to this Chapter. The
10 Board shall give notice in all Guam public and private high schools,
11 the Guam Community College, the University of Guam, in a
12 newspaper of general circulation and the electronic media at least
13 once before the acceptance period is to commence, and other
14 appropriate places on the availability of all awards. Such notice shall
15 be posted and sent by the Board annually in a timely manner to
16 permit interested students, who shall be residents of Guam and
17 citizens of the United States of America, or a permanent resident
18 alien, an opportunity to apply for the awards granted by this
19 Chapter.”

20 (c) Notwithstanding the provisions of §10 of Public Law Number 24-289,
21 Section 1(c) of Chapter III of Public Law Number 24-59 is hereby *amended* to read
22 as follows:

23 “(c) **Pedro “Doc” Sanchez Scholarship Program.** Two Hundred
24 Thousand Dollars (\$200,000.00) is appropriated from the General Fund to
25 the University of Guam for the Pedro ‘Doc’ Sanchez Scholarship Program

1 to be spent in accordance with its rules and regulations and §15107 of Title
2 17 of the Guam Code Annotated, as amended.”

3 (d) Notwithstanding the provisions of §10 of Public Law Number 24-289,
4 Section 1(d) of Chapter III of Public Law Number 24-59 is hereby *amended* to read
5 as follows:

6 “(d) **Dr. Antonio C. Yamashita Educator Corps.** Two Million
7 Sixty Thousand Four Hundred Twenty Dollars (\$2,060,420) is appropriated
8 from the General Fund to the University of Guam, which shall disburse the
9 funds pursuant to the directives and policies of the Educator Corps
10 Council, for stipends for the Dr. Antonio C. Yamashita Educator Corps and
11 for the administration of the Dr. Antonio C. Yamashita Educator Corps, in
12 accordance with the provisions of Public Law Number 24-231.”

13 (e) Notwithstanding the provisions of §10 of Public Law Number 24-289,
14 §1(e) of Chapter III of Public Law Number 24-59 is hereby *amended* to read as
15 follows:

16 “(e) **Chamorro Language and Culture Institute.** One Hundred
17 Eighty Thousand Dollars (\$180,000.00) is appropriated from the General
18 Fund to the University of Guam for the operations of the Chamorro
19 Language and Culture Institute. This appropriation shall continue until
20 expended for the operations and other purposes of the Institute.”

21 **Section 3. Appropriation to the Department of Youth Affairs for**
22 **Sanctuary, Inc.** Notwithstanding the provisions of §10 of Public Law Number
23 24-289, §5 of Chapter III of Public Law Number 24-59 is hereby *amended* to read
24 as follows:

25 “Section 5. Appropriations to the Department of Youth Affairs.

1 Three Hundred Fifty Thousand Dollars (\$350,000.00) is appropriated from
2 the General Fund to the Department of Youth Affairs (DYA) for
3 Sanctuary, Inc., for their Fiscal Year 1999 operations. DYA shall make a
4 report of the expenditures of funds of this appropriation to *I Maga'laha*
5 *Guåhan* and *I Liheslaturan Guåhan* within sixty (60) days following the end
6 of the fiscal year covered herein."

7 **Section 4. Appropriation to the Chamorro Heritage Institute Planning**
8 **Group.** Notwithstanding the provisions of §10 of Public Law Number
9 24-289, §4 of Chapter III of Public Law Number 24-59 is hereby *amended* to read
10 as follows:

11 "Section 4. Appropriations to the Chamorro Heritage Institute
12 Planning Group. One Hundred Thousand Dollars (\$100,000.00) is
13 appropriated from the Tourist Attraction Fund to the Chamorro Heritage
14 Institute Planning Group for Fiscal Year 1999 to be expended in accordance
15 with statute."

16 **Section 5. Appropriation to the Department of Administration for the**
17 **Residential Treatment Fund.** Notwithstanding the provisions of §10 of
18 Public Law Number 24-289, §15 of Chapter III of Public Law Number 24-59 is
19 hereby *amended* to read as follows:

20 "Section 15. Appropriations to the Department of
21 Administration for the Residential Treatment Fund. Seven Hundred
22 Thousand Dollars (\$700,000.00) is appropriated from the General Fund to
23 the Department of Administration to pay authorized expenses for persons
24 under the jurisdiction of the Superior Court of Guam for residential care
25 arising from physical, mental or emotional handicaps, or from severe

1 emotional disturbances. All patients and escorts referred off-Island shall
2 submit to the Director of Administration supporting documents to justify
3 reimbursement of their travel expenses."

4 **Section 6. Appropriation to the Worker's Compensation Fund.**

5 Notwithstanding the provisions of §10 of Public Law Number 24-289, §8 of
6 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

7 "Section 8. **Appropriation to the Worker's Compensation**
8 **Fund.** Seven Hundred Fifty Thousand Dollars (\$750,000.00) is
9 appropriated from the General Fund to the Worker's Compensation Fund
10 for the purpose set out in §9144 of Title 22 of the Guam Code Annotated to
11 pay workers compensation for claims by employees of the government of
12 Guam."

13 **Section 7. Appropriation to the Guam South Pacific Games**
14 **Commission.** Notwithstanding the provisions of §10 of Public Law Number
15 24-289, §14 of Chapter III of Public Law Number 24-59 is hereby *amended* to read
16 as follows:

17 "Section 14. **Appropriations to the Guam South Pacific Games**
18 **Commission.** Two Hundred Forty Thousand Dollars (\$240,000.00)
19 is appropriated from the General Fund to the Guam South Pacific Games
20 Commission for its Fiscal Year 1999 operations."

21 **Section 8. Authorization for an Appropriation to the University of**
22 **Guam for the R. F. Taitano Micronesia Area Research Center ("MARC").**

23 Notwithstanding the provisions of §10 of Public Law Number 24-289, §40
24 of Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

25 "Section 40. **Appropriation to the University of Guam.**

1 Seventy-five Thousand Dollars (\$75,000.00) is appropriated from the
2 General Fund to the University of Guam for the R. F. Taitano Micronesian
3 Area Research Center (MARC) for the preparation, organization,
4 translation and preservation of Spanish language records, as well as other
5 work on present archival holdings of the Spanish Document Collection.”

6 **Section 9. Authorization for an Appropriation to the Department of**
7 **Administration for the Purchase of Textbooks for Private Schools.**

8 Notwithstanding the provisions of §10 of Public Law Number 24-289, §42 of
9 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

10 “Section 42. Authorization for an Appropriation to the
11 Department of Administration to Fund the Purchase of Textbooks for
12 Private Schools. Two Hundred Thousand Dollars (\$200,000.00) is
13 authorized to be appropriated from the General Fund to the Department of
14 Administration for the purchasing of textbooks for private schools licensed
15 on Guam.”

16 **Section 10. Amendment to Twenty-four (24) Hour Residential**
17 **Treatment Facility Appropriation.** Section 5 of Public Law Number 24-289
18 is hereby *amended* to read as follows:

19 “Section 5. Notwithstanding Public Law Number 24-160, the
20 sum of Five Hundred Thousand Dollars (\$500,000.00) is appropriated from
21 the General Fund for Fiscal Year 1999 to the Department of Mental Health
22 and Substance Abuse (DMHSA) to establish a twenty-four (24) hour
23 residential treatment drug treatment facility on Guam. Such facility shall
24 be maintained by DMHSA. The facility shall provide full residential care
25 and treatment to any and all chemically dependent individuals, including

1 the chemically dependent juvenile population. The program and activities
2 of the 'New Beginnings' program at DMHSA shall be incorporated into the
3 facility. All local and Federal funding sources currently intended for, or
4 earmarked to, the 'New Beginnings' program, and all personnel and
5 material resources assigned to 'New Beginnings' shall be transferred to the
6 facility. The facility shall be located at a location, separate, distinct and
7 apart from the main facilities of DMHSA. The facility shall, at a minimum,
8 offer twenty-four (24) hour residential treatment, family and individual
9 counseling and intervention to adults and juveniles with a chemical
10 dependency. DMHSA shall develop and implement a budget for the
11 facility, and shall transmit such budget, in writing, to the Speaker of *I*
12 *Liheslaturan Guâhan*. Should the facility require additional funding, *I*
13 *Maga'lahen Guâhan* shall transfer such funds to DMHSA within the ten
14 percent (10%) transfer authority authorized by the Budget Act. This
15 appropriation is *not* subject to the allotment process controls, or the
16 authority of, the Bureau of Budget and Management Research. Funds
17 appropriated herein for DMHSA shall be released on a monthly basis to
18 DMHSA, exclusively for the purposes detailed herein. Further, funds
19 appropriated by this Act are *not* subject to the transfer authority of *I*
20 *Maga'lahen Guâhan*. DMHSA shall report quarterly to *I Maga'lahen Guâhan*
21 and to the Speaker of *I Liheslaturan Guâhan* on the expenditures and
22 activities of the facility. The Director of Mental Health and Substance
23 Abuse shall immediately report to *I Maga'lahen Guâhan* and the Speaker of *I*
24 *Liheslaturan Guâhan* any bureaucratic difficulty encountered in filling staff
25 positions for the programs of the facility. The appropriation detailed in

1 this Section is intended to direct the savings made by *I Liheslaturan Guåhan*
2 to a critical need."

3 **Section 11. Authorization for an Appropriation for the Guam-U.S.**
4 **Military Advancement ("GUMA") Commission.** Section 20 of Public Law
5 Number 24-295 is hereby *amended* to read as follows:

6 "Section 20. **Authorization for an Appropriation.** Five
7 Hundred Thousand Dollars (\$500,000.00) is hereby authorized to be
8 appropriated from the General Fund to the 'Guam - U.S. Military
9 Advancement ('GUMA') Commission' for all expenditures, which shall
10 cover cost of personnel and benefits, equipment, travel and any other
11 miscellaneous expenses, in carrying out the intent of this Act."

