

EDDIE BAZA CALVO
Governor



Office of the Governor of Guam

2012 Oct 11 PM 4:27
RAY TENORIO
Deputy Governor

October 10, 2012

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-12-1857
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/11/12
Time 11:17A
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 496-31 (COR), "AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-40, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS; TO AMEND SECTION 13 OF CHAPTER XII OF PUBLIC LAW 31-233, RELATIVE TO RESTRICTIONS ON HIRING OF UNCLASSIFIED EMPLOYEES; AND TO AMEND SECTION 14(a) OF CHAPTER X OF PUBLIC LAW 31-233, RELATIVE TO SERVICE AND REPORTING REQUIREMENTS OF THE TOURIST ATTRACTION FUND (TAF)", which I signed into law on October 9, 2012 as **Public Law 31-234**.

Senseramente,


EDDIE BAZA CALVO

Attachment: copy of Bill

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

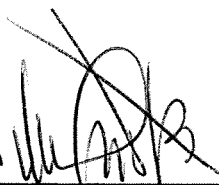
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 496-31 (COR), "AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-40, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS; TO AMEND SECTION 13 OF CHAPTER XII OF PUBLIC LAW 31-233, RELATIVE TO RESTRICTIONS ON HIRING OF UNCLASSIFIED EMPLOYEES; AND TO AMEND SECTION 14(a) OF CHAPTER X OF PUBLIC LAW 31-233, RELATIVE TO SERVICE AND REPORTING REQUIREMENTS OF THE TOURIST ATTRACTION FUND (TAF)", was on the 1st day of October, 2012, duly and regularly passed.



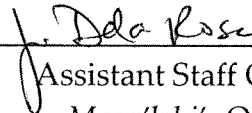
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 2nd day of Oct., 2012, at 09:40 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: OCT 09 2012

Public Law No. 31-234

I MINA'TRENTAI UNU NA LIHESLATURAN GUÁHAN
2012 (SECOND) Regular Session

Bill No. 496-31 (COR)

As substituted by the Author, and amended on the Floor.

Introduced by:

J. T. Won Pat, Ed.D.
Tina Muña Barnes
V. C. Pangelinan
T. C. Ada
V. A. Ada
F. F. Blas, Jr.
Chris M. Dueñas
J. P. Guthertz, DPA
Sam A. Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
R. J. Respicio
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A. Yamashita, Ph.D.

AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 31-40, RELATIVE TO EXTENDING THE DEADLINE TO OBLIGATE OR EXPEND AMERICAN RECOVERY AND REINVESTMENT FUNDS; TO AMEND SECTION 13 OF CHAPTER XII OF PUBLIC LAW 31-233, RELATIVE TO RESTRICTIONS ON HIRING OF UNCLASSIFIED EMPLOYEES; AND TO AMEND SECTION 14(a) OF CHAPTER X OF PUBLIC LAW 31-233, RELATIVE TO SERVICE AND REPORTING REQUIREMENTS OF THE TOURIST ATTRACTION FUND (TAF).

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

1 **Section 1.** Section 3 of Public Law 31-40 is hereby *amended* to read as
2 follows:

3 **“Section 3. Appropriation.** Upon USDOE approval to amend the
4 Phase I and Phase II ARRA SFSF grant application, whereby, the amount of
5 Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars
6 (\$60,088,935) of federal funds originally allocated for Capital Improvement
7 Projects (CIPs), Technology Upgrades and Science, Technology, Engineering
8 and Math (STEM) CIPs and Equipment is reprogrammed to Salaries and
9 Benefits resulting in a reimbursement of funds appropriated and expended in
10 Section 2 of Chapter II, Part I of Public Law 30-196, the reimbursement of
11 Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars
12 (\$60,088,935) from the SFSF grant authorized by the USDOE pursuant to the
13 expenditure of local funds and certified by the TPFA *shall* be deposited to the
14 Trust Account. The use of the reimbursed funds in the Trust Account *shall* be
15 pursuant to the following amounts and requirements:

16 (a) Sixty Million Eighty-Eight Thousand Nine Hundred Thirty-
17 Five Dollars (\$60,088,935) is appropriated from the Adequate Education
18 Act Trust Account to the Guam Department of Education in Object
19 Classes 230, 250 and 450 as follows: object class 230 (Contracts) –
20 Thirty-Five Thousand Dollars (\$35,000); object class 250 (Equipment) –
21 Three Million Fifty Thousand Dollars (\$3,050,000); and object class 450
22 (Capital Outlay) – Fifty-Seven Million Three Thousand Nine Hundred
23 Thirty-Five Dollars (\$57,003,935).

24 (b) The appropriation to Object Classes 230, 250 and 450 in this
25 Section *shall* be continuing appropriations for the GDOE and *shall* be
26 earmarked for Capital Improvement Projects and for the renovation,

1 rehabilitation, and repair of Untalan Middle School, Technology
2 Upgrades and Science, Technology, Engineering and Math (STEM) CIPs
3 and Equipment approved by USDOE contained in the ARRA SFSF
4 Phase I and Phase II grant application, including any subsequent
5 amendments approved by USDOE; *provided*, that all these appropriations
6 *shall* expire if *not* obligated by September 30, 2013.

7 (c) *Up to* the sum of Two Hundred Twenty-Six Thousand Dollars
8 (\$226,000) from the appropriation in Subsection (a), object class 250
9 may be transferred to personnel object classes 112 to fund overtime for
10 GDOE employees for the implementation of GDOE's Financial
11 Management Information System.

12 (d) GDOE *shall* report to *I Maga'lahi* and *I Liheslatura* on a
13 monthly basis as to the obligation and expenditure of the funds from the
14 Trust Fund and the completion of the ARRA/SFSF projects."

