



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

March 19, 2008

The Honorable Judith Won Pat
Speaker
Mina' Bente Nuebi Na Liheslaturan Guahan
Twenty-Ninth Guam Legislature
155 Hessler Street
Hagåtña, Guam 96910

Vertical stamp: 2008 MAR 20 AM 10:08

Dear Speaker Won Pat:

Due to an unfortunate oversight, the transmittal letter on vetoed Bill #'s 210, 211, 214, 218, and 221 dated March 18, 2008 delivered yesterday was a version in the draft stage.

Please replace with the attached which reflects the final version that should have been sent.

Your attention is appreciated.

Sincerely,

Handwritten signature of J. George Bamba

J. GEORGE BAMBA
Chief of Staff

for



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*Governor*

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*Lieutenant Governor*

19 MAR 2008

Honorable Judith T. Won Pat  
Speaker  
*I Mina' Bente Nuebi Na Liheslaturan Guahan*  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Please find enclosed:

**Bill No. 210** *“AN ACT TO APPROPRIATE FUNDS TO AUTHORIZE THE DEPARTMENT OF REVENUE AND TAXATION TO PURCHASE NEW EQUIPMENT AND CONTRACTUAL NEEDS NECESSARY FOR THE FUNCTIONS OF THE DEPARTMENT.”*

**Bill No. 211** *“AN ACT TO APPROPRIATE FUNDS TO AUTHORIZE THE DEPARTMENT OF REVENUE AND TAXATION TO HIRE NEW PERSONNEL WITHIN VARIOUS DIVISIONS TO ENHANCE COLLECTION EFFORTS AND COMPLIANCE WITH LOCAL LAWS.”*

**Bill No. 214** *“AN ACT TO APPROPRIATE THE SUM OF TWELVE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$12,800,000) FOR DELINQUENT STREETLIGHT ARREARAGE OWED TO THE GUAM POWER AUTHORITY TO COMPLY WITH THE STIPULATION ISSUED BY THE GUAM PUBLIC UTILITIES COMMISSION IN RESPONSE TO THE GUAM POWER AUTHORITY PETITION FOR FY08 BASE RATE RELIEF AS CONTAINED IN DOCKET 07-10.”*

**Bill No. 218** *“AN ACT TO APPROPRIATE THE SUM OF EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF REVENUE AND TAXATION (DRT) FOR THE PURPOSE OF FUNDING OVERTIME COSTS AND THE PURCHASE OF COMPUTER HARDWARE AND SOFTWARE IN ORDER TO SPEED UP THE REVIEW AND PROCESSING OF INCOME TAX RETURNS SO THAT DRT CAN PAY OUT FEDERAL FUNDS RECEIVED RELATIVE TO THE FEDERAL ECONOMIC STIMULUS PACKAGE IN A TIMELY MANNER.”*

**Bill No. 221 "AN ACT TO AMEND SECTION 1 OF PART 1-DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, OF CHAPTER III OF PUBLIC LAW 29-19 TO INCREASE THE APPROPRIATION FROM FORTY-SEVEN MILLION THREE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED EIGHT DOLLARS (\$47,356,108) TO SIXTY-ONE MILLION THREE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED EIGHT DOLLARS (\$61,356,108) FOR THE PURPOSE OF FUNDING OBLIGATIONS IN THE MEDICALLY INDIGENT PROGRAM AND THE MEDICAID PROGRAM."**

All of which I have vetoed in their entirety.

Had I allowed these bills to become law, this government would add an additional \$36 million to a budget already deficient by over \$40 million. These include \$11.5 million needed for the EITC settlement, \$10 million in retirees' insurance costs, \$14 million in MIP and Medicaid billings, and adds to the books some \$13.4 million in carry-over appropriations from FY 2007 unsupported by real cash. Just last week, I transmitted to the Chairman of the Committee on Finance, Taxation, Commerce and Economic Development, a request that the Legislature immediately address the funding shortfall of the health insurance benefits for our man'amko. Without the additional appropriation and the cash resources to support it, my Administration will be unable to cover the health insurance benefits for government of Guam retirees for the remainder of this fiscal year. The passage of legislation that increases the gap between appropriations and cash resources detects the unwillingness of the Legislature as a body to recognize the reality of our fiscal condition and the very real impact it is having on our entire island.

Aggravating this situation are several Court orders that will have to be paid at some point, some sooner than later. These include the permanent injunctions issued upon the Department of Integrated Services for Individuals with Disabilities and the Department of Mental Health and Substance Abuse and, just yesterday, the appointment of a federal receiver to oversee the closure of the Ordot Dump and the opening of a new landfill. This receivership jeopardizes our entire government's fiscal stability and our financial outlook in the bond market. While I recognize the importance of the programs and initiatives contained in these bills, I cannot place this government in a deeper deficit position.

Time and again, I have stressed the urgency of focusing our collective efforts on resolving the longstanding structural imbalance that a flawed budget process has created over the years. Along these efforts, my Administration offered a comprehensive Fiscal Recovery and Deficit Elimination Plan for use as a departure point to begin discussions to bring the growing deficit to a manageable level. Unfortunately, the Legislature quickly rejected my plan without proffering any solutions of their own.