12 **Section 12. Authorization for an Appropriation for the Guam**
13 **Economic Development Authority to Assist Local Small Businesses.**

14 Section 22 of Public Law Number 24-295 is hereby *amended* to read as follows:

15 "Section 22. **Authorization for an Appropriation.** One
16 Hundred Fifty Thousand Dollars (\$150,000.00) is hereby authorized to be
17 appropriated from the General Fund to the Guam Economic Development
18 Authority ('GEDA') to be used by GEDA to assist local small businesses to
19 qualify as certified companies under §8(a) of the Minority Enterprise
20 Development Program of the U.S. Small Business Administration, which
21 certification allows such companies certain preferential treatment when a
22 Federally funded contract is awarded. Such authorization for an
23 appropriation shall be used at the discretion of GEDA's Board of
24 Directors."

1 Section 13. Authorization for an Appropriation to the Department
2 of Public Works for the Repairs and Renovation of the Bill Muna Baseball
3 Field. Section 2 of Public Law Number 24-310 is hereby *amended* to read as
4 follows:

5 "Section 2. Authorization for an Appropriation. Three
6 Hundred Fifty Thousand Dollars (\$350,000.00) is hereby authorized to be
7 appropriated from the General Fund to the Department of Public Works to
8 be used for the repairs and renovation of the Bill Muna Baseball Field in the
9 Municipality of Mangilao."

10 Section 14. Authorization for an Appropriation to the Department
11 of Public Works for Providing Bus Services. Section 3 of Public Law Number
12 24-310 is hereby *amended* to read as follows:

13 "Section 3. Authorization for an Appropriation to DPW for
14 Providing Bus Services for Fiscal Year 1999 Only. Sixty-five Thousand
15 Dollars (\$65,000.00) is authorized to be appropriated from the General
16 Fund to the Department of Public Works to fund the cost of providing
17 academic and athletic interscholastic bus services for Fiscal Year 1999."

18 Section 15. Authorization for an Appropriation for the Guam
19 Research Review Board. Section 24110 of Chapter 24, Division 3 of Title 17 of
20 the Guam Code Annotated, as added by §2 of Public Law Number 24-326, is
21 hereby *amended* to read as follows:

22 "Section 24110. Authorization for an Appropriation. There is
23 hereby authorized to be appropriated from the General Fund a total of
24 Forty Thousand Dollars (\$40,000.00) for the purpose of hiring one (1)
25 clerical staff, and other accommodations necessary to assist with the

1 function of processing applications. This authorization for an
2 appropriation shall continue for the operations and purposes specified
3 herein."

4 **Section 16. Appropriation to the Department of Public Works from**
5 **the Village Streets Fund.** (a) Two Million Dollars (\$2,000,000) is
6 appropriated from the Village Streets Fund created pursuant to §25 of
7 Chapter IV of Public Law Number 23-128 to the Department of Public
8 Works for expenditures as authorized pursuant to §1504(k) of Title 5 of the
9 Guam Code Annotated.

10 (b) Notwithstanding any other provision of law, the Department of
11 Public Works shall use One Million Five Hundred Thousand Dollars
12 (\$1,500,000) from the money appropriated in Subsection (a) of this Section
13 for the following purposes:

- 14 1. the repair, including, but not limited to, widening, paving
15 and side walks, of Clara Street in Toto, leading to J.Q. San Miguel
16 Elementary School; *and*
- 17 2. monetary compensation or land exchange on value-per-
18 value basis to private landowners whose properties are condemned
19 as a result of the provisions of this Subsection.

20 **Section 17. Authorization for an Appropriation for the Design and**
21 **Construction of the New Inarajan Mayor's Office and Manamko Center.**

22 Section 2 of Public Law Number 24-215 is hereby *amended* to read as
23 follows:

24 "Section 2. **Authorization.** Four Hundred Fifty Thousand
25 Dollars (\$450,000.00) is hereby authorized to be appropriated from the

1 General Fund to the Department of Public Works for the design and
2 construction of the new Inarajan Mayor's Office and the Manamko Center
3 and the demolition of existing structure."

4 Section 18. Appropriation to the Water and Environmental
5 Research Institute of the University of Guam for the Guam Hydrologic Survey.

6 Notwithstanding the provisions of §10 of Public Law Number 24-289, §29
7 of Chapter III of Public Law Number 24-59 is hereby *repealed and re-enacted* to
8 read as follows:

9 "Section 29. Appropriation for the Guam Hydrologic Survey.

10 Two Hundred Sixty-five Thousand Dollars (\$265,000.00) is
11 appropriated from the General Fund to WERI for the continued
12 implementation of the Guam Hydrologic Survey, as created by §29 of
13 Chapter III of Public Law Number 24-59 for Fiscal Year 1999. Henceforth,
14 WERI shall prepare and submit the annual budget request for the Guam
15 Hydrologic Survey to *I Liheslaturan Guåhan* by August 1st of each year."

16 Section 19. Appropriation to the Water and Environmental
17 Research Institute for the Comprehensive Monitoring Program. There is
18 hereby appropriated from the General Fund to the Water and Environmental
19 Research Institute ('WERI') of the University of Guam the sum of Three Hundred
20 Twenty Thousand Dollars (\$320,000.00) to provide for the immediate
21 reinstatement and administration of the Comprehensive Monitoring Program
22 with the United States Geological Survey ('USGS') and WERI's obligations
23 related thereto."

24 Section 20. Appropriation to the Guam Environmental Protection
25 Agency for the Integrated Solid Waste Management Program.

1 Notwithstanding the provisions of §10 of Public Law Number 24-289, §37 of
2 Chapter III of Public Law Number 24-59 is hereby *repealed and re-enacted* to read
3 as follows:

4 **"Section 37. Appropriation to the Guam Environmental**
5 **Protection Agency for the Integrated Solid Waste Management Program.**

6 There is appropriated from the General Fund to the Guam
7 Environmental Protection Agency ('GEPA') the sum of Three Hundred
8 Fifty Thousand Dollars (\$350,000.00) to provide for the development of the
9 Integrated Solid Waste Management Plan."

10 **Section 21. Appropriations to the Komitea Para Tiyan.**

11 Notwithstanding the provisions of §10 of Public Law Number 24-289, §7 of
12 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

13 **"Section 7. Appropriations to the Komitea Para Tiyan. One**
14 **Million Seven Hundred Thousand Dollars (\$1,700,000) is appropriated**
15 **from the General Fund to the Komitea Para Tiyan for the purpose of**
16 **paying personnel and operational costs as caretaker of the Naval Air**
17 **Station, Guam ('NAS'), including costs associated with relocation,**
18 **renovation and maintenance of NAS. All unencumbered and unallocated**
19 **prior year appropriations shall revert to the General Fund."**

20 **Section 22. Appropriation of Funds to the Chamorro Land Trust**

21 **Commission.** There is appropriated the sum of Seven Hundred Forty-one
22 **Thousand Dollars (\$741,000.00) from the Chamorro Land Trust Commission**
23 **Revenue Account Number 3411 to a continuing account for the operations of the**
24 **Chamorro Land Trust Commission. The Commission shall have discretionary**
25 **use of this account for, but not limited to, the processing of land lease**

1 applications, surveys, infrastructure planning and basic development, equipment
2 and like purpose.

3 **Section 23. Appropriation to the Department of Land Management.**

4 The Department of Land Management has the opportunity under FEMA's
5 Hazard Mitigation program to replace the current building it now occupies. The
6 total cost of the new building is estimated at Five Million Dollars (\$5,000,000). A
7 grant award of Four Million Five Hundred Dollars (\$4,500,000) has been secured
8 and must be matched with local funds. Five Hundred Thousand Dollars
9 (\$500,000.00) is appropriated from the General Fund to the Department of Land
10 Management for the local match required for the construction of a new building.

11 **Section 24. Appropriation to the Department of Corrections.**

12 Fifteen Thousand Dollars (\$15,000.00) is appropriated from the General Fund to
13 the Department of Corrections for the purchase of ten (10) bush cutters and two
14 (2) water blasters to be used for the maintenance of the Guam Veterans Cemetery
15 in Piti and Hagåtña, and the Limtiaco/Tiguac Cemetery in Nimitz Hill.

16 **Section 25. Appropriations to the University of Guam.**

17 Notwithstanding the provisions of §10 of Public Law Number 24-289, §2 of
18 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

19 **"Section 2. Appropriations to the University of Guam.**

20 (a) Twenty-six Million Two hundred Ninety-six Thousand
21 Eight Hundred Forty-six Dollars (\$26,296,846) is appropriated from
22 the General Fund to the University of Guam for their operations.

23 (b) Six Hundred Seventy-nine Thousand Six Hundred
24 Eighty-four Dollars (\$679,684.00) is appropriated from the Tourist
25 Attraction Fund ('TAF') to the University of Guam ('UOG') for the

1 International Tourism Program (TTP) for Fiscal Year 1998 only. For
2 Fiscal Year 1999 Four Hundred Thirteen Thousand Four Hundred
3 Five Dollars (\$413,405.00) is appropriated from the TAF to UOG for
4 the ITP. The appropriation authorized in this Section shall be
5 expended pursuant to the intent provided in **Exhibit B** of this
6 Act."

7 **Section 26. Appropriations to the Guam Community College.**

8 Notwithstanding the provisions of §10 of Public Law Number 24-289, §3 of
9 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

10 "Section 3. **Appropriations to the Guam Community College.**

11 (a) Nine Million Two Hundred Sixty-eight Thousand
12 Dollars (\$9,268,000) is appropriated from the General Fund to the
13 Guam Community College for its operations.

14 (b) One Million Three Hundred Eighteen Thousand Four
15 Hundred Dollars (\$1,318,400) is appropriated from the Tourist
16 Attraction Fund to the Guam Community College for the School of
17 Business, Social Science and Tourism.

18 (c) Seven Hundred Thousand Dollars (\$700,000.00) is
19 appropriated from the Pari-mutuel Fund to the Guam Community
20 College for its operations."

21 **Section 27.** The Sum of Two Hundred Thousand Dollars
22 (\$200,000.00) is hereby appropriated from the Pari-mutuel Fund to the University
23 of Guam for the purchase of books and materials for the RFK Library.