15 **Section 2.** Section 13 of Chapter XII of Public Law 31-233 is hereby
16 *amended* to read as follows:

17 **"Section 13. Restrictions on Executive Branch Hiring of Unclassified**
18 **Employees.** No government funds of any kind or description may be expended
19 for the employment or hiring of unclassified employees in the Executive Branch
20 of the government of Guam during Fiscal Year 2013, *except* for the following:

21 (a) Certified persons in the Guam Department of Education, as
22 identified in §715(12) of Chapter 7, Title 1 GCA;

23 (b) Any academic positions at the University of Guam and the
24 Guam Community College;

25 (c) Nurses, doctors, licensed health professionals and ancillary
26 health employees necessary for clinical purposes at the Department of

1 Public Health and Social Services, the Department of Mental Health and
2 Substance Abuse, the Office of the Chief Medical Examiner, the Guam
3 Memorial Hospital Authority, the Guam Police Department, and the
4 Department of Integrated Services for Individuals with Disabilities;

5 (d) Department of Labor Survey Workers;

6 (e) Systems and Programming Administrator, Junior Systems
7 Programmer, Senior Programmer Analyst, Junior Application Analyst,
8 Junior Programmer Analyst and Junior Application Programmer; and
9 positions dealing with reporting, tax audits, tax investigations, tax
10 collections, and processing of taxes at the Department of Revenue and
11 Taxation;

12 (f) Federally-funded positions (matching and up to 100%);

13 (g) Persons filling temporary vacancies created by the call to active
14 military duty of employees who are members of the reserve components
15 of the Department of Defense and the Department of Transportation,
16 including, but *not* limited to, the United States Army, United States
17 Navy, United States Marine Corps, United States Air Force, the Army
18 National Guard, the Air National Guard, and the United States Coast
19 Guard, *or* created by absence due to a long term disability status which
20 has been certified by a medical doctor. Departments may exercise this
21 hiring authority; *provided*, its authorized budget for personnel is *not*
22 exceeded;

23 (h) Positions within the Office of *I Maga'låhen Guåhan*, the Office
24 of *I Segundu Na Maga'låhen Guåhan* and the Guam State Clearinghouse,
25 and department or agency heads, deputies and private secretaries;

26 (i) Positions within the Mayors' Council of Guam;

1 (j) Positions within the Guam Election Commission;

2 (k) Limited-term, part time substitute teachers of the Guam
3 Department of Education; and

4 (l) professional engineers required to fill Chief Engineer positions.

5 (m) All persons employed pursuant to this Section, effective
6 October 1, 2011, *shall* meet the minimum Knowledge, Abilities
7 and Skills (KAS) associated with such position.”

8 **Section 3.** Section 14(a) of Chapter X of Public Law 31-233 is hereby *amended*
9 to read as follows:

10 **“Section 14. Service and Reporting Requirements.** (a) Organizations
11 receiving funding from the Tourist Attraction Fund (TAF) *shall* provide
12 community service in the amount of ten (10) hours of service per One Thousand
13 Dollars (\$1,000) appropriated to them for activities and/or events. The services
14 *shall* be consistent with the services provided pursuant to the respective TAF
15 appropriation.”



OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIIL)

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

**LEGISLATIVE
REPRESENTATIVE**

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

October 1, 2012

MEMORANDUM

To: Honorable Rory Respicio
Chairperson, Committee on Rules

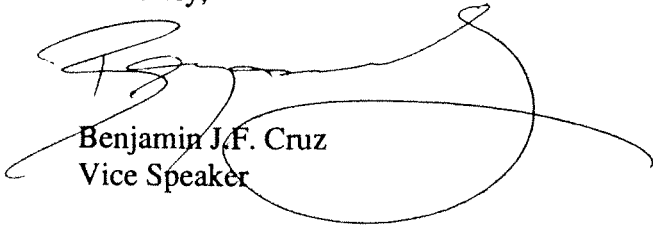
From: Vice Speaker Benjamin J.F. Cruz

Subject: Waiver of Public Hearing Bill No. 496-31 (COR)

After carefully evaluating the request to waive the requirement of a public hearing on Bill No. 496- 31 (COR) - An act to amend Section 3(b) of Public Law 31-40, relative to extending the deadline to obligate or expend American Recovery and Reinvestment Funds.

I certify that Bill No.496 -31 (COR) meets one of the requirements set forth in §2103(a) of Title 2 Guam Code Annotated and the requirement for a public hearing is hereby waived.

Sincerely,


Benjamin J.F. Cruz
Vice Speaker

cc: Clerk of the Legislature

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2012 (SECOND) Regular Session

Date: 10/01/12

VOTING SHEET

Bill No. 496-31 (COOK)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15

0

0

0

0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

I MINA'TRENTAI UNU NA LIHESLATURAN GUÁHAN
2012 (SECOND) Regular Session

Bill No. 496-31 (COR)

Introduced by:

J.T. Won Pat, Ed.D.
Tina Muna Barnes

2012 AUG -2 PM 3:50

**AN ACT TO AMEND SECTION 3(b) OF PUBLIC LAW
31-40, RELATIVE TO EXTENDING THE DEADLINE
TO OBLIGATE OR EXPEND AMERICAN RECOVERY
AND REINVESTMENT FUNDS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 3(b) of Public Law 31-40 is hereby amended to read as follows:

(b) the appropriation to Object Classes 230, 250 and 450 in this Section shall be continuing appropriations for the GDOE and shall be earmarked for Capital Improvement Projects, Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPs and Equipment approved by USDOE contained in the ARRA SFSF Phase I and Phase II grant application, including any subsequent amendments approved by USDOE; provided, that all these appropriations shall expire if not obligated by September 30, 20123.