



Office of the Governor of Guam

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2008 DEC 11 PM 12:08 epm

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

05 DEC 2008

Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina Bente Nuebe Na Liheslaturan Guahan
155 Hessler Street
Hagatna Guam 96910

Handwritten notes: 29-08-0932, 12/05/08, and a signature.

Dear Speaker Won Pat:

I am returning herewith Bill No.377 (EC), AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO PLEDGE COMPACT IMPACT FUNDS FOR THE CONSTRUCTION COSTS OF A NEW LANDFILL," which I have vetoed.

The authorization to use Compact Impact funds is misplaced and conflicts with federal law. United States Public Law 108-188 requires the Governor of Guam to submit his request to use Compact Impact funds to the Department of Interior for approval.

Guam currently receives Fourteen Million Dollars in Compact Impact funds. The Department of Interior has approved Seven Million Dollars for the Guam School Leaseback Program. The balance of the proceeds for fiscal year 2009 has also been approved for various health and safety services including the implementation of services required by the federal permanent injunction.

The Department of Interior has already approved the use of Compact Impact funds and therefore Bill No. 377 cannot abrogate their authority. As such, I have vetoed the measure.

Sinseru yan Magåhet,

Handwritten signature of Felix P. Camacho

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

cc: All Senators

Attachment

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

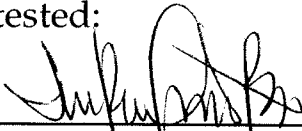
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 377 (EC), " AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO PLEDGE COMPACT IMPACT FUNDS FOR THE CONSTRUCTION COSTS OF A NEW LANDFILL," was on the 21st day of November, 2008, duly and regularly passed.



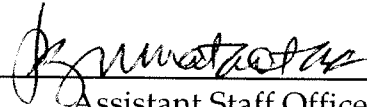
Judith T. Won Pat, Ed. D.
Speaker

Attested:



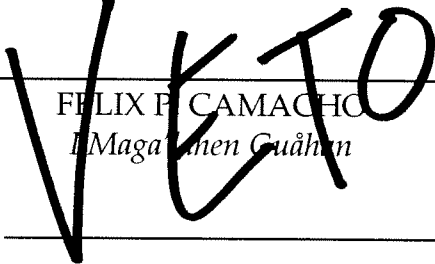
Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 25 day of NOV, 2008, at 9:41 o'clock a.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 377 (EC)

As amended.

Introduced by:

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

**AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO
PLEDGE COMPACT IMPACT FUNDS FOR THE
CONSTRUCTION COSTS OF A NEW LANDFILL.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that pursuant to an Order of the District Court to finance the construction of a new
4 landfill, *I Maga'lahi* has announced plans to delay payment of the prior year's tax
5 refunds, including the EITC and the COLA award to retirees until the new landfill
6 is constructed. It is the intent of *I Liheslatura* to prevent any further delay in
7 payment of the long overdue COLA award to retirees by providing a source of

1 funding for the landfill, which would *not* encumber general fund revenues already
2 prioritized for payment of these other obligations of equal *or* greater priority.

3 **Section 2. Authorization for Pledge of Compact Impact Funds for**
4 **Construction of Landfill.** Notwithstanding any provision of law, *I Liheslaturan*
5 *Guâhan* hereby authorizes the pledge of all remaining unencumbered *or* unpledged
6 current *or* future Compact Impact funds for the costs of construction and financing
7 of a new landfill.

8 **Section 3. Severability.** *If* any of the provisions of this Act or the
9 application thereof to any person or circumstance is held invalid, such invalidity
10 shall *not* affect any other provision or application of this Act which can be given
11 effect without the invalid provision or application, and to this end the provisions of
12 this Act are severable.