24 **Section 28.** The Sum of Fifteen Thousand Dollars (\$15,000.00) is
25 hereby appropriated from the Pari-Mutuel Fund to the University of Guam for

1 the cataloging of articles for the Micronesian Resource File (MRF) at the Richard
2 Flores Taitano Micronesian Area Research Center.

3 **Section 29. Appropriations for Visitor Industry-Related Projects for**
4 **Fiscal Year 1999 Only.** Notwithstanding the provisions of §10 of Public Law
5 Number 24-289, §28 of Chapter III of Public Law Number 24-59 is hereby *repealed*
6 *and re-enacted* to read as follows:

7 **“Section 28. Appropriations for Visitor Industry-Related**
8 **Projects for Fiscal Year 1999 Only.** Four Hundred Eighteen Thousand
9 Dollars (\$418,000.00) is appropriated from the Tourist Attraction Fund to
10 the Guam Visitors Bureau, to be distributed by Board Resolution, for the
11 following industry-related projects for Fiscal Year 1999 only:

- 12 (a) Tumon and Agana Beach cleaning and maintenance;
- 13 (b) Tumon landscaping maintenance;
- 14 (c) Two Lovers’ Point Jogging/Biking Trail;
- 15 (d) Donations for Work;
- 16 (e) Tumon Beach Beautification;
- 17 (f) Tournament of Champion Matching Funds;
- 18 (g) Guam Micronesian Island Fair; *and*
- 19 (h) Guam Village Beautification.”

20 **Section 30.** Notwithstanding the provisions of §10 of Public Law
21 Number 24-289, §46 of Chapter III of Public Law Number 24-59 is hereby *repealed*
22 *and re-enacted* to read as follows:

23 **“Section 46.** The sum of Two Hundred Thousand Dollars
24 (\$200,000.00) authorized in §46 of Chapter III of Public Law Number 24-59
25 is hereby *de-appropriated* and reverted back to the Tourist Attraction Fund.”

1 **Section 31. Judicial Building Bond Default Diversion.** There is
2 hereby appropriated from the General Fund the sum of One Million Nine
3 Hundred Sixty-eight Thousand Nine Hundred and Forty-seven Dollars
4 (\$1,968,947) for the purpose of providing rental fees for the Department of Law
5 and Public Defenders Corporation. Said fees are currently in arrears to the
6 Judicial Building Fund and must be provided to prevent a default condition on
7 bond covenant agreements between the government of Guam and Farmers'
8 Home Loan. All funds appropriated under this Section shall be appropriated to
9 the Superior Court of Guam and deposited directly to the aforementioned
10 agencies' credit in the Judicial Building Fund.

11 **Section 32. Firefighters Equipment Replacement Fund.** There is
12 hereby created by this Section a Firefighters Equipment Replacement Fund to
13 serve as a receiving account for all funds, whether local, Federal or donated,
14 provided for the purposes of replacing essential fire fighting equipment for the
15 Guam Fire Department.

16 The sum of Six Hundred Thousand Dollars (\$600,000.00) is hereby
17 appropriated from the General Fund for the purposes of replenishing essential
18 fire fighting equipment. Said appropriation shall be deposited in the Firefighters
19 Equipment Replacement Fund.

20 Notwithstanding any other provision of law, these funds shall *not* be
21 transferred or used for any purpose other than replacing essential fire fighting
22 equipment. Such determination shall be made by the Chief of the Guam Fire
23 Department.

24 **Section 33. Appropriation to the Supreme Court of Guam.**
25 Notwithstanding the provisions of §10 of Public Law Number 24-289, §10 of

1 Chapter III of Public Law Number 24-59 is hereby *repealed and re-enacted* to read
2 as follows:

3 **"Section 10. Appropriation to the Supreme Court of Guam.**

4 One Million Five Hundred Sixteen Thousand Nine Hundred Twenty-
5 seven Dollars (\$1,516,927) is hereby appropriated from the General Fund to
6 the Supreme Court of Guam."

7 **Section 34. Appropriation to the Superior Court of Guam.**

8 Notwithstanding the provisions of §10 of Public Law Number 24-289, §9 of
9 Chapter III of Public Law Number 24-59 is hereby *repealed and re-enacted* to read
10 as follows:

11 **"Section 9. Appropriation to the Superior Court of Guam.**

12 Eighteen Million Three Hundred Eighty Thousand Four Hundred Seventy-
13 eight Dollars (\$18,380,478) is hereby appropriated from the General Fund
14 to the Superior Court of Guam."

15 **Section 35. Appropriation to the Public Defender Service**
16 **Corporation.** Notwithstanding the provisions of §10 of Public Law Number
17 24-289, §11 of Chapter III of Public Law Number 24-59 is hereby *repealed and re-*
18 *enacted* to read as follows:

19 **"Section 11. Appropriation to the Public Defender Service**
20 **Corporation.** Two Million Five Hundred Seventy-one Thousand Five
21 Hundred Twenty-eight Dollars (\$2,571,528) is hereby appropriated from
22 the General Fund to the Public Defender Service Corporation."

23 **Section 36.** Section 36 of Public Law Number 24-239 is hereby
24 *amended* to read as follows:

1 “Section 36. Appropriation. Of the One Million Four Hundred
2 Ninety Thousand Dollars (\$1,490,000) to fund added expenses for
3 personnel services, equipment, supplies and other miscellaneous expenses
4 relating to the implementation of this Act that was originally appropriated
5 from the General Fund, One Million Two Hundred Forty Thousand Dollars
6 (\$1,240,000) shall revert to an authorization. Two Hundred Fifty Thousand
7 Dollars (\$250,000.00) will continue to be appropriated and shall be
8 allocated as follows: Forty-one Thousand Nine Hundred Forty-six Dollars
9 (\$41,946.00) to the Office of the Attorney General; Forty-one Thousand
10 Nine Hundred Forty-six Dollars (\$41,946.00) to the Guam Police
11 Department; Eighty-three Thousand Eight Hundred Ninety-three Dollars
12 (\$83,893.00) to the Superior Court of Guam; Twenty-five Thousand One
13 Hundred Sixty-eight Dollars (\$25,168.00) to the Department of Education;
14 Thirteen Thousand Four Hundred Twenty-three Dollars (\$13,423.00) to the
15 Guam Legal Services Corporation; Thirteen Thousand Four Hundred
16 Twenty-three Dollars (\$13,423.00) to the Public Defenders’ Corporation;
17 Thirteen Thousand Four Hundred Twenty-three Dollars (\$13,423.00) to
18 Child Protective Services of the Department of Public Health and Social
19 Services and Sixteen Thousand Seven Hundred Seventy-nine Dollars
20 (\$16,779.00) to the Guam Community College. This appropriation shall
21 continue until fully expended. Upon adoption of the public health plan, *I*
22 *Maga’lahen Guåhan* may transmit a request to *I Liheslaturan Guåhan* for
23 additional funding of up to One Million Two Hundred Forty Thousand
24 Dollars (\$1,240,000) for implementation of the plan’s components.”

1 **Section 37. Additional Earned Income Credit Appropriation for Tax**
2 Year 1997. The sum of Four Million Dollars (\$4,000,000) is appropriated to the
3 Department of Revenue and Taxation for the payment of outstanding Earned
4 Income Credit for Tax Year 1997.

5 **Section 38. Section 2(b) of Public Law Number 24-269 is hereby**
6 *amended* to read as follows:

7 “(b) There is hereby authorized to be appropriated Two Hundred
8 Thousand Dollars (\$200,000.00) as initial funding from the General Fund to
9 the Department of Land Management to inaugurate and implement the
10 intent of this Act.”

11 **Section 39. Appropriation to the Guam Humanities Council for**
12 **Fiscal Year 1999 Only.** Fifty Thousand Dollars (\$50,000.00) is hereby
13 appropriated from the Tourist Attraction Fund to the Guam Humanities Council
14 for the purposes of covering programming and operational expenses during
15 Fiscal Year 1998.

16 **Section 40. One Thousand Seven Hundred Dollars (\$1,700.00) is**
17 hereby appropriated from the Tourist Attraction Fund to the Chairman of the
18 Guam Visitors Bureau Korea Marketing Committee for expenses incurred while
19 attending the "WEDDEX Spring '99 Exhibition" in Seoul, Korea.

20 **Section 41. De-appropriation of Unexpended Items.**
21 Notwithstanding any other provision of law, the following sections of law are
22 hereby *repealed* as follows:

23 (a) Section 2 of Public Law Number 24-264 for SPIMA vans for
24 GMTA;

25 (b) Section 6 of Public Law Number 24-289 for a drug czar;

1 (c) Section 27(b) of Chapter III of Public Law Number 24-59 for the
2 Deficit Reduction Fund;

3 (d) Sections 2 and 3 of Public Law Number 24-308 for mayors'
4 equipment and the Inarajan Mayor's rent;

5 (e) Sections 4, 5, 6, 7 and 8 of Public Law Number 24-310 for off-
6 Island trips, Yona and Talofofu gyms, runoff election and nonpublic school
7 books;

8 (f) Sections 2, 4 and 5 of Public Law Number 24-300 for Masters
9 and Hal's Angels off-Island trips;

10 (g) Section 2 of Public Law Number 24-292 for National Baseball
11 trip; *and*

12 (h) Section 6 of Public Law Number 24-273 for upgrading election
13 ballot machines.

14 **Section 42.** Notwithstanding any other provision of law, §2 of Public
15 Law Number 24-153 is hereby *repealed and re-enacted* to read as follows:

16 "Section 2. The Sum of Seven Hundred Fifty Thousand Dollars
17 (\$750,000.00) is hereby *de-appropriated* and shall be reverted back to the
18 Tourist Attraction Fund."

19 **Section 43.** Notwithstanding the provisions of §10 of Public Law
20 Number 24-289, §28(i) of Chapter III of Public Law Number 24-59 is hereby
21 *repealed and re-enacted* to read as follows:

22 "(i) One Hundred Fifty Thousand Dollars (\$150,000.00) previously
23 appropriated for the Visitor Arrival Greeting Program is hereby *de-*
24 *appropriated* and reverted back to the Tourist Attraction Fund."

