




Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Office of the People's Speaker
vicente (son) c. pangelinan

JAN 09 2004

TIME: 5:35 () AM () PM
RECEIVED BY: 

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

09 JAN 2004

The Honorable Vicente C. Pangelinan
Speaker
I Mina'Bente Siete Na Liheslaturan Guahån
Twenty-Seventh Guam Legislature
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 192 (COR), "AN ACT TO AMEND PUBLIC LAW 26-155, RELATIVE TO EXTENDING THE TIMELINE TO EXPEND NECESSARY FUNDS FOR THE LOCAL MATCHING REQUIREMENTS OF FEDERAL FUNDING AWARDED FOR SUPER TYPHOON *PONGSONA* RECOVERY EFFORTS," that I signed into law on December 17, 2003, as Public Law No. 27-45.

I applaud *I Liheslaturan Guahån's* commitment to our Island's restoration effort. Bill No. 192 extends the timeline to expend necessary funds for Super Typhoon *Pongsona* recovery efforts. I am, however, concerned with Section 4 of the bill that limits the use of the fund only for the Department of Education ("DOE") projects. The provision restricts the government from using this emergency fund to support the local cost share match required for government line agencies. This would stalemate the disaster restoration work for all line agencies. The projected DOE cost share requirement can be met with other funding sources currently established and available. A combined use of the Education Bond and the Compact/Impact funds could pay the remaining cost share requirement. Moreover, the Federal Emergency Management Agency cost share adjustment to one hundred percent (100%) of all emergency work has relieved the emergency fund of that cost share liability, to include those encumbered by DOE. The requirement to purchase typhoon insurance on DOE facilities can be accommodated through the line of credit legislation passed as Public Law 27-46. Hence, the intent and purpose of Section 4 is satisfied. Therefore, I urge *I Mina'Bente Siete Na Liheslaturan Guahån* to amend the legislation to expand the

use of the emergency fund to address the needs of the line agencies and allow the effort toward the government's restoration to continue.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Camacho".

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary

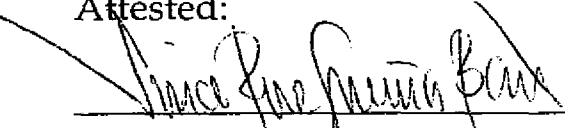
I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

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

This is to certify that Bill No. 192 (COR), "AN ACT TO AMEND PUBLIC LAW 26-155, RELATIVE TO EXTENDING THE TIMELINE TO EXPEND NECESSARY FUNDS FOR THE LOCAL MATCHING REQUIREMENTS OF FEDERAL FUNDING AWARDED FOR SUPER TYPHOON PONGSONA RECOVERY EFFORTS," was on the 6th day of December, 2003, duly and regularly passed.


vicente (ben) c. pangelinan
Speaker

Attested:



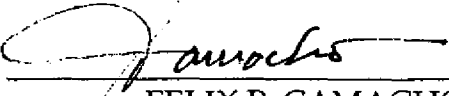
Tina Rose Muña-Barnes
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 6 day of December, 2003, at 4:15
o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 12/17/03

Public Law No. 27-45

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 192 (COR)

As amended on the Floor.

Introduced by:

F. B. Aguon, Jr.
J. M.S. Brown
F. R. Cunliffe
C. Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
J. A. Lujan
T. R. Muña Barnes
v. c. pangelinan
J. M. Quinata
Toni Sanford
R. J. Respicio
Ray Tenorio

AN ACT TO AMEND PUBLIC LAW 26-155, RELATIVE TO
EXTENDING THE TIMELINE TO EXPEND NECESSARY
FUNDS FOR THE LOCAL MATCHING REQUIREMENTS
OF FEDERAL FUNDING AWARDED FOR SUPER
TYPHOON PONGSONA RECOVERY EFFORTS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Super Typhoon *Pongsona* Emergency Authorization.

3 Section 4 of Public Law 26-155, as *amended* by Public Law 27-22, is hereby
4 further *amended* to read as follows:

5 "Section 4. *I Maga'lahaen Guåhan* is hereby authorized to spend
6 any unencumbered balances of the unexpended proceeds of the new
7 money bonds under Article 10, Chapter 22, Title 5 of the Guam Code

1 Annotated, currently slated for Phase II of the Tumon
2 Redevelopment Project, from the unreserved fund balance of the
3 Territorial Highway Bond, and from the unreserved fund balance of
4 the Educational Bond Fund.

5 Any appropriation authorized under this Section, which has
6 not been encumbered or expended by September 30, 2004, shall
7 revert back to the original sources from which the funds were
8 derived, *unless* utilized as local matching requirements for Federal
9 funding awarded for Super Typhoon *Pongsona* related recovery
10 efforts or for the purchases of insurance policies as mandated by
11 Federal law, rules or regulations necessary for the release of the
12 Federal Emergency Management Agency ('FEMA') funds for the
13 repair of eligible typhoon damages; and notwithstanding any other
14 provision herein, funds used as matching requirements are hereby
15 authorized for expenditure through the period of the grant award."

16 **Section 2. Reversion.** Section 5 of Public Law 26-155, as *amended* by
17 Public Law 27-01:03 and Public Law 27-22, is hereby further *amended* to
18 read as follows:

19 "Section 5. Any appropriation authorized under this Act
20 which has not been encumbered or expended by September 30, 2003,
21 shall *not* revert back to the General Fund but shall be carried over to
22 Fiscal Year 2004."

23 **Section 3. Reporting Requirement.** Section 6 of Public Law 26-155,
24 as *amended* by Public Law 27-01:04 and Public Law 27-22, is hereby further
25 *amended* to read as follows:

1 “Section 6. *I Maga’lahen Guåhan* shall prepare a detailed report
2 on all transfers, expenditures, and reimbursements by all and any
3 agency or department, and the Mayors Council, directly related to
4 Super Typhoon *Pongsona* or the funds appropriated herein. All
5 reports required herein shall be submitted to the Speaker of *I*
6 *Lihselaturan Guåhan* and the Public Auditor within five (5) days of
7 transfer, expenditure or reimbursement. A closeout report of the
8 expenditures of the funds appropriated herein shall be filed by
9 September 30, 2004, and until all funds used as local matching
10 requirements for Federal funding awarded for Super Typhoon
11 *Pongsona* related recovery efforts are spent.”

12 Section 4. Expenditures authorized by this Act shall be limited to
13 projects to repair typhoon damage to public schools of the Department of
14 Education.

15 Section 5. Severability. *If* any of the provisions of this Act or the
16 application to any person or circumstances is found to be invalid or
17 contrary to law, such invalidity shall *not* affect other provisions or
18 applications of this Act, which can be given effect without the invalid
19 provisions or application, and to this end the provisions of this Act are
20 severable.