The General Fund deficit is now at \$524 million or 125% of its annual revenues. The government's regular vendor payables alone have reached \$33 million, larger than the average deficit growth of an entire year during most of the last decade. This situation has forced the prioritizing of what we can't

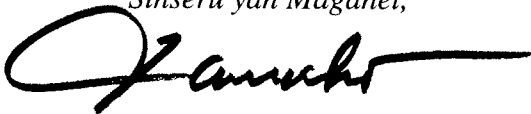
pay as opposed to what we can pay! A recent assessment of our cash equivalents to current liabilities revealed that we have only 3 cents to pay for every \$1 we owe. How do we prioritize between paying MIP and Medicaid vendors and paying police, firefighters, health professionals or, for that matter, paying all other vendors who drive this economy? Any additional burden through unsupported appropriations as proposed by these measures only exacerbates a budget that is already seriously challenged.

While the Legislature continues to ignore these financial realities by passing appropriation measures absent viable and available funding sources, my Administration continues to do what is within its ability to control this government's deteriorating situation. We've imposed a 5% reserve across-the-board to mitigate the cash flow impact. We've reduced overtime costs by 20% between 2006 and 2007 and an additional 10% this fiscal year. We've reduced regular salaries cost by 3% or \$3.2 million so far this fiscal year alone. We've withheld allotments for continuing and carryover appropriations, as well as other new appropriations, not supported by new revenues. We've maximized federal funds and reduced questioned costs from a critical high of over \$50 million down to just \$5.7 million. These are the small victories that do not make the headlines but chip away on the demands placed upon a government that is fiscally strained against the backdrop of a Legislative leadership oblivious to its plight.

I sincerely hope that no attempts are made to override my veto. To do so would send the wrong message to the federal court and the financial market in general. I, and members of my fiscal team, have warned of the very real and direct negative impact the financial condition of this government will have on our overall ability to provide even the most basic critical services to our community. Yet, empty appropriation measures continue to make their way out of the Legislature and on to my desk for action. Even as we face a large deficit and the potential for more than \$40 million in shortfalls this year, members of the Legislature continue to ignore the warnings of my administration and the financial markets by attempting to obligate this government to more than it can obviously pay.

I look forward to your leadership and ask for your commitment to join my Administration in finally addressing the serious financial challenges that we face. I ask that you and your colleagues to take seriously the federal receivership this government has been placed under and begin to work on a comprehensive plan to address both our short and long term financial challenges.

*Sinseru yan Magahet,*



**FELIX P. CAMACHO**  
*I Maga'lahaen Guahan*  
Governor of Guam

**I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN**  
**2008 (SECOND) Regular Session**

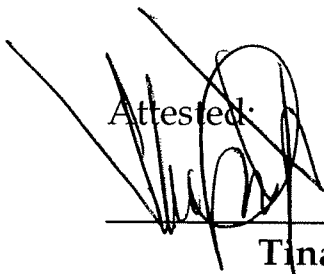
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 221 (LS), "AN ACT TO AMEND SECTION 1 OF PART 1-DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, OF CHAPTER III OF PUBLIC LAW 29-19 TO INCREASE THE APPROPRIATION FROM FORTY-SEVEN MILLION THREE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED EIGHT DOLLARS (\$47,356,108) TO SIXTY-ONE MILLION THREE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED EIGHT DOLLARS (\$61,356,108) FOR THE PURPOSE OF FUNDING OBLIGATIONS IN THE MEDICALLY INDIGENT PROGRAM AND THE MEDICAID PROGRAM,"** was on the 6<sup>th</sup> day of March, 2008, duly and regularly passed.



\_\_\_\_\_  
**J. T. Won Pat**  
**Speaker**

Attested:



\_\_\_\_\_  
**Tina Rose Muña Barnes**  
**Senator and Secretary of the Legislature**

.....

This Act was received by *I Maga'lahaen Guåhan* this \_\_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.

\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

**VETO**

\_\_\_\_\_  
**FELIX P. CAMACHO**  
*I Maga'lahaen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_



**I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN**

TWENTY-NINTH GUAM LEGISLATURE

155 Hessler Place, Hagåtña, Guam 96910

(671)472-3408

**March 6, 2008**

**MEMORANDUM**

To: *I Mina'Bente Nuebi Na Liheslaturan Guåhan*

From: Speaker

Subject: Emergency Certification

Pursuant to Title 2 GCA Section 2103, I hereby certify that emergency conditions exist which constitute a danger to the public health and safety in regard to **Bill No. 221(LS), "AN ACT TO AMEND SECTION 1 OF PART 1- DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, OF CHAPTER III OF PUBLIC LAW 29-19 TO INCREASE THE APPROPRIATION FROM FORTY-SEVEN MILLION THREE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED EIGHT DOLLARS (\$47,356,108) TO SIXTY-ONE MILLION THREE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED EIGHT DOLLARS (\$61,356,108) FOR THE PURPOSE OF FUNDING OBLIGATIONS IN THE MEDICALLY INDIGENT PROGRAM AND THE MEDICAID PROGRAM"** introduced on February 25, 2008, may be debated and voted on and that the requirement of a public hearing thereon be waived.