1 **Section 44.** Subsections b, c, d and e are hereby *added* to Section 4 of
2 Public Law Number 24-34 to read as follows:

3 **“(b) Off-Island Retirees Benefits Fund. (a) Off-Island**
4 **Fund.** There is created an ‘*Off-Island Retirees Benefits Fund*’ (‘Off-Island
5 Fund’) within the Government of Guam Retirement Fund, into which the
6 unexpended amount appropriated by Subsection (a) of this Section shall be
7 deposited. The revolving fund shall be used to cover annuity benefits of
8 retirees residing off-Island or on-Island, who shall each receive the
9 equivalent of the government’s contribution for medical and dental
10 insurance under the government of Guam Health Plan.

11 **(c) Continuing Expenditure and Carryover.** The Retirement
12 Fund shall continue to expend the money appropriated to the Off-Island
13 Fund until such time that the Off-Island Fund has been depleted.

14 **(d) Administrative Cost.** The Retirement Fund is authorized to
15 charge and/or assess the Off-Island Fund an amount equal to recovering
16 administrative costs associated with the program.

17 **(e) Report.** The Director of the Retirement Fund shall on a
18 quarterly basis submit a report to *I Maga’lahen Guåhan* and to the Speaker
19 of *I Liheslaturan Guåhan* regarding the status of the Fund.”

1 Section 6. All expenditures and encumbrances incurred or obligated
2 against appropriations made pursuant to Public Law Number 24-59, as amended
3 by Public Law Numbers 24-289 and 25-02, for the Civil Defense Agency and the
4 Office of Veterans Affairs shall apply to appropriations for the Department of
5 Military Affairs pursuant to this Act.

6 Section 7. The Department of Public Works shall implement tipping fees
7 pursuant to §9 of Public Law Number 24-139 no later than July 1, 1999.

8 Section 8. Section 4102(18) is hereby *added* to Article 1, Chapter 4 of
9 Title 4 of the Guam Code Annotated to read as follows:

10 “(18) (a) Limited Term and Temporary employees of the
11 Department of Land Management assigned to the Chamorro Land Trust
12 Commission as of January 4, 1999.

13 (b) Limited Term and Temporary employees of the Chamorro
14 Land Trust Commission employed as of January 4, 1999.”

15 Section 9. **Department of Land Management Budget Reallocation.** The
16 Department of Land Management shall make the following provisions in their
17 budget: the sum of One Hundred Eighty-seven Thousand Five Hundred
18 Dollars (\$187,500.00) shall be allocated from the Department’s budget for the
19 purchase of equipment needed to implement the *I Tano-Ta Land Use Plan*.

20 Section 10. **Department of Agriculture Budget Reallocation.** The
21 Department of Agriculture shall make the following provisions in their budget:
22 the sum of Ninety-three Thousand Five Hundred Dollars (\$93,500.00) shall be
23 allocated from the Department’s budget for the purchase of equipment needed to
24 implement the *I Tano-Ta Land Use Plan*.

25 Section 11. (a) Section 26208 of Article 2, Chapter 26, Division 2 of Title

1 11 of the Guam Code Annotated, as added by Public Law 24-17, is hereby
2 *amended* to read as follows:

3 **"Section 26208. Creation of School Operations Fund.** There is
4 hereby created, separate and apart from other funds of the government of
5 Guam, a fund known as the '*School Operations Fund.*' This Fund shall *not* be
6 commingled with the General Fund and shall be kept in a separate bank
7 account. Eighty-eight percent (88%) of all Gross Receipts Taxes collected
8 on Guam shall be deposited in the School Operations Fund and shall be
9 appropriated by *I Liheslaturan Guåhan* to cover the operational expenses of
10 the Guam Department of Education and all schools in the Guam Public
11 School System administered by that Department, as well as any use
12 associated with the Guam Public School System, as determined by the laws
13 of Guam. The Department of Administration shall deposit on the last day
14 of each month a sum equal to eighty-eight percent (88%) of all Gross
15 Receipts Taxes collected for that month in the School Operations Fund.
16 Beginning with the Fiscal Year 2000 budget, all appropriations from the
17 School Operations Fund to the Department of Education shall be subject to
18 the approval of *I Liheslaturan Guåhan.*"

19 (b) Section 26209 of Article 2, Chapter 26, Division 2 of Title 11 of
20 the Guam Code Annotated is hereby *repealed.*

21 **Section 12.** Section 7120 of Article 1, Chapter 7, Division 1 of Title 22
22 of the Guam Code Annotated, as amended by Public Law Number 23-106, is
23 hereby *repealed and reenacted* to read as follows:

24 **"Section 7120. Manpower Development Fund.** There is
25 hereby created in the Guam Department of Labor a '*Manpower*

1 *Development Fund'* (MDF), which shall remain separate and apart
2 from any other funds of the government of Guam. The MDF is
3 created solely for the purpose of receiving territorial, federal, and
4 private money and revenues from the registration fees of non-
5 immigrant temporary workers. Thirty percent (30%) of the annual
6 revenues generated shall be allocated to the Guam Department of
7 Labor for administrative and operational purposes as may be
8 determined by the Director of Labor. Seventy percent (70%) of the
9 annual revenues generated shall be allocated to the Apprenticeship
10 Training Program at the Guam Community College. Funds in the
11 MDF shall be paid out by the Treasurer of Guam to the
12 Apprenticeship Training Program at the Guam Community College
13 which shall be expended exclusively to fund the following, which
14 shall be subject to legislative appropriation:

- 15 (a) the administrative and instructional costs for the
16 operation of the apprenticeship training programs; *and*
17 (b) the advertising and outreach programs for the promotion
18 of the apprenticeship training programs.

19 Not less than fifty percent (50%) of the annual revenues
20 generated shall be appropriated for direct financial assistance to
21 students enrolled in the apprenticeship-training program. Any
22 unused portion of the appropriated fund under this Subsection shall
23 be returned to the MDF.

24 The MDF shall *not* be used for any purposes other than those
25 enumerated in this Section."

1 Section 13. Extension of Deadline for Submission of Public Health
2 Plan to Curb Family Violence. Section 1501(b)(4) of Chapter 1, Division 1 of
3 Title 19 of the Guam Code Annotated, as *added* by Public Law Number 24-239, is
4 hereby *amended* to read as follows:

5 “(4) shall be completed on or before April 30, 1999.”

6 Section 14. Appropriation for Santa Rita Gymnasium Restored.
7 Notwithstanding any other provision of law, the appropriation contained in §2 of
8 Public Law Number 24-302 shall continue to be available until expended.

9 Section 15. Congressional Address. Section 1124 of Chapter 1 of
10 Title 2 of the Guam Code Annotated is hereby *repealed*.

11 Section 16. Judicial Address. Section 3110 of Chapter 3, Division
12 1 of Title 7 of the Guam Code Annotated is hereby *repealed*.

13 Section 17. Section 2 of Public Law Number 24-219 is hereby *repealed*
14 *and re-enacted* to read as follows:

15 “Section 2. *I Liheslaturan Guåhan* is authorized to borrow, by
16 majority vote of the members of the Committee on Rules, the sum of
17 Eleven Million Five Hundred Thousand Dollars (\$11,500,000) from a
18 lending institution licensed to do business on Guam, or through a private
19 placement bond, or by other means. Such borrowing shall be for the
20 purposes of renovating, modifying or expanding the Old Legislative
21 Building, alternatively known as the Guam Congress Building, in *Hagåtña*,
22 the renovation, or the expansion or modification of the Manuel F.L.
23 Guerrero Administration Building in *Hagåtña*, or the purchase,
24 refurbishment, renovation or construction of buildings in *Hagåtña*, or any
25 combination of the above, or for other legislative purposes. Any debt

1 incurred pursuant to this Section shall be repaid by funds within the
2 annual operating budget of *I Liheslaturan Guåhan*."

3 **Section 18.** Notwithstanding any other provision of law, the
4 governing of the Department of Education shall temporarily revert to *I*
5 *Maga'lahaen Guåhan* until further legislative action. The Board of Education
6 currently in place at the time of enactment hereof shall cease to exist. *I*
7 *Maga'lahaen Guåhan* shall *not* appoint a Board of Education, but rather shall
8 assume all functions, powers, duties and responsibilities of the Board of
9 Education as defined in public law until further legislative action, including but
10 not limited to, responsibilities for the administration and expenditure of the
11 School Operations Fund on behalf of the Department of Education.

12 **Section 19.** Section 30102 of Chapter 30, Division 3, Part 1 of Title 5 of
13 the Guam Code Annotated is hereby *repealed and re-enacted* to read as follows:

14 "Section 30102. Department of Law, Cognizance.

15 (a) Notwithstanding any other provision of law, the Attorney
16 General shall have cognizance of all legal matters, excluding the Legislative
17 and Judicial Branches of the government of Guam, involving the Executive
18 Branch of the government of Guam, its agencies, instrumentalities, public
19 corporations, autonomous agencies and the Mayors Council, all hereinafter
20 referred to as 'agency'. Where any other law permits any agency or
21 autonomous public corporation to retain counsel other than the Attorney
22 General, this shall *not* preclude said agency or public corporation from
23 requesting the services of the offices of the Attorney General, provided that
24 said agency or autonomous public corporation shall reimburse the Office of
25 the Attorney General for such services from funds of said agency or

1 autonomous public corporation. Said reimbursement shall be deposited in
2 the General Fund and credited to the Office of the Attorney General. In
3 addition, and notwithstanding any other law to the contrary, any agency or
4 autonomous public corporation of the government of Guam may advance
5 funds to the office of the Attorney General for services and incidental travel
6 to be rendered by said office on behalf of said agency or autonomous
7 public corporation."

8 **Section 20.** The Director of the Department of Administration shall
9 procure the services of an Actuarial Consultant, who is a member of the Fellow
10 of the Society of Actuaries, for health insurance negotiations, to be funded within
11 the Department's budget.

12 **Section 21.** The remaining balance of Twenty-four Million Three
13 Hundred Forty-three Thousand Dollars (\$24,343,000) appropriated to the
14 Retirement Fund in §6(a) of Chapter III of Public Law Number 24-59 shall *not* be
15 released to the Retirement Fund for purposes of payment of supplemental
16 annuities enumerated in Sub-items (i) through (viii).

17 A Promissory Note by and between the Board of Directors of the
18 Retirement Fund and the government of Guam shall be executed to provide for
19 the repayment of the balance of these appropriations in §6 of Chapter III of
20 Public Law Number 24-59. The Promissory Note executed herein shall be
21 revoked by Fiscal Year 2000 *if I Liheslaturan Guåhan* has determined that the
22 Retirement Fund, as certified by an actuarial assessment conducted by a Fellow
23 of the Society of Actuaries, is in a position to assume the lump sum payment of
24 supplemental annuities in Sub-items (i) through (viii) without significant harm.

1 The Retirement Fund shall continue the payment at the current level of annual
2 annuities.

3 Section 22. Section 42104 of Chapter 42, Division 2 of Title 11 of the
4 Guam Code Annotated is hereby *amended* to read as follows:

5 "Section 42104. Authorization to Spend. For Fiscal Year 1998
6 and each year thereafter, the Department of Revenue and Taxation is
7 authorized on a continuing basis to spend funds from the Provisions of
8 Refunds as set out in '**Exhibit A**' of Public Law Number 24-59 for
9 Fiscal Years 1998 and 1999 in such amounts as are necessary to pay the
10 Earned Income program subsidies under this Chapter."

11 Section 23. Authorization for the Department of Customs and
12 Quarantine to Expend Appropriated Funds. (a) Notwithstanding any other
13 provision of law, the Department of Customs and Quarantine is hereby
14 authorized to expend the sum of Ninety Thousand Dollars (\$90,000.00)
15 from its operations budget for Fiscal Year 1999, for the purpose of
16 contracting the services of a professional operations review and rate setting
17 assessment program for the Department who shall be responsible for
18 establishing new rates for fees currently charged by the Department.

19 (b) Rules and Regulations. The Department shall adopt and
20 enforce rules and regulations to carry into effect the provisions of the rate
21 review program. The Department shall adopt rules and regulations in
22 accordance with the Administrative Adjudication Law.

23 Section 24. Notwithstanding any other provision of law, the Attorney
24 General of Guam shall be the legal counsel for the Mayor's Council of Guam. In
25 the event that a conflict of interest exist or work load problems exist, the

1 Attorney General shall, from time to time, appoint an attorney from the private
2 sector to act as the legal counsel for the Mayor's Council.

3 **Section 25. Real Property Tax Deadline for Senior Citizens and**
4 **Persons with Disabilities.** Section 24115 of Article 1, Chapter 24, Division 2 of
5 Title 11 of the Guam Code Annotated, as added by Public Law Number 24-267, is
6 hereby *repealed and reenacted* to read as follows:

7 **"Section 24115. Application and Review.** Notwithstanding any
8 other provisions in this Chapter, claims for the tax credit for citizens
9 eligible under §§24110 and 24112 must file with the assessor's office, in
10 such form and such information as the assessor shall prescribe, on or before
11 the fifteenth (15th) day of March each year for which the credit is claimed,
12 *except* that once a claim is filed, it shall have continuing effect as a new
13 claim for the credit for each subsequent year, *unless* it is disallowed or
14 voided. For tax year 1999 only, the deadline is extended to April 30, 1999."

15 **Section 26. Naming of Malesso Playground.** (a) Notwithstanding
16 any other provision of law, the Mayor and the Municipal Planning Council
17 of Malesso are hereby authorized to name the existing playground, located
18 at Quinene Road in the Municipality of Malesso, which shall require the
19 consent of a majority of said members. Prior to such naming, the
20 Municipal Planning Council of Malesso shall conduct a public hearing in
21 the village.

22 (b) **Signage and Other Changes.** The Mayor of Malesso shall
23 be responsible for making all appropriate signage and other changes to
24 reflect the name of the playground identified in this Section.

25 **Section 27. Early Retirement Amendments.** (a) Section 8113(a)

1 of Article 1, Chapter 8 of Title 4 of the Guam Code Annotated, as added by
2 Public Law Number 24-327 and amended by Public Law Number 25-02, is
3 *amended* to read:

4 “(a) the person apply for such credit within six (6) months of
5 the date the Retirement Fund implements the programs detailed in
6 this Section;”

7 (b) Section 8113(d) of Article 1, Chapter 8 of Title 4 of the Guam
8 Code Annotated, as added by Public Law Number 24-327 and amended by
9 Public Law Number 25-02, is further amended to read as follows:

10 “(d) the person is *not* in retirement status as of the effective
11 date of this Act;”

12 (c) Section 8113(g) of Article 1, Chapter 8 of Title 4 of the Guam
13 Code Annotated, as added by Public Law Number 24-327 and amended by
14 Public Law Number 25-02, is hereby *amended* to read as follows:

15 “(g) the person has any of the following:

16 (i) twenty (20) years of service credit for retirement
17 purposes prior to the purchase of additional retirement credit
18 pursuant to this Act. Any prior credits for education or
19 military service previously granted to the person shall be used
20 to compute years of service credit;

21 (ii) fifteen (15) years of service credit for retirement
22 purposes prior to the purchase of additional retirement credit
23 pursuant to this Act and is a member of the uniformed services
24 of the government of Guam. Any prior credits for education or
25 military service previously granted to the person shall be used

1 to compute years of service credit; *or*

2 (iii) is of sufficient age to retire from the government of
3 Guam on the basis of age and a sufficiency of years of service.
4 Credit purchased pursuant to this Section may be used to
5 determine whether a sufficiency of years of service exists."

6 (d) Section 8113.3 of Article 1, Chapter 8 of Title 4 of the Guam
7 Code Annotated, as repealed and reenacted by Public Law Number 24-327,
8 is hereby *amended* to read as follows:

9 "Section 8113.3. Employer Shares for Employees Applying
10 for Early Retirement Credit. The government of Guam shall pay to
11 the Retirement Fund in full all employer's share of retirement
12 contributions due for each applying employee within three (3) years
13 of the date upon which the employee applied. The amount due from
14 the government for each employee shall be equal to the annual
15 employer's share of the retirement contribution for the employee at
16 the time of application multiplied by the number of years of credit
17 the employee is applying for."

18 Section 28. Section 69901(d) is hereby *added* to Article 9, Chapter 68 of
19 Title 21 of the Guam Code Annotated, as amended by Public Law Number 24-
20 327, to read as follows:

21 "(d) Compliance with ADA Requirements. The Dededo Buffer
22 Zone shall comply with the requirements of the Americans with
23 Disabilities Act ('ADA') with regards to accessibility of facilities by persons
24 with disabilities. The cost to bring the Buffer Zone into compliance and to
25 maintain such compliance with the ADA shall be shared between the

1 Dededo and Yigo Municipal Planning Councils based on the same
2 percentage in which the Councils share in the Buffer Zone revenues under
3 the provisions of Item (b) of this Section."

4 Section 29. (a) Authorization of One or More Series of Bonds to
5 Refund the Government's Water System Revenue Bonds and Limited
6 Obligation Highway Bonds and Approval of the Terms and Conditions of the
7 Issuance of Such Refunding Bonds. Section 22428 is hereby *added* to Article 4,
8 Chapter 22, Division 2 of Title 5 of the Guam Code Annotated to read as follows:

9 "Section 22428. Authorization and Approval of Refunding Bonds.

10 (a) Definitions. The following terms shall have the
11 following meanings when used in this Section:

12 (1) '1989 Water Bonds' means the Government of Guam
13 Water System Revenue Bonds, Series 1989.

14 (2) '1992 Highway Bonds' means the Government of
15 Guam Limited Obligation Highway Bonds, 1992 Series A.

16 (3) 'Prior Bonds' means the 1989 water bonds and the
17 1992 highway bonds, to be redeemed or otherwise retired with
18 the proceeds of refunding bonds and investment earnings
19 thereon.

20 (4) 'Refunding Bond' means a bond issued pursuant to
21 this Section for the purpose of providing moneys to redeem or
22 otherwise retire prior bonds, funding any necessary bond
23 reserves allocable to the refunding bonds or paying expenses
24 incurred in connection with the issuance of such refunding
25 bonds.

1 (5) 'Yield' shall have the same meaning as when used in
2 §148 of the Internal Revenue Code of 1986, as amended. That
3 is, 'yield' means the annual discount rate which, when used to
4 discount all payments of debt service on an issue of bonds to
5 the date of issuance of the bonds, using a semiannual
6 compounding interval, results in the aggregate present value of
7 such payments being equal to the re-offering price to the public
8 of such bonds.

9 (6) 'Debt service' means the scheduled principal of and
10 interest on bonds plus fees to be paid for credit enhancement of
11 such bonds.

12 (7) 'Debt Service Savings' means the percentage by
13 which the present value of debt service on refunding bonds is
14 less than the present value of the remaining debt service on the
15 prior bonds refunded by such refunding bonds. Present value
16 shall be calculated for this purpose using the yield on the
17 refunding bonds as the discount rate.

18 (8) '1986 Bonds' means the Government of Guam
19 General Obligation Bonds, Series 1986, that are no longer
20 outstanding.

21 (9) 'Section 30 Revenues' means the revenues derived by
22 the government of Guam under 48 U.S.C. §1421h (§30 of the
23 Organic Act of Guam).