**J. T. WON PAT**

*I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN*  
2008 (SECOND) Regular Session

**Bill No. 221 (LS)**

As amended on the Floor.

Introduced by:

B. J.F. Cruz  
R. J. Respicio  
Judith Paulette Guthertz  
Tina Rose Muña Barnes  
A. B. Palacios, Sr.  
v. c. pangelinan  
David L.G. Shimizu  
J. T. Won Pat  
Frank F. Blas, Jr.  
Edward J.B. Calvo  
James V. Espaldon  
Mark Forbes  
Frank T. Ishizaki  
J. A. Lujan  
Ray Tenorio

**AN ACT TO *AMEND* SECTION 1 OF PART 1-  
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL  
SERVICES, CHAPTER III OF PUBLIC LAW 29-19, TO  
INCREASE THE APPROPRIATION FROM FORTY-  
SEVEN MILLION THREE HUNDRED FIFTY-SIX  
THOUSAND ONE HUNDRED EIGHT DOLLARS  
(\$47,356,108) TO SIXTY-ONE MILLION THREE  
HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED  
EIGHT DOLLARS (\$61,356,108) FOR THE PURPOSE OF  
FUNDING OBLIGATIONS IN THE MEDICALLY  
INDIGENT PROGRAM AND THE MEDICAID  
PROGRAM.**

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

2 **Section 1.** Section 1 of Part 1-Department of Public Health and Social

1 Services, of Chapter III of Public Law 29-19 is *amended* to read:

2       **“Section 1. Department of Public Health and Social Services General**  
3 **Fund Appropriations.** The following appropriations totaling Sixty-one Million  
4 Three Hundred Fifty-six Thousand One Hundred Eight Dollars (\$61,356,108) are  
5 made from the General Fund to the Department of Public Health and Social  
6 Services (DPHSS) for Fiscal Year 2008 as follows:

7           (a) DPHSS Operations and Community Health Centers. The sum  
8 of Fifteen Million Three Hundred Fifty-six Thousand Six Hundred Ninety-  
9 seven Dollars (\$15,356,697) is appropriated from the General Fund to the  
10 Department of Public Health and Social Services for its operations,  
11 including operation of the Community Health Centers.

12           (b) Public Assistance Program Payments. The sum of Two Million  
13 Two Hundred Fifty-one Thousand Nine Hundred Dollars (\$2,251,900) is  
14 appropriated from the General Fund to the Department of Public Health and  
15 Social Services for Public Assistance Program payments.

16           (c) Medically Indigent Program. The sum of Twenty Million Eight  
17 Hundred One Thousand Four Hundred Thirty-three Dollars (\$20,801,433) is  
18 appropriated from the General Fund to the Medically Indigent Program  
19 Payment Revolving Fund (MIPPR) for the Medically Indigent Program  
20 (MIP).

21           (d) Medicaid Program. The sum of Twenty-one Million Nine  
22 Hundred Eleven Thousand Dollars (\$21,911,000) is appropriated from the  
23 General Fund to the Department of Public Health and Social Services for the  
24 local match requirement of the Medicaid Program.

25           (e) Medicines for the Community Health Centers. The sum of  
26 Three Hundred Thousand Dollars (\$300,000) is appropriated from the  
27 General Fund for Fiscal Year 2008 to the Department of Public Health and



1 Social Services' Community Health Centers for the purchase of medicines.

2 (f) Catastrophic Illness Program. The sum of One Hundred  
3 Thousand Dollars (\$100,000) is appropriated from the General Fund for  
4 Fiscal Year 2008 to the Department of Public Health and Social Services for  
5 the *sole* purpose of funding the Catastrophic Illness Program. Said funds  
6 shall *not* be transferred *or* used for any other purpose.

7 (g) Enhanced Allotment Plan. The sum of Four Hundred Sixty-  
8 nine Thousand Seven Hundred Three Dollars (\$469,703) is appropriated  
9 from the General Fund to the Department of Public Health and Social  
10 Services for the Enhanced Allotment Plan (Medicaid Part D) for Fiscal Year  
11 2008.

12 (h) Foster Homes. The sum of One Hundred Sixty-five Thousand  
13 Three Hundred Seventy-five Dollars (\$165,375) is appropriated from the  
14 General Fund to the Department of Public Health and Social Services for  
15 payments of stipends and fees for Foster Home care for Fiscal Year 2008.”

16 **Section 2.** A new subsection (h) is *added* to Title 10 GCA §2905.5 to read:

17 “(h) Outstanding Government Claims. Payments from the  
18 government on outstanding government claims, including, but *not limited to*  
19 prior year COLA awards and prior year tax refunds, are exempted in  
20 determining income and in determining liquid resources.”