24 (b) **Authorization of Issuance of Bonds.** I *Maga'laha*
25 *Guåhan* is authorized to issue on behalf of the government of Guam

1 one (1) or more issues of bonds of the government consisting of
2 refunding bonds, subject to the following requirements and
3 limitations:

4 (1) the issuance of the bonds shall *not* cause a violation
5 of the debt limitation provisions of 48 U.S.C. §1423a (§11 of the
6 Organic Act of Guam);

7 (2) all obligation of the government to pay debt service
8 on, and the redemption price of, the prior bonds being
9 refunded shall be discharged concurrently with the issuance of
10 the refunding bonds. Thereafter, the prior bonds shall be
11 payable solely from and secured solely by an escrow
12 established for such purpose;

13 (3) the debt service savings resulting from the issuance
14 of the refunding bonds shall be *not* less than three percent (3%);

15 (4) the aggregate amount of scheduled debt service on
16 the refunding bonds allocable to the refunding of the 1989
17 water bonds shall be, in each year to and including the final
18 maturity of such refunding bonds, less than the maximum
19 annual scheduled debt service on the 1989 water bonds, and the
20 final scheduled maturity date of such refunding bonds shall be
21 not more than five (5) years after the final scheduled maturity
22 date of the 1989 water bonds; *and*

23 (5) the aggregate amount of scheduled debt service on
24 the refunding bonds allocable to the refunding of the 1992
25 highway bonds shall be, in each year to and including the final

1 maturity of such refunding bonds, less than the maximum
2 annual scheduled debt service on the 1992 highway bonds, and
3 the final scheduled maturity date of such refunding bonds shall
4 be not more than five (5) years after the final scheduled
5 maturity date of the 1992 highway bonds.

6 (c) **Source of and Security for Payment.** The refunding
7 bonds shall be payable from and secured by the same source or
8 sources of revenues as the prior bonds refunded by the issue. Any
9 pledge or lien on revenues or other moneys authorized to be granted
10 with respect to the prior bonds refunded by the issue is hereby
11 authorized to be granted with respect to the refunding bonds.

12 (d) **Terms and Conditions Determined by Certificate.** The
13 terms and conditions of the refunding bonds shall be as determined
14 by *I Maga'lahañ Guåhan* by the execution of a certificate or indenture
15 authorizing the issuance of such bonds. The certificate or indenture
16 shall contain terms and conditions that are consistent with this
17 Section, and shall include substantially the same additional bonds
18 tests, rate covenants and other covenants as were applicable with
19 respect to the prior bonds. The proceeds of the refunding bonds may
20 be used to fund a bond reserve only if and to the extent that moneys
21 from any bond reserve for the prior issue are transferred to the
22 escrow from which the prior bonds will be paid.

23 (e) **Valid and Binding Obligations, Collection of Revenues.**
24 The bonds authorized by this Section shall constitute the valid and
25 binding obligations of the government of Guam. All officers charged

1 by law with any duty in the collection of any revenues from which
2 debt service on the issue is payable shall do every lawful thing
3 necessary to collect the amount necessary for such purpose. The
4 validity of any such bonds shall *not* be affected by the validity or
5 regularity of any proceedings for the implementation of the capital
6 improvement projects funded by the prior bonds.

7 (f) **Appropriation.** The revenues described in Subsection (c)
8 of this Section are hereby continuously appropriated for the purposes
9 for which they are pledged.

10 (g) **Waiver of Immunity.** Notwithstanding any substantive
11 or procedural provision of Chapter 6 of Title 5 of the Guam Code
12 Annotated, the government of Guam waives immunity from any suit
13 or action in contract on the bonds authorized by this Section, but does
14 not waive sovereign immunity as to the personal liability of elected
15 officials and employees of the government of Guam.

16 (h) **Form of Bonds; Covenants; Appointment of Fiduciaries;**
17 **Other Related Agreements.** The technical form and language
18 of the refunding bonds, including provisions for execution, exchange,
19 transfer, registration, paying agency, lost or mutilated bonds,
20 negotiability, cancellation and other terms, covenants or conditions
21 not inconsistent with this Section, shall be as specified in the
22 certificate or indenture executed by *I Maga'lahen Guåhan* authorizing
23 the issuance of the bonds. The certificate or indenture may appoint
24 one (1) or more trustees or other fiduciaries authorized to receive and
25 hold in trust the proceeds of the bonds and moneys relating thereto,

1 to protect the rights of bondholders and to perform such other duties
2 as may be specified in the certificate. *I Maga'lahaen Guåhan* is also
3 authorized to execute, on behalf of the government of Guam, any
4 appropriate agreements, certificates or other instruments relating to
5 the bonds and the sale of the bonds.

6 (i) **Authorization for Credit Enhancement.** *I*

7 *Maga'lahaen Guåhan* is authorized to enter into such contracts or
8 agreements with such banks, insurance companies or other financial
9 institutions as *I Maga'lahaen Guåhan* determines are necessary or
10 desirable to improve the security and marketability of any bonds
11 authorized by this Section. Such contracts or agreements may
12 contain an obligation to reimburse, with interest, any such banks,
13 insurance companies or other financial institutions for advances used
14 to pay principal of or interest on the issue. Any obligations under
15 such contract or agreement shall be payable solely from the same
16 sources as debt service on the refunding bonds is payable, and any
17 advance under such agreement, *if necessary*, shall be treated as
18 creating a reimbursement obligation issued to refund the refunding
19 bonds.

20 (j) **No Personal Liability.** No employee or elected
21 official of the government of Guam shall be individually or
22 personally liable for the payment of any amounts due on any bonds
23 issued under this Section, or for any other liability arising in
24 connection with the bonds; provided, *however*, that nothing in this

1 Section shall relieve any employee or elected official from the
2 performance of any ministerial duty required by law.

3 (k) **Approval by Guam Economic Development Authority.**

4 Section 50103(k) of Title 12 of the Guam Code Annotated, provides
5 that agencies and instrumentalities of the government of Guam shall
6 issue bonds and other obligations only by means of and through the
7 agency of the Guam Economic Development Authority ("GEDA"). No
8 issue of bonds authorized by this Section shall be sold until the board
9 of directors of GEDA has adopted a resolution approving the sale of
10 such issue.

11 (l) **Approval of Terms and Conditions.** Said §50103(k)
12 also provides that GEDA shall *not* sell any bond without the approval
13 of *I Liheslaturan Guåhan* of the terms and conditions of the issuance of
14 the bonds. *I Liheslaturan Guåhan* hereby approves the terms and
15 conditions of the issuance of the bonds authorized by this Section so
16 long as such bonds are structured as provided by this Act and
17 achieve the savings required by this Act."

18 (b) **Permitted Investments.** The proceeds of bonds issued by the
19 government, and any revenues relating to such bonds, may be invested in, but
20 only in, the types of investments permitted by the certificate or indenture
21 pursuant to which such bonds are issued.

1 CHAPTER V.

2 ADMINISTRATIVE PROVISIONS.

3 Section 1. Appropriations from Guam Contractors License Board Fund
4 and Professional Engineers, Architects and Land Surveyors Board Fund to
5 Revert to the General Fund for Fiscal Year 1999. At the end of Fiscal
6 Year 1999, any un-appropriated balances from the Guam Contractors License
7 Board Fund and the Professional Engineers, Architects and Land Surveyors
8 Board Fund shall revert to the General Fund.

9 Section 2 Except those specified, at the end of Fiscal Year 1999,
10 unexpended or unencumbered General Fund appropriations revert to the
11 General Fund, and unexpended or unencumbered Tourist Attraction Fund
12 appropriations revert to the Tourist Attraction Fund. Notwithstanding any other
13 provision of law, unless otherwise specified in this Act or subsequent legislation:

14 (a) **General Fund, Reversion.** All unexpended or unencumbered
15 appropriations made from the General Fund pursuant to this Act for Fiscal
16 Year 1999 shall revert to the General Fund on the last day of that fiscal year;
17 *and*

18 (b) **Tourist Attraction Fund, Reversion.** All unexpended or
19 unencumbered appropriations made in this Act for Fiscal Year 1999 from
20 the Tourist Attraction Fund shall revert to the Tourist Attraction Fund on
21 the last day of that fiscal year.

22 Section 3. **Carryover of Local and Federal Matching Program Funds for**
23 **Grants.** The local and Federal matching funds for programs whose
24 expiration dates extend beyond September 30, 1999 are hereby authorized to be
25 carried over and expended through the period of the grant award.

1 Section 4. Money Reimbursed by the Federal Government Shall be
2 Placed in the General Fund. Except as provided by the provisions of
3 Public Law Number 22-24, *if* Guam expends any funds which are reimbursed by
4 the Federal government, the reimbursed funds shall be placed in the General
5 Fund upon receipt.

6 Section 5. Prior Years' Obligations. Notwithstanding any other
7 provision of law, appropriations made in this Act may be expended for the
8 payment of prior years' obligations. Notice of each proposed expenditure shall
9 be delivered to the Speaker of *I Liheslaturan Guåhan* by *I Maga'lahaen Guåhan* no
10 less than seven (7) days before the effective date of the expenditure.

11 Section 6. Authorization for Departments to Expend Appropriated
12 Funds for Matching Requirements for New Federal Programs.
13 Notwithstanding any other provision of law, Departments are authorized to
14 expend funds appropriated in this Act for matching requirements of new Federal
15 programs.

16 Section 7. Transfer Authority for General Government Operations.
17 *I Maga'lahaen Guåhan* is authorized to transfer from one (1) appropriation of the
18 Executive Branch to another appropriation of the Executive Branch, provided,
19 that total transfers between appropriations shall *not* exceed ten percent (10%) of
20 the sum of all appropriations from the General Fund for Fiscal Year 1999, and
21 provided further that notice of each transfer and justification therefor, is
22 delivered at least seven (7) days before the transfer takes place to the Speaker of *I*
23 *Liheslaturan Guåhan*. This transfer authority shall *not* permit *I Maga'lahaen Guåhan*
24 to transfer funds from any appropriation to *I Liheslaturan Guåhan*, the Superior

1 Court of Guam and the Supreme Court of Guam, nor shall *I Maga'lahaen Guåhan*
2 transfer funds from the School Operations Fund.

3 Section 8. Medically Indigent Program Funds Available Until
4 Expended. All appropriations made to the Medically Indigent Program of
5 the Department of Public Health and Social Services shall remain available until
6 expended.

7 Section 9. Special Fund Reversion. Notwithstanding any other
8 provision of law, the Department of Administration is authorized to transfer to
9 the General Fund from any Special Fund, Trust Fund and Revolving Fund to
10 supplement the cash obligations of the General Fund, *except* that such authority
11 shall *not* extend to any of the following:

12 (a) funds under the purview and administered by *I Liheslaturan*
13 *Guåhan*, the Superior Court of Guam or the Supreme Court of Guam; *and*

14 (b) the Tourist Attraction Fund; the Custom Application of
15 Pesticides Fund; the Water Research and Development Fund; the Solid
16 Waste Management Fund; the Litter Control Revolving Fund; the Guam
17 Environmental Trust Fund; the Air Pollution Control Special Fund; the
18 Hazardous Substances Emergency Response and Remedial Action Fund;
19 the Guam Wildlife Conservation Fund; the Guam Highway Fund; the
20 Village Streets Fund; the Pari-Mutuel Fund; the Manpower Development
21 Fund; the School Operations Fund; the Territorial Education Facilities
22 Fund; the Junior Reserve Officers Training Corp Fund; the Summer School
23 Fund; the Dededo Buffer Strip Revolving Fund; the Student Activity Funds
24 in the Department of Education; the Land Survey Revolving Fund; the

1 Chamorro Land Trust Fund; the Tiyan Trust Fund and the Komitea Para
2 Tiyan Fund.

3 Section 10. Within ninety (90) days of the enactment of this Act, the
4 Director of the Department of Administration shall make a report to the Speaker
5 of *I Liheslaturan Guåhan* on the status of every fund in the government of Guam.

6 Section 11. Authorized FTE(s). Notwithstanding any other
7 provision of law, the Executive Branch for Fiscal Year 1999 is authorized FTE(s)
8 equal to the FTE level pursuant to "**Exhibit A**" of this Act.

9 Section 12. No later than May 1, 1999, *I Maga'lahaen Guåhan* and the
10 Director of Public Works shall submit a complete report detailing the
11 expenditures, allocations and encumbrances of the Guam Highway Fund and the
12 Village Streets Fund.

13 Section 13. UOG Scholarships. (a) This provision applies to the
14 scholarships funded by the appropriations under §2 of Part III of this Act,
15 "Miscellaneous Appropriations." All Merit Awards earned by students
16 during the school year 1998-1999 shall be awarded pursuant to law.
17 Nursing Scholarships shall be limited to Sixty-six Thousand Dollars
18 (\$66,000.00) for Fiscal Year 1999. Not more than two (2) new doctoral
19 fellowships shall be awarded during Fiscal Year 1999. Notwithstanding
20 any other provision of law, there shall be no new scholarships/awards for
21 the following scholarship programs for the remainder of Fiscal Year 1999:
22 (1) Off-Island Student Loans, (2) Regent Scholars, (3) Professional Technical
23 Awards, and (4) all Scholarships/ Awards authorized under the provisions
24 of Article 5, Chapter 15 of Title 17 of the Guam Code Annotated. The total
25 amount authorized for administrative expenses of the University of Guam

1 for Administration of the scholarships provided for under §1 of Part III of
2 this Act, "Miscellaneous Appropriations" shall *not* exceed the sum of One
3 hundred Ninety-five Thousand Six hundred Fifty-one Dollars
4 (\$195,651.00). Any excess funds appropriated for scholarships under the
5 provisions of §2 of Part III of this Act shall be used for new on-Island
6 student loans.

7 (b) Notwithstanding any other provision of law, the Dr. Antonio C.
8 Yamashita Educator Corps shall *not* require nor shall they fund tuition, fees
9 and stipends for Corpsman to attend summer school inter-session during
10 the summer of 1999, *except* that the Educator Corps Executive Director may
11 approve such funding for attendance for students who need pre-requisites
12 for student teaching/internships and other required courses to be taken
13 during the Fall, 1999 semester. Because of a lack of available funds,
14 benefits for Corpsmen authorized to attend summer school need *not*
15 include stipends.

16 Section 14. All Pedro "Doc" Sanchez Scholarships presently funded,
17 as of the date of enactment of this Act shall continue to be funded. There shall be
18 no new Pedro "Doc" Sanchez Scholarship Program scholarships for the summer
19 and fall 1999 semesters.

20 Section 15. Guam Visitors Bureau Financial Report. The Guam
21 Visitors Bureau shall file a report with the Speaker of *I Liheslaturan Guåhan*, the
22 Chairperson of the Committee having oversight of the Tourist Attraction Fund,
23 and the Bureau of Budget and Management Research, expenditures from the
24 Tourist Attraction Fund. The expenditure report shall be filed on the tenth (10th)

1 day of each month. Failure to comply shall result in the withholding of planned
2 allotment release for the bureau.

3 **Section 16. Reimbursement to the UOG International Tourism**
4 **Program.** The University of Guam shall reimburse Eighty Thousand Dollars
5 (\$80,000.00), which was used for A&E purposes, to the University of Guam
6 International Tourism Program.

7 **Section 17. Guam Band; Guam Chorale.** To reflect specific
8 budgetary requirements, effective the beginning of Fiscal Year 2000, the items
9 budgeted for the Guam Band shall be categorized separate and apart from that of
10 the Guam Chorale.

11 **Section 18.** Beginning July 1, 1999 maintenance and operation
12 expenses as described in §6.12 of the Indenture for the 1992 Series A Limited
13 Obligation Highway Bond shall be subject to approval and appropriation by *I*
14 *Liheslaturan Guåhan*.

15 **Section 19.** No office, agency, autonomous agency or other
16 instrumentality of the government of Guam shall expend any Compact Impact
17 Funds or any other funds received as reimbursement for costs incurred by the
18 government of Guam as a result of agreements between the United States of
19 America and island nations formerly a part of the Trust Territories, without
20 appropriation by *I Liheslaturan Guåhan*.

21 **Section 20. Reversion of Appropriations, Amended.** Section
22 22406 of Article 4, Chapter 22, Division 2 of Title 5 of the Guam Code Annotated
23 is hereby *amended* to read as follows:

24 "Section 22406. Notwithstanding any other provision of law, unless
25 any work has commenced and ten percent (10%) of the funds have been

1 expended to accomplish the purpose of an appropriation for a capital
2 improvement or a capital outlay, any such appropriation shall cease to be
3 an appropriation and shall become an authorization for an appropriation
4 on March 31, 1999. All sums previously appropriated shall revert to the
5 fund from which appropriated. The Director of Administration shall make
6 a report in a format which shall be submitted to *I Liheslaturan Guåhan* on
7 sums which have been appropriated and which shall continue to be
8 appropriated for ongoing programs within ninety (90) days after the
9 effective date of this Section."

10 **Section 21.** (a) Notwithstanding any other provision of law,
11 including, but not limited to, the enabling legislation of any autonomous
12 agency or public corporation of the government of Guam, the hiring freeze
13 provisions detailed in §§11, 12 and 13 of Public Law Number 24-327 shall
14 apply to positions in any and all government of Guam autonomous
15 agencies or public corporations, and further to any position which is
16 Federally funded in part or in full, with the exception of positions one
17 hundred percent (100%) Federally funded at the University of Guam which
18 are directly associated with research grants. Further, any position in the
19 government of Guam which was vacant as of the fourth (4th) of January,
20 1999 shall be understood to fall within the provisions of §§11, 12 and 13 of
21 Public Law Number 24-327. Further, notwithstanding any other provision
22 of law, the authority of the Guam Civil Service Commission to create new
23 positions within the government of Guam is hereby suspended until
24 further legislative action. Further, and notwithstanding any other
25 provision of law, including, but not limited to, the enabling legislation of

1 any autonomous agency or public corporation of the government of Guam,
2 the authority of the board of directors, or similar governing body, of any
3 government of Guam autonomous agency or public corporation to create
4 FTEs is suspended until further legislative action.

5 (b) Notwithstanding any other provision of law, §11 of Public Law
6 Number 24-327 is hereby *amended* to read as follows:

7 "Section 11. Hiring Freeze and Automatic Repeal of
8 Appropriations and FTEs Upon Vacancy. The appropriated
9 funding and Full-Time Equivalencies ('FTE') for any position in the
10 government of Guam, including the Judicial Branch, funded by the
11 General Fund or any fund appropriated, including the Tourist
12 Attraction Fund, by *I Liheslaturan Guåhan*, which becomes vacant
13 after the effective date of this Act for whatever reason, shall be
14 considered automatically repealed.

15 The following fast-track procedure must be followed in order
16 for a replacement to be hired. *I Maga'lahren Guåhan* shall transmit to
17 the Speaker of *I Liheslaturan Guåhan* in bill form a detailed description
18 of the position, or positions, the funding and FTE of which have been
19 automatically repealed pursuant to this Section which *I Maga'lahren*
20 *Guåhan* wishes to reinstate. The Speaker of *I Liheslaturan Guåhan* shall
21 submit *I Maga'lahren Guåhan's* bill to the Committee on Rules for
22 referral to the appropriate oversight committee. The requirement for
23 a public hearing of the bill shall be waived, *however*, public notice
24 prior to the consideration of the bill in Session shall be required. An
25 affirmative vote of the majority of Senators shall be required in order

1 to pass any bill to re-appropriate towards and re-establish an FTE
2 repealed pursuant to this Section. *Only* upon the re-appropriation of
3 funds for, and the re-establishment of, a repealed FTE by action of *I*
4 *Liheslaturan Guåhan* pursuant to this Section may any hiring action on
5 the vacant position be initiated. In the case of an eliminated FTE in
6 the Superior Court of Guam, the Presiding Judge shall transmit to the
7 Speaker of *I Liheslaturan Guåhan* in bill form a detailed description of
8 the position, or positions, the funding and FTE of which have been
9 automatically repealed pursuant to this Section which the Presiding
10 Judge wishes to reinstate. In the case of an eliminated FTE in the
11 Supreme Court of Guam, the Chief Justice shall transmit to the
12 Speaker of *I Liheslaturan Guåhan* in bill form a detailed description of
13 the position, or positions, the funding and FTE of which have been
14 automatically repealed pursuant to this Section which the Chief
15 Justice wishes to reinstate.

16 In the case of an eliminated FTE in the Mayors Council of
17 Guam, the President of the Mayors Council shall transmit to the
18 Speaker of *I Liheslaturan Guåhan* in bill form a detailed description of
19 the position, or positions, the funding and FTE of which have been
20 automatically repealed pursuant to this Section which the President
21 of the Mayors Council wishes to reinstate."

22 Section 22. Section 7 of Public Law Number 25-02 is hereby *amended*
23 to read as follows:

24 "Section 7. Extension of Limited Term Employment.

1 Notwithstanding Public Law Number 24-327, any limited term employee
2 who was employed by the government of Guam as of December 31, 1998,
3 or later, *and* whose term may have expired before the enactment of this Act,
4 or whose term will expire prior to May 1, 1999, may be rehired by the
5 government of Guam in the same limited term position. Such limited term
6 employment hereunder shall expire on or before May 1, 1999. On or before
7 April 1, 1999, *I Maga'lahañ Guåhan* shall submit to the Speaker of *I*
8 *Liheslaturan Guåhan* a bill that shall detail those positions filled by Limited
9 Term or Temporary Appointments that he wishes to either permanize or
10 otherwise retain beyond May 1, 1999, the budgetary impact of such action,
11 funding sources for budgetary impact, and justification and assessment of
12 need for all positions proposed for permanence or retention."

13 **Section 23.** Notwithstanding any other provision of law, and in order
14 to ensure the continued operations of the government and the provision of
15 service to the public, *I Maga'lahañ Guåhan* is authorized to transfer employees
16 from one (1) position to another within the Executive Branch only, and *not*
17 including the autonomous agencies, without restriction for the remainder of
18 Fiscal Year 1999; provided, that no downgrade in compensation shall occur.

19 **Section 24. Severability.** *If* any provision of this Act or its
20 application to any person or circumstances is held invalid, the invalidity shall *not*
21 affect other provisions or applications of this Act which can be given effect
22 without the invalid provision or application, and to this end the provisions of
23 this Act are severable.

Authorized Full-Time Equivalency Positions

Exhibit A

Department	FTEs
Department of Education	4000
Superior Court of Guam	322
Supreme Court of Guam	27
Public Defender Service Corporation	43
Komitea Para Tivan	72
Public Auditor	6
South Pacific Games Commission	4
Chamorro Heritage Institute Planning Group	2
Public Health and Social Services	379
Guam Police Department	445
Department of Public Works	548
Guam Fire Department	347
Department of Corrections	234
Department of Revenue and Taxation	192
Department of Administration	205
Mayor's Council	176
Office of the Governor	119
Department of Law	123
Department of Mental Health & Substance Abuse	126
Department of Youth Affairs	76
Department of Parks and Recreation	153
Department of Agriculture	115
Department of Land Management	80
Department of Labor	62
Department of Commerce	45
Department of Integrated Services for Individuals with Disabilities	43
Bureau of Budget and Management Research	30
Guam Library	28
Guam Environmental Protection Agency	50
Civil Service Commission	18
Bureau of Planning	18
Guam Election Commission	12
Commission on Self-Determination	4
Department of Military Affairs	34
Guam Educational Telecommunication Corporation	10
Chamorro Land Trust Commission	12
Chief Medical Examiner	3
Guam Finance Commission	2
Agency for Human Resource Development	26
Territorial Planning Council	3
State Council on Vocational Education	4
Chamorro Language Commission	3
Guam Visitor's Bureau	30
Guam Council on the Arts and Humanities	9
Guam Museum	9
Customs & Quarantine	175
Guam Contractors License Board	8
PEALS Board	0
Solid Waste Division - Department of Public Works	91
Total FTEs	8,523

FISCAL YEAR 1999
 UNIVERSITY OF GUAM
 INTERNATIONAL TOURISM PROGRAM
 TOURIST ATTRACTION FUND BUDGET

Object Classification	Total FY99
111/113 Salaries & Benefits	\$333,739.00
220 Travel	\$14,275.00
230 Contractual Services	\$17,777.00
240 Supplies and Materials	\$11,155.00
250 Equipment	\$2,459.00
290 Miscellaneous	\$30,000.00
360 Utilities	\$4,000.00
Total Appropriation	\$413,405.00
Total FTE	5

Authorized Full-Time Equivalency Positions

Exhibit A

Department	FTEs
Department of Education	4000
Supenor Court of Guam	322
Supreme Court of Guam	27
Public Defender Service Corporation	43
Komisia Para Tivan	72
Public Auditor	6
South Pacific Games Commission	4
Chamorro Heritage Institute Planning Group	2
Public Health and Social Services	379
Guam Police Department	445
Department of Public Works	545
Guam Fire Department	347
Department of Corrections	234
Department of Revenue and Taxation	192
Department of Administration	205
Mayors Council	176
Office of the Governor	119
Department of Law	123
Department of Mental Health & Substance Abuse	126
Department of Youth Affairs	76
Department of Parks and Recreation	153
Department of Agriculture	115
Department of Land Management	80
Department of Labor	62
Department of Commerce	45
Department of Integrated Services for Individuals with Disabilities	43
Bureau of Support and Management Research	30
Guam Library	25
Guam Environmental Protection Agency	50
Civil Service Commission	15
Bureau of Planning	18
Guam Election Commission	12
Commission on Self-Determination	4
Department of Military Affairs	34
Guam Educational Telecommunication Corporation	10
Chamorro Land Trust Commission	12
Chief Medical Examiner	3
Guam Finance Commission	2
Agency for Human Resource Development	25
Terrestrial Planning Council	3
State Council on Vocational Education	4
Chamorro Language Commission	3
Guam Visitors Bureau	30
Guam Council on the Arts and Humanities	9
Guam Museum	9
Customs & Quarantine	175
Guam Contractors License Board	8
PEALS Board	0
Soild Waste Division - Department of Public Works	91
Total FTEs	8,523

FISCAL YEAR 1999
 UNIVERSITY OF GUAM
 INTERNATIONAL TOURISM PROGRAM
 TOURIST ATTRACTION FUND BUDGET

Object Classification	Total Price
111/113 Salaries & Benefits	\$333,739.00
220 Travel	\$14,275.00
230 Contractual Services	\$17,777.00
240 Supplies and Materials	\$11,155.00
250 Equipment	\$2,459.00
290 Miscellaneous	\$30,000.00
360 Utilities	\$4,000.00
Total Appropriation	\$413,405.00
Total FTE	5

Exhibit C						
Tourist Attraction Fund Appropriation						
	General Fund	TAF	Notes	Fed Fund	Total TAF	FTE's
Guam Museum		\$416,250			\$416,250	9
Guam Council On the Arts And Humanities		\$624,747			\$624,747	9
Dept. of Parks & Recreation Maintenance Division		\$2,193,105			\$2,193,105	64
Chamorro Language Comm.		\$50,770			\$50,770	
Guam Visitors Bureau - Total Budget FY 1999		\$13,752,755			\$13,752,755	30
Salaries & Benefits	GVB-Line Item	\$1,248,390				
Travel & Transportation	GVB-Line Item	\$18,141				
Contractual Services	GVB-Line Item	\$785,221				
Office Space Rentals	GVB-Line Item	\$0				
Supplies & Materials	GVB-Line Item	\$15,000				
Equipment	GVB-Line Item	\$0				
Miscellaneous	GVB-Line Item	\$51,000				
Utilities	GVB-Line Item	\$103,560				
Capital Outlay	GVB-Line Item	\$25,000				
Japan Marketing & Operations	GVB-Line Item	\$9,148,673				
Korea Marketing & Operations	GVB-Line Item	\$519,013				
Taiwan Marketing & Operations	GVB-Line Item	\$299,132				
Hong Kong Marketing & Operations	GVB-Line Item	\$163,314				
Philippines Marketing & Operations	GVB-Line Item	\$100,000				
North America Marketing & Operations	GVB-Line Item	\$235,449				
Pacific Marketing & Operations	GVB-Line Item	\$10,356				
Cultural Heritage - Community Program	GVB-Line Item	\$333,104				
Community Development - Comm. Program	GVB-Line Item	\$226,496				
TIV/VA - Community Program	GVB-Line Item	\$125,906				
Research	GVB-Line Item	\$345,000				

Exhibit C
Tourist Attraction Fund Appropriation

	General Fund	TAF	Notes	Fed Fund	Total TAF	FTEs
Guam Museum		\$416,250			\$416,250	9
Guam Council On the Arts And Humanities		\$624,747			\$624,747	9
Dept. of Parks & Recreation Maintenance Division		\$2,193,105			\$2,193,105	64
Chamorro Language Comm.		\$50,770			\$50,770	
Guam Visitors Bureau - Total Budget FY 1999		\$13,752,755			\$13,752,755	30
Salaries & Benefits	GVB-Line Item	\$1,248,390				
Travel & Transportation	GVB-Line Item	\$18,141				
Contractual Services	GVB-Line Item	\$725,221				
Office Space Rentals	GVB-Line Item	\$0				
Supplies & Materials	GVB-Line Item	\$15,000				
Equipment	GVB-Line Item	\$0				
Miscellaneous	GVB-Line Item	\$51,000				
Utilities	GVB-Line Item	\$103,560				
Capital Outlay	GVB-Line Item	\$25,000				
Japan Marketing & Operations	GVB-Line Item	\$9,148,573				
Korea Marketing & Operations	GVB-Line Item	\$519,013				
Thailand Marketing & Operations	GVB-Line Item	\$299,132				
Hong Kong Marketing & Operations	GVB-Line Item	\$183,314				
Philippines Marketing & Operations	GVB-Line Item	\$100,000				
North America Marketing & Operations	GVB-Line Item	\$225,449				
Pacific Marketing & Operations	GVB-Line Item	\$10,356				
Cultural Heritage - Community Program	GVB-Line Item	\$233,104				
Community Development - Comm. Program	GVB-Line Item	\$225,496				
IVVA - Community Program	GVB-Line Item	\$125,905				
Research	GVB-Line Item	\$345